

# MINUTES OF MEETING

## HARMONY COMMUNITY DEVELOPMENT DISTRICT

The regular meeting of the Board of Supervisors of the Harmony Community Development District was held Thursday, April 25, 2013, at 6:00 p.m. at 7251 Five Oaks Drive, Harmony, Florida.

Present and constituting a quorum were:

Steve Berube	Chairman
Ray Walls	Vice Chairman
David Farnsworth	Supervisor
Kerul Kassel	Supervisor
Mark LeMenager	Supervisor

Also present were:

Gary L. Moyer	Manager: Moyer Management Group
Tim Qualls ( <i>by phone</i> )	Attorney: Young vanAssenderp, P.A.
Steve Boyd	Boyd Civil Engineering
Paul Calabro	Field Staff
Rick Druckenmiller	Field Staff
Greg Golgowski	Harmony Development Company
Todd Haskett	Harmony Development Company
Brock Nicholas	Harmony Development Company

### FIRST ORDER OF BUSINESS

### Roll Call

Mr. Berube called the meeting to order at 6:00 p.m.

Mr. Berube called the roll and stated a quorum was present for the meeting.

### SECOND ORDER OF BUSINESS

### Approval of the Minutes of the March 28, 2013, Regular Meeting

Mr. Berube reviewed the minutes of the March 28, 2013, regular meeting and requested any additions, corrections, notations, or deletions.

On MOTION by Mr. LeMenager, seconded by Mr. Walls, with all in favor, unanimous approval was given to the minutes of the March 28, 2013, regular meeting.
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### THIRD ORDER OF BUSINESS

### Audience Comments

Mr. LeMenager stated I would like to point out that our field employees are the only members of the public at tonight's meeting.

Mr. Berube stated that tells me people are happy.

**FOURTH ORDER OF BUSINESS**                      **Subcontractor Reports**

**A. Aquatic Plant Maintenance – Bio-Tech Consulting**

**i. Monthly Highlight Report**

Mr. Golgowski reviewed the monthly aquatic plant maintenance report as contained in the agenda package and is available for public review in the District Office during normal business hours.

Mr. Golgowski stated they have been out during the month attending the ponds, and there is nothing remarkable to report beyond that.

Mr. Berube stated last year, we changed the frequency of maintenance for certain ponds from monthly to quarterly. Is that working reasonably well? I have not seen any downside to the change.

Mr. Golgowski stated I have received comments from a resident in the Birchwood neighborhood about the pond out there. He thought it had slid a little.

Mr. Berube stated he is likely the one resident who would likely be saying that.

Ms. Kassel stated there is a resident in the Cypress 1 neighborhood who was complaining to me in my capacity as a CDD Board member that she was unhappy with the state of all the ponds, but her pond in particular, which is between the dog park and the school.

Mr. Berube stated we chased away the alligators. There used to be deer. The turtles are gone. Birds do not nest in the back anymore.

Ms. Kassel stated there are weeds and trash in the ponds.

Mr. Berube stated in general, the CDD has really ruined her pond.

Ms. Kassel stated some friends came and told her they would never buy here because of the condition of the ponds and she is disappointed.

Mr. Golgowski stated we modified the mowing routine on that particular pond to respond to similar comments in the past, in that, people were mowing closer to the water line behind her house and in that area, which is not a bad thing. It is good to have variations in mowing like that. If this is the resident I am thinking of, she was interested in having it cut right down to the water edge.

Ms. Kassel stated yes, it is her.

Mr. Golgowski stated we tried to accommodate her in that location.

Ms. Kassel stated I think her comments came right after some spraying had been done, so there was a lot of dead matter by the pond edge. I think that had an impact on her opinion at that time.

Mr. Golgowski stated they had done some heavy spraying on a number of ponds, so you will see a number of brown spots along the edge. Torpedo grass was their main target, which is an invasive plant. It will green up in no time.

Mr. Berube stated perhaps we are premature, but based on current experience, I wonder if we might consider modifying the schedule and go with quarterly maintenance on more ponds, or if we should wait and see a year's worth of results.

Mr. Golgowski stated let us get through the summer and see how it goes.

Mr. Berube stated that is fine.

## **B. Landscaping – Davey Commercial Grounds Management**

### **i. Monthly Highlight Report**

Mr. Berube stated I am sorry Mr. Garth Rinard is not at tonight's meeting because I was going to make a few comments to him. I have noticed the general decline in the way the property looks. The rutting has not changed. In fact, I have watched them mowing several times, and the wheels from the tractors go right into the ruts and continue right down those paths. There is a fair number of weeds in several places. The sport turf does not look good. It is rough, clean cut, but very rough and uneven. There are a lot of weeds or other intrusive grasses growing into the sport turf. Lakeshore Park does not look good and that is our showpiece. There is a lot of dead grass along Schoolhouse Road on both sides of the sidewalk in the front. It is not mulched. I realize they are pine trees, but there have been pine bark nuggets in there and a little bit of pine needles. Right now it looks like a mess. Several trees are leaning over. There is a little planter island behind the sidewalk behind the sport turf where the doggie pot is. There was a lot of plant material removed from there that has never been replaced. The tree trimming is well behind schedule. Looking around, it looks like there are four crew members working here at any given time, certainly not more than six. I made a determination a long time ago that I was not going to try to micromanage the landscapers, but two people have asked me what is going on with the landscapers in the last month. One of them even said, point blank, they thought Luke Brothers did a better job than Davey is doing. At that point, I figured it was time to say something. I do not know what Mr. Haskett is seeing since he is out and about as well. Ms. Kassel said in the last two meetings in our discussion about the CDD

providing landscaping at the school, that the school does not look any worse than what Davey is doing right now on CDD property. That tells me she is probably not too happy about it, either. I saw Mr. John Rukkila in the field today quite by accident and relayed my concerns to him. He did not argue very much, especially about staffing levels. I would rather not come to CDD meetings and say anything about landscaping. Mr. Rukkila already knows. I will ask Mr. Haskett to relay my concerns to Davey. The west entrance is not complete yet, and I know there were issues with the butterfly bush. But we are waiting and waiting. I am willing to give them some room here, but things have to change.

Mr. Haskett stated Mr. Rinard provided me with an update this afternoon, and he apologized for not being able to attend the meeting. He had to attend to an emergency elsewhere. The butterfly bush is now available and they will install it when they are doing Lakeshore Park with the additional trees and landscaping. He does realize that they are behind schedule on tree trimming, and he has more staff coming in specifically for that task next week. They will do more fertilizing in two weeks even though it is not scheduled yet. They are using a different type of fertilizer, and the overall turf color is good, better than it was last year. They were out last week and this week spraying for weeds. It is looking good. I understand the areas of Bermuda that Mr. Berube mentioned, and I will not make excuses for them. With the weather the way it was—cold, hot, cold, hot—the Bermuda is reacting a little slower than it normally does, which accounts for some of the mottling on the turf itself. The report indicated April 15 is when it was supposed to be fertilized, and it was fertilized last week. You should be seeing some color out of it at that point. I am familiar with Mr. Berube's concerns.

Mr. Berube stated I do not disagree that 60% or 70% of the community looks just fine, but the other 30% or 40% does not, especially Lakeshore Park. This is our showpiece, and we are finishing a new addition to that, so it needs to look nice. The whole place needs to look nice, but the big thing that stood out to me was the school project. They had a whole week to complete it, and they did not get it done. They had a whole crew in here on Saturday, cramming to finish that, which says they were short-handed during that week. What I notice is when they are trimming the trees, the whole crew is trimming the trees. When they are installing mulch, the whole crew is putting down the mulch. I am not trying to micromanage, but to me it looks like they are

significantly behind because they do not have enough people here, not enough boots on the ground. That is just my observation.

Mr. Walls stated if we could convey to Davey to have someone at this meeting, I think it is important to have them attend our meetings. It is once a month, and they should have a representative here. I think the community looks fine. When Davey first started, they really put their boots to the ground and had everything look really nice. Recently, that has slacked off, and I agree with Mr. Berube on that. They have gotten away from having everything look really nice and crisp. I understand we have had weather issues and those kinds of things. When I was in Town Square for the Relay for Life, the place was full of weeds, to the extent that I think a lot of the grass needs to be replaced to really fix the problem. It is like that throughout the community, and there are other places with a lot of weeds, such as the roundabout by the west entrance. These are high visibility areas where we want them to put in some extra effort and pay attention to these things. I am particularly disappointed about the entrance, that it sat there for so long with no landscaping. I find it hard to believe they could not find plant material in the State of Florida for four months. I am not giving Mr. Haskett a hard time; this is all directed at Davey. I want them to step it up and have them be gung ho like they were when they first started to keep things looking nice. Then we will not have a problem.

Mr. Haskett stated I will follow up with Mr. Rinard.

Ms. Kassel asked is there something going on with them? At the last meeting, he said he would meet with me about all the areas needing some landscaping, and that did not happen. I never heard from him.

Mr. Haskett stated I specifically asked Mr. Rinard about that. I do not want to make excuses for him but he has had a tremendous schedule. He did apologize and asked me to convey that to Ms. Kassel. I suspect he will try to meet with you this week.

Ms. Kassel stated I just used that as an example to ask if there is something going on with Davey.

Mr. Haskett stated not that I am aware of.

Mr. Farnsworth asked are they overloaded somewhere else?

Mr. Haskett stated I do not believe so.

Mr. Berube stated I tend to think Mr. Rinard manages several areas, and it is spring so they are probably buried. But that is their problem, not ours. It is as simple as that.

Mr. Farnsworth stated we do not want to make an excuse for them.

Mr. Berube stated I do not want to get into the same pattern we used to get into with having to hammer the landscapers every spring. That is the red light that I see flashing at the end of this tunnel that I am looking at. This is an early warning to get them squared away and hopefully they will get the message. I think Mr. Rinard will. Mr. Rukkila said he has not heard anything negative yet, and I responded that everyone wants to see what is happening. We have been through the routine over the last several years of hammering the landscapers, and it is not fun. We will see what happens.

Mr. LeMenager stated I know Mr. Haskett likes the natural-looking crepe myrtles. Was it your decision not to trim them?

Mr. Haskett stated no, it was part of the specifications.

Mr. LeMenager stated they were not trimmed.

Mr. Haskett stated no, they were not.

Mr. LeMenager stated it is way too late to do them now.

Mr. Haskett stated that is correct.

Mr. LeMenager stated perhaps a small refund is due to us.

Mr. Haskett stated there were specific ones that needed to be trimmed, and they were.

Mr. Berube stated the ones by my house were trimmed.

Mr. Haskett stated certain ones were trimmed.

Mr. LeMenager stated not the ones out here and not the ones by my house.

Mr. Haskett stated those are a different variety; they are the white ones. We are trying to let them flush out a little more. The only things we can really trim are the seed pods, but we did not find any.

Mr. Berube stated I was listening to the Master Gardener on the radio a few weeks ago, and people are doing that wrong on crepe myrtles and you should not trim them back. So let them grow and do a light trimming.

Ms. Kassel stated that is exactly right. I was going to say that the Extension Service says the same thing.

Mr. Berube stated over the years, everyone said they need a complete haircut, but apparently that is the wrong way to trim them.

Mr. Haskett stated they are still recovering from the prior year when they were cut back too severely, what we term "crepe murder."

Ms. Kassel stated the Extension Service Office calls it the same thing.

Mr. Berube stated whatever decision was made, I do not think it was necessarily wrong is the point.

Mr. Walls stated as long as it was a conscious decision.

Mr. Berube stated it is not what we are used to, but perhaps what we were used to is not the right thing.

**C. Dockmaster/Field Manager**

**i. Dock and Maintenance Activities Report**

Mr. Haskett reviewed the monthly field activities report as contained in the agenda package and is available for public review in the District Office during normal business hours.

Mr. Haskett stated I brought a sample of the braided fishing line that has been picked up in Buck Lake. This destroys seals and propellers very quickly, as well as motors. Each time staff pulls off the propellers, they find a wad of it in there. It is so strong. Typically normal fishing line will be cut up in there and it will go away, but this braided line stops it very quickly. We are trying to figure out ways of preventing that from being out in the lake.

Mr. Walls stated that is not someone dumping it in the water. That is from someone unrolling a reel and dumping it in.

Mr. Haskett stated that is what we thought the first time. We are not even sure where it is being picked up. We think it is between the canals, but we are not positive. Staff will keep an eye on fishing poles going out into the lakes.

Mr. Farnsworth asked is there anything that feeds into the lake?

Mr. Haskett stated just the wetlands around it.

Mr. Berube stated we have been hearing about the canals for a long time. Did we get this braided line out before it damaged the seals and the motor?

Mr. Haskett stated yes.

Mr. Berube stated that is good, because that used to be let go until the motor was damaged. The other thing is that it will kill the batteries faster because the propeller thinks it is running wide open all the time, trying to overcome that.

Mr. Haskett stated that is correct.

Mr. Berube asked how much backlash would we get if we shut off the canal?

Mr. Haskett stated a lot. I think that is the main location, at least for people who go out during the week. About 50% of them go there for fishing.

Mr. LeMenager stated we should encourage them to help self-police this and tell them the problem. We know who the responsible users are, so we can ask them to keep an eye out and let us know if they see something or someone that is a problem. We can put them on notice that we might need to change boat availability or where they can be used if we do not see some improvement.

Mr. Berube stated the problem is that there are only three boats out at any given time, so they probably will not see anything happen. Most of the time, there is only one boat out. No one will report themselves.

Ms. Kassel stated we can have the staff tell people when they are taking the boats out that we are having problems with this issue and even show it to them. Then we let them know if this keeps happening, we will have to restrict access to the canals.

Mr. Berube stated the reality is, while the wad of fishing line looks pretty nasty, at this point it has only been the time required to get it off and put the boat back in service. Through good policing by our fine field staff, we are able to keep this damage to a minimal status. We can simply continue with the current program.

Mr. Haskett stated we will keep it monitored. I am hoping it was an isolated incident.

Mr. Berube stated we need to remember these are resident boats, and they are paying for it. They want to use the boats and they want to go in the canals.

Mr. Haskett stated Mr. Calabro can use this as a prop during boat orientation to instruct them not to throw fishing line in the water.

Mr. Walls stated I used braided fishing line when I go fishing, and the good thing about it is it does not break. So when you are out there, you will not lose your line. For that to happen, that is from someone pulling it off the reel and dumping it in the lake. I do not know how you police that.

Mr. Berube stated you do not.

Mr. Haskett stated until last Sunday, the lakes were pretty low, and they have come up six to eight inches. That might help.

Mr. Berube stated that is a great visual. Kudos to the staff for finding the line.



Mr. Haskett stated the large pontoon boat has been at Advanced Marine. It is finished and we will pick it up in the morning and put it back in service. The pontoon sprang a leak on the passenger side in the well. Mr. Calabro recognized it.

Mr. Berube asked how did we get it to Advanced Marine?

Mr. Haskett stated the Harmony truck and the pontoon trailer.

Mr. Berube asked how many trailers do we have?

Mr. Haskett stated two pontoon trailers and three other boat trailers. There is one trailer for every boat.

Mr. Walls stated there is a trailer for each of them in case we ever need to pull them all out.

Mr. Haskett stated we might consider liquidating the 18-foot pontoon trailer, which is a nice trailer. But we do not need a 20-foot trailer and an 18-foot trailer if the 16-foot boat will fit on a 20-foot trailer.

Mr. Berube stated before we discuss that, I have something else to consider at a later date. We do not have an 18-foot pontoon boat, but we have an 18-foot pontoon trailer.

Mr. Haskett stated it is a 16-foot trailer. I misspoke earlier.

Mr. Berube stated so we do not have a boat to fit that trailer.

Mr. Haskett stated yes, we do. Both boats will fit on one trailer. We put the 14-foot fishing boat back in service. It is a jon-type fishing boat. The staff put a battery on it as a 12-volt battery so that they can switch over if they need battery power in the middle of the lake. It has already been used quite a few times, which has made quite a few people happy. It is a nice little fishing boat. We have been monitoring the dock. It is not any better but I do not think it is much worse than it was. If we do not have too many storms, I think we can get through the summer into the next budget year. We still need to look at replacing that in the near future. The sailboat was damaged from a storm that came through here 25 days ago. We have yet to take it out of the water to take it to Lake Fairview Marina to have it repaired because due to schedules, we have not had enough time to get it there. Scheduling the staff has made it inconvenient at the moment.

Mr. Berube stated pretty soon, there should be a third employee to allow more time.

Mr. Haskett stated that is correct. It takes two people to get it out: one to go across the lake and one to bring the truck around. The sailboat will be taken up there next week to get the front sail repaired. It was probably due to some deterioration over the years, but

the storm really damaged it. This was not anything that could have been avoided except to have taken the sail completely off, which is impractical. We had boat orientation on the 23<sup>rd</sup> and two people attended. Four will attend Saturday's orientation, which lasts about an hour at the lake and the Enrichment Center. The swing set has been ordered and it should be delivered in two more weeks. Closer to that time, we will get the site prepared and ready. We received a plan from Insight Irrigation for Lakeshore Park, which is to trench it on Monday and get the pipe delivered also on Monday. Pipe will be installed beginning Tuesday and hopefully be finished Wednesday or Thursday. Davey has planned to have their service come in from Jacksonville to transplant the trees and remove them from up front, so we are in line with all that happening. When Mr. Aaron Smith designed the irrigation system, I had him research how far we can go with the water. He determined that we can run the mainline clear down to the farthest bridge on Cupseed. The budget should allow for it, and we will be able to put all the trees along the path on bubblers. We should be able to keep it within the same budget that I provided.

Mr. Berube stated there is a hole in the ground there. Is that in anticipation of this work?

Mr. Haskett stated yes. We had to identify how many valve wires were there and Mr. Calabro had to test them to make sure they were not cut anywhere between the controller and the hole. That was part of the preparation work. We will cut the three-inch line and put in a gate valve and keep on going.

Mr. Berube asked who is doing the installation?

Mr. Haskett stated Mr. Calabro.

Mr. Berube asked are we going to rent a trencher?

Mr. Haskett stated yes.

Mr. Berube stated manual labor is one thing, but that is too much manual labor.

Mr. Haskett stated I agree.

Mr. LeMenager stated at one time, Mr. Gologowski was going to measure the various walks around the lake. Is that still on the list of things to do?

Mr. Gologowski stated yes, we can do that. We have not marked it out, but we can proceed with that if you like.

Mr. LeMenager stated a resident asked me about that.

Mr. Berube stated I have a couple items for the Board's consideration. We are currently two boats short from prior inventory. We used to have an old wooden boat that we disposed of a couple years ago. We recently disposed of the solar boat. One of the charges of this Board is to repair, maintain and replace infrastructure as needed. We briefly mentioned the increased demand for boats at the last meeting. I am not suggesting we make any decisions tonight, but this is something to keep in mind. Our boat inventory is two boats less than before. If the demand for boats continues, then I think we need to consider adding another boat of the type that people seem to like to use, which clearly is the pontoons. Perhaps we can consider one in between the two sizes we have now, which should fill that trailer that Mr. Haskett mentioned. Before we discuss liquidating any trailers, let us get through the summer and see what we are going to do about the boats.

Mr. LeMenager stated I am unalterably opposed to adding more boats. Mr. Berube must not be reading the same usage report that I read.

Mr. Berube stated I am reading it.

Mr. LeMenager stated we have five boats. I am not sure all five have ever been in use at the same time.

Mr. Berube stated probably not.

Mr. LeMenager stated if we get to the point where all five boats are being used and we have that much demand, maybe I will consider it. More boats? What do we want our assessments to be in two years?

Mr. Berube stated look at the trend of usage. I am not arguing with the fact that there are a lot of times when the boats are sitting at the dock. In a community like this, that is to be expected. People want them on the weekends, and I think they are very busy on the weekends, which is my interpretation in what I see. Mr. Calabro and Mr. Druckenmiller are the ones who check the boats in and out, and there is a certain amount of delay time because they are charging them. I am not saying we should move forward by purchasing a boat. We have had only a couple months of relaxed rules for boat usage, but clearly boat usage has increased. With more people living here and the continued freedom of being able to use boats, the demand will continue to increase. It is just something to consider.

Mr. Walls stated I do not have an opinion either way. I think clearly the usage is going up just by looking at the logs. What I would like to explore is what Mr. Haskett

raised about the scheduling system. I think if you have something along those lines that is automated, gives you good data, allows you to see the usage when people are using boats and what boats they want to use, then we can have a quantitative analysis to determine if we need it rather than speculating. I would like to explore getting into something like that, not only for that purpose but because it will be more convenient for everyone who wants to use the boats. They can go online and look up something.

Mr. Haskett stated I have been talking with someone who has worked with us in the past on some of our data access card system use. He and I have been talking in general about what the online system that I showed him would do and how we could improve on that to make it useful for us. He is working on that to see what it would cost to develop something like that, not to reinvent the wheel but to make it usable for us. In the meantime, when people call in to reserve a boat and there is not a boat available, perhaps Ms. Rosemary Tschinkel can note on the spreadsheet that it was requested but not available as a tracking mechanism.

Mr. Walls stated I know that has happened to me a couple times. I have called to use a particular boat, and she will inform me that it is not available. Depending if I am going out alone or taking two or three people with me, I might still be able to take out another boat or I might not. I have run into that situation myself before.

Mr. Haskett stated it might help having that data.

Mr. Berube stated in general, it is helpful to remember that a two-hour boat ride has two hours of downtime afterwards to charge the batteries. Two hours of use equals four hours it is not available. We will roll forward with the boats as we get through this busy period coming up. Another item I wanted to discuss was the dock. Last month, Mr. Haskett presented us with the dock situation. I appreciate the fact that he provided a couple prices. I had a hard time sitting here, thinking about spending \$40,000 or \$50,000 with one particular company. We have gone out for an RFP for auditing services, which is \$16,000. I would like the Board's input on this, but I would like to solicit an RFP for docks. It would be a very general advertisement, probably in the Orlando Sentinel, something that says the Harmony CDD is considering replacing its dock system, please bring us your ideas and contacts, and contact Mr. Haskett for more information. He can take them down there and show them what we have. There is nothing wrong with the

dock; do not misunderstand me. But it seems to me that we need a more solid, bigger circle of potential contractors before we spend \$40,000 on the dock.

Mr. Haskett stated I did not present that last month to try to get the Board to spend the money. It was for budgeting purposes.

Mr. Berube stated I am not picking on Mr. Haskett. I am just saying what I thought about it. Mr. Moyer knows what I am suggesting. Does it make sense? I think Mr. Moyer can word some sort of an advertisement to get the concept out there. Maybe no one responds, or maybe 50 people are interested. Maybe there are better ideas.

Mr. Moyer asked do we want to start that process now or wait until we know more?

Mr. Haskett stated we probably want to at least identify the size or the number of slips we are looking for as some type of parameters.

Mr. Walls stated we need a basic scope.

Mr. Moyer stated that is correct.

Mr. Haskett stated what we really need to look at doing is having slips rather than having them along the dock and banging against the side. That will save the boats in the future.

Mr. Berube stated Mr. Haskett had a basic concept when he approached the Dock-Ters. We can use that same guideline for whatever we get into with the proposers. That way we can have an equal comparison. Some of them might propose different alternatives.

Mr. Walls stated I think we tell them we are looking for a slip methodology for a certain number of boats, and leave some room for expansion in the future.

Ms. Kassel asked how will pulling into a slip be any less damaging to a boat than pulling up along the dock?

Mr. Walls stated you can tie off on it.

Mr. Berube stated you can tie off on both sides and get it out of the water, either one.

Mr. Haskett stated the other theory is, when boats are tied to the side, most of our winds come out of the north or northwest, which means they have a mile's worth of water to get across and pick up speed. You can stand in the neighborhoods and not feel the wind, but you get on the dock and the boats rock and beat against the dock. If they are in slips, they are a little more protected.

Mr. Berube stated people who are in the marine construction business deal with this all the time, and pontoon boats are very popular. That is why I am suggesting we get the collective intelligence available and discuss it. Anyone who is serious about bidding this will come down and see what we have anyway. They can look at it.

Mr. Haskett asked is there any restrictions on the number of slips?

Mr. Walls stated no.

Mr. Berube stated the notice can be worded that we are generally looking for requests for proposals and ideas and commentaries.

**ii. Buck Lake Boat Use Report**

Mr. Haskett reviewed the monthly boat report as contained in the agenda package and is available for public review in the District Office during normal business hours.

**FIFTH ORDER OF BUSINESS**

**Developer's Report**

**A. Landscaping**

Mr. Nicholas stated we have been talking with a lot of excellent builders lately, and there has been some good activity. We have a chance to receive feedback from some potential buyers in the market, and the feedback has been really solid on the overall look of the community. Maybe we are a little more conditioned to it, but this is a tough time of year. I think Mr. Berube is right that the tree trimming is behind schedule and there are certain things that Davey should be a little tighter on. But it is a tough time of year for weed pressure and everything is waking up. Most of the plant material that is waking up is what you do not want to grow rather than the core turf. Relative to the sports turf, which we know a lot about, you do not get a lot of broadleaf weed pressure in the spring but you get a lot of the sedges and volunteer rye and that sort of thing. That is what I see when I look at it, which are the tufts of finer grasses that make it look mottled. I think that will pass. I think it is good to keep them honest and Mr. Haskett reminds them every once in a while that it looks a little rough and point out specific locations. There is a lot of seasonal influence as well as whatever else you are seeing.

**B. Lakeshore Park Improvements**

Mr. Nicholas stated we have been working on the efficient transfer of the Lakeshore Park improvements, which we just completed prior to the meeting. I received the portion of funding that the CDD was going to contribute through the trustee this week. We prepared a final set of documents. The only item left is to record the easement, which is executed. Mr. Moyer and I will take care of that.

**C. Harmony Community School Landscaping**

Mr. Nicholas stated we completed that project. The investment was a little more than we thought it would be, but it looks sharp. We received some good feedback from the school. We have engaged with the School District's legal department. We have a sketch of the legal descriptions. The process started with the school to ultimately make one of their agendas to try to get those areas conveyed over. It is moving but it is a slow process. My hope is that we can get it worked out before September 30.

**D. Staffing Agreement**

Mr. Nicholas stated Mr. Qualls and I have spent some time on the telephone discussing drafts and revisions of this agreement. I think everyone is happy with the language. Mr. Qualls provided drafts to the Board members. At this point, we did the calculation and provided that information, which was the last piece that was not included, aside from any language cleanups. Mr. Berube is anxious to get this agreement in place. We are not in a big rush but we want you to review it and ask questions. We can be ready to go whenever the CDD is. We have gone so far as to have a quick conference with the team. We encouraged them not to be shy and to attend a meeting if they wanted to know how this works and how the Board's governing will ultimately affect their livelihoods and employment. I think the employees are excited for the potential change. There is an orderly process to unwind their employment with Severn Trent. That will take a couple weeks no matter what else happens. Mr. Qualls has done a good job and has not spent a lot of time on this. We have done most of the work about the deal points.

Mr. Berube stated this agreement is largely the same as what was provided last month. There were some typographical errors that have been corrected and some specificity as to duties for the project manager and detailed work. We also added a dollar figure, which is a not-to-exceed figure. It was the last thing to add, and it was hard to come up with. It is not like a landscape contract. This one deals with human beings and days off, as well as fluctuations in schedules and other things. It was very difficult to come up with a not-to-exceed figure. It was provided largely for budgeting purposes. Until we are fully staffed, we will not get to that number. Even when we are fully staffed, we probably will not reach that number, simply because there is a sufficient amount of padding to be sure the contract value does not get exceeded.

Ms. Kassel stated it seems like it was pretty high.

Mr. Berube stated it is, but that is to make sure it contemplates three full-time staff and a fourth part-time person as well as Mr. Haskett's time.

Ms. Kassel stated it is almost double.

Mr. Berube stated the key is, our original dockmaster contract with Severn Trent was \$4,000 per month for one person, and that was issued in 2008. Now we are contemplating four people and it is \$17,100 per month. If you take the original \$4,000 and multiply it by four people, that is \$16,000, but we are five years later. It has increased significantly, and there is no doubt it has gotten more expensive. My anticipation is that when we are fully staffed, it will probably be closer to \$15,000 per month because there is an over-time factor figured into the number, worse-case scenario, benefits and those kinds of costs figured into it. We wanted a number that was not going to be exceeded right away, which was the hang-up in how to arrive at that number. The final cost will be under that figure. We wanted a contract with a not-to-exceed amount, and I believe that is what Mr. Qualls drafted.

Mr. Qualls stated the price is the policy, which I worked out with the Harmony Development Company. Mr. Nicholas and Mr. Haskett were a real pleasure to work with and they were very responsive. We worked out a formula, and the mechanism in the contract memorializes what the Board is discussing but more importantly, it memorializes what was discussed in the minutes at a previous Board meeting, where the District Manager will work with the onsite staff. The formula is included in the contract where that number will be derived. There is a true-up process to make sure that number is accurate. I think we have a way to define the term in the contract but give room for the various types of things that Mr. Berube was talking about. We describe that in the compensation section for changes in labor, seasonal growth, and so forth. Normally I would say when you are contracting with an independent contractor, do not worry about those kinds of things and do not get into it. But as I read the minutes and what Exhibit B addresses, the idea is this is part of a transition where one day the District will have an arrangement where the Harmony Development Company is not providing these types of services. This is a way for the District to be "hands on" with some of the details in implementing the scope of services, which you do not worry about with the landscape contractor, for instance. You are not going to worry about how Davey got to their bottom line. You are just going to worry if they are meeting it or not. In this case, there will be



focus—and there already is—on how to do this efficiently, which in the future will enable the District to grow with the knowledge through this process.

Mr. Walls stated I budget for staff all day long. When you talk about four people at a maximum of \$200,000 plus the intangibles that Harmony Development Company brings including knowledge of the District and the services of Mr. Nicholas and Mr. Golgowski and others who are not considered in this figure, it is a good deal.

Mr. Berube stated I thought so, too.

On MOTION by Ms. Kassel, seconded by Mr. Walls, with all in favor, unanimous approval was given to staffing agreement with the Harmony Development Company, as discussed.
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Mr. Berube stated we will get a final copy executed. As far as I am concerned, everyone can proceed.

Mr. Nicholas stated in conversation with the staff, provided the Board voted the way you just did, we will have them give their notice to Severn Trent tomorrow to start that two-week clock. We can still hire the next person as soon as we find the right candidate, and Mr. Calabro and Mr. Druckenmiller will come aboard with us as soon as their termination notice period ends so there will not be any gaps in their employment.

Mr. Berube stated we trust you to work out any concerns they have with regard to timing of benefits and wages and so forth.

Mr. Nicholas stated the timing for wages will coincide with our schedule. We are still checking with our insurance provider about a waiting period because there are rules for that which we negotiate in our annual contract. There may be a COBRA scenario or 60-day coverage so there might be a gap with health insurance. We may come back to you and suggest for ease of lifestyle and transition that we collectively come up with a creative way to take care of that. I am not expecting anything over the top, but if we cannot get a rule variance with our medical provider to start health care right away, we might be back to ask for something just as a pass-through in the first couple weeks.

Mr. Farnsworth asked when will that come up, two weeks?

Mr. Nicholas stated we will know for sure before the next meeting, whether or not we can hire the staff and have no waiting period. If that is the case, there is no problem. If not, then they have a choice to make if they want continuing coverage during the waiting

period. Perhaps there is a way for them to continue with what they have currently and for us to figure out how to cover what the company used to cover for them on their behalf for the premium for COBRA.

Mr. Farnsworth stated to avoid an awkward situation with the staff, I suggest we allow Mr. Nicholas to handle COBRA if he needs to without coming back to us in two weeks to try to get a temporary arrangement.

Mr. Nicholas stated I will not come back in two weeks. I will make the call, and it is a pretty nominal expense if that happens. There is still a better than 50-50 chance that we might be able to get a variance and have coverage begin right away, but it also might not be possible.

Mr. Berube stated I am seeing three heads nodding in the affirmative that we will go along with coverage if needed.

Mr. Nicholas stated you will see it in the true-up, listed with everything else.

Mr. Berube stated we appreciate this act of generosity. Everything is covered and moving forward. We welcome the staff to their new employer. Hopefully we do not need to go through this process any time in the near future. It all worked out quite well. We appreciate everyone's patience and for the hard work Mr. Qualls, Mr. Nicholas, and Mr. Haskett did in getting this completed. There was a lot of information going back and forth with spreadsheets, draft contracts and changes. It all worked out.

#### **E. Irrigation and Weather Stations**

Mr. Berube stated Mr. Smith from Insight Irrigation has been onsite lately and probably will be here as part of this project.

Mr. Haskett stated that is correct, if we need him.

Mr. Berube stated I would like someone to ask him to look at the phone lines for the weather stations and tell us what we might need to do to convert to cell phones rather than these land lines. We are paying for a lot of things to Century Link that we do not need to be paying for. Land lines only get more expensive. Sooner than later we will have a good government contract with AT&T, so we might be able to get a basic cell phone service for those and eliminate \$100 per month for Century Link.

Mr. Haskett stated I will talk with him about this. The one we just installed at the retail center is like that and has its own built-in cell and communicates all the time.

Mr. Nicholas stated I went through this once before. The weather station device capability has a lot to do with whether or not those alternate communication methods

work. If we own the wrong device, it may not be possible to switch. It might be possible, but if you buy a physical weather station, which is a couple thousand dollars for just the physical device, and it is not set up for wireless or mobile pinging, then you will not be able to get it to work.

Mr. Berube stated technology changes all the time, so we need to see what we have.

Mr. Nicholas stated the one we own has some ears on it.

Mr. Berube stated it would be nice to eliminate that large bill and perhaps save a little money. If not, then when one of these stations goes down or gets struck by lightning, then maybe at that time we can consider a cellular changeover. It is just a matter of efficiency and getting rid of these land lines that are ridiculously expensive.

Mr. Haskett stated I will ask Mr. Smith to look into that.

## **SIXTH ORDER OF BUSINESS**

### **Consideration of Use Applications**

#### **A. Harmony Community School for Swimming Lessons**

#### **B. Osceola Community Choir for Patriotic Musical**

#### **C. Church at Harmony for Christmas Eve Services**

Mr. Moyer stated I just wanted the Board to be aware of what I usually issue without bringing it to the Board. There is nothing out of the ordinary and we have approved many of these before. The use of the community pool during the summer is one of the use authorizations the Board has approved previously. I have not approved the application from the Church at Harmony yet. Some CDD boards are sensitive about that. I wanted the Board to be aware of this activity, and if the Board has no objection, then I will issue the permit.

Mr. Berube stated I have no problem with the Christmas Eve services in Town Square. The application for the use of the pool is a little bit of a problem.

Ms. Kassel stated it is half the month of May.

Mr. Berube stated it is 15 days.

Ms. Kassel stated it is the whole morning for half the month.

Mr. LeMenager stated they do this every year.

Ms. Kassel stated but not for this long.

Mr. Walls stated when I saw the number of days, I was very concerned. It sounds like a great thing to do. Speaking from a resident and an assessment payer's perspective, an outside entity is coming in and having exclusive use of the pool but not paying anything for it, while the residents pay for the maintenance while another group is using it. I know

it is an admirable thing to teach kids to swim, but I do not know if it is our place to be benevolent with CDD money. I would approve this tonight, and I will vote in favor of it because we have an agreement in place for this. I was not on the Board when the original agreement was approved. What I would like to look into, which I submitted a request to the School District, is to see if they pay for any of the other facilities that they use. They use seven or eight or nine different facilities. I have not heard back from them yet, but they are looking into it. I want to look at having them pay a prorated portion of the maintenance costs that we spend for the pools if they want to do this again next year. That will not compensate residents for the loss of use of the pool, but we can at least tell residents that even though they cannot use it, the school is paying for the use. This extends to the other applications, too. I do not have a problem at all with the choir and Christmas Eve services. I think the choir event anticipates 350 or 400 people coming in, which means a lot of trash for staff to clean up and there will probably be maintenance issues on our lawn. I do not want to get into a situation where we are letting everyone come in from outside who are not assessment payers and they are using the facilities and not paying anything, while the residents who live here and own property here are paying for all of the maintenance. I do not know if this would require a rule change, but it probably would. I think we really need to look at how we handle these things. I do not mind people coming to use these facilities, but I think there needs to be a fee or something where we can tell residents that we are covering the costs and the assessment payers are not subsidizing these groups for their activities.

Mr. Berube stated there is a little bit of a problem. There is an organized aquasize that goes on at this pool every day with 10 to 12 people at that time. My wife attends as does my sister-in-law, plus eight or 10 or 12 other women. This will clearly displace that activity. Mr. Moyer has already approved this application, so I would like to find a way of getting around that.

Ms. Kassel asked can they go to Ashley Park?

Mr. Moyer stated we can terminate any of these permits at the Board's direction.

Mr. Berube stated I am not suggesting that we terminate them.

Mr. Walls stated I would not back out of the swimming lessons right now.

Mr. LeMenager stated I think allowing the school to use the pools is 100% exactly the kind of thing that we should do. We are the department of parks and recreation. I am not

sure where the other Board members are coming from on this. I cannot think of a better use of our public facilities than teaching kindergarteners and first graders how to swim.

Mr. Berube stated no dispute.

Mr. LeMenager stated this event will be three weeks, and we have two pools. There is another pool where the women can exercise. This is absolutely the kind of thing we want to be doing for the kids.

Mr. Nicholas stated in the big picture, that is my sentiment, as well. I will share how we approach things like this because these kinds of requests often come through our office, either from the principal or physical education teacher. We take the requests. For instance, say they want it every day from 8:00 a.m. to 1:00 p.m. for two weeks. We look at the request internally and realize it does not work because we cannot shut down the pool for that long. They do not want to shut down the pool. They have rules to follow under the Jessica Lunsford Act. So if kids are present, they cannot have any other people around. It is not their preference to exclude everyone else, but it is a byproduct of the rules they have to follow wherever the kids go. That is why the pool is off limits to everyone else. The way to approach it is to start with the mindset that we want that kind of use, and we enjoy that kind of use. They are not offsetting costs or assessments anywhere else at the municipalities where they are implementing this program. But we need to ask them to be reasonable about the usage. If they are going to set up a program through the summer, let us do it on Thursday afternoons, and then let the instructor at the school deal with how he rearranges his calendar to make that fit. I would suggest approaching it that way and figuring out a way to approve it but still have it not be a negative for the community. I think that is possible. My experience with the school is when they come with a request, we sometimes have to tell them we cannot pull a facility out of service for eight hours like this but pare it down. We ask them what their real intention is, and they will reply that they need it for two hours a day for x number of weeks for the program. Then we give them times that work best for the community, and everyone wins. Kids get to use it and no one complains about not being able to do aquasize. Somehow or another, this two-week window did not come through us. I do not know if this request came to Mr. Moyer from Mr. Bill Fife or directly from the school.

Mr. Moyer stated it probably came directly from the school.

Ms. Kassel stated it is 2.5 hours for three weeks.

Mr. Nicholas stated we would have asked them to reconsider the number of weeks.

Mr. Walls stated I am not suggesting we deny the application. That is not what I am saying. For three of us who commented to look at this and have an issue, there needs to be some measure of fairness for people who pay for that facility. I am not saying it is a bad thing; it is great. We can have another debate in another forum about whether or not it is the school's job to teach kids to swim. I do not want to tell residents that we are closing the pool and they cannot use it but still have to pay for it and the school is not paying anything. I do not feel it is my job to be benevolent with our money. Our job is to maintain infrastructure.

Mr. LeMenager asked how many of these kindergartners and first graders have parents who live here and are paying for the pool?

Mr. Walls stated that is apples and oranges because they are here as part of the School District when they are here. Any other organization can come in and say they have kids who live in this neighborhood and they want to use it for their purpose.

Mr. LeMenager stated we will have to agree to disagree.

Mr. Berube stated let us not forget we have two pools. The majority of people want to use the Swim Club pool. There is another pool that usually is empty all the time. I have to believe that other pool has just as good water, surface and room for young kids to learn how to swim as this pool has. Barring our revision so Mr. Moyer does not have to rescind the application, we can tell the school to use the Ashley Park pool. It is a better facility anyway. There is more shade, trees, furniture, a shower, and bathrooms. The facility has the same standards as the Swim Club, but fewer people use the Ashley Park pool. We should shift the swimming lessons to the Ashley Park pool, and then this issue goes away. We can decide in the near future at a rulemaking workshop about other issues. We have several rules that need to be discussed, including pool usage, boat usage requirements to be more relaxed, and others. With the budget process coming up, we could have a workshop this summer for rules and the budget and advertise it as such.

Ms. Kassel asked would there be any problem moving the swimming lessons to the Ashley Park pool?

Mr. Nicholas stated I would like to have a conversation with whomever made the request. I will look to see if it came through our office. The requests you ultimately receive are not in the original form they were requested. It looks like the coach sent this

request directly from the school. Generally we have the opportunity to filter the requests so that by the time you see it, it is defensible and makes some sense.

Mr. Berube stated perhaps the coach does not even know there is another pool available.

Mr. Walls stated I do not live there, but it is right in the middle of a populated residential area. I do not know how many kids they bring in when they do this or if anyone will have an issue with it.

Mr. Berube stated they only bring in a few kids at a time, which is why it takes so long.

Mr. Walls stated for this year, if that is the solution, then that is fine. But I take issue with outside entities, no matter who they might be, coming in and using the facilities and not paying for anything.

Ms. Kassel stated that is not a big issue for me. I know that is the time of year when people want to start going to the pool.

Mr. Walls stated it all goes hand in hand.

Ms. Kassel stated if some accommodations could be made, even an hour or 90 minutes earlier so they are done earlier, then they would not be taking up time when residents would want to use the pool. I think that will be more amenable.

Mr. Nicholas stated I will get the request from Mr. Moyer and I will engage with Coach Jeremy Velazquez to let him know the issues. We can assist with this because we share common sense with the teacher when they make the request.

Mr. Farnsworth asked can they start earlier?

Mr. Berube stated we are not trying to impede them teaching the kids.

Mr. Nicholas stated I totally understand. The Board does not need to waste time trying to figure out if the times are right. We will do that. We know what the resistance points are, and we will work through it with the school. That is why we try to work so hard to make sure requests like that do not come unfiltered.

Ms. Kassel asked did they request three weeks in previous year?

Mr. Berube stated no.

Mr. Moyer stated they have requested two weeks.

Mr. Nicholas stated they always start with my office. This is the first time I did not receive this request before Mr. Moyer received it. They got comfortable and they are sending them directly.

Mr. Berube stated that is fine. We understand everyone works together. I have wanted to go to the pool in previous years, but it is shut down for these lessons.

Mr. Nicholas stated they want to keep it open. They would be happy to keep it open, but it is not possible because of the Jessica Lunsford Act.

Mr. Berube stated I think there will be less interference with residents wanting to use the pool if the school uses the Ashley Park pool. If the school is willing to make that change, then they can use it for the length of time they requested. I do not see a problem with that because that pool is hardly ever used. When we schedule a workshop for the summer, we will revisit our rules and try to come up with a better plan.

Mr. Nicholas stated I will meet with the Coach and come up with something that makes sense.

*The Board gave consensus for the approval of all use applications, as discussed.*

## **SEVENTH ORDER OF BUSINESS**

### **District Manager's Report**

#### **A. Financial Statements**

Mr. Moyer reviewed the financial statements as included in the agenda package and available for public review in the District Office during normal business hours.

Mr. Moyer stated the financial statements do not reflect the developer's payment because that happens late in the month, and we would not have received it.

Mr. Nicholas stated it is not due until May 1.

Ms. Kassel asked are we above last year's collection percentage?

Mr. Moyer stated I believe we are 4% higher than last year. This year we are 58% and last year, we were 54% collected. This is nothing out of the ordinary, just the normal course of business for the way assessments are collected.

#### **B. Invoice Approval #156 and Check Run Summary**

Mr. Moyer reviewed the invoices and check summary, which are included in the agenda package and available for public review in the District Office during normal business hours, and requested approval.

Ms. Kassel stated I noted that many of the water bills were double or more from what they were last year, including one that was 20,000 gallons per day. At least five-sixths of them were more than double what they were last year.



Mr. Berube stated there is a reason for that. Last year, Toho Water Authority (“Toho”) reduced all our meter fees system wide, which saved us a significant amount on the meter fees, and that made sense. In exchange for reducing those meter fees, Toho raised the water rates, which is on a stepped tier. The cost for 2,000 gallons is not necessarily twice as much as 1,000 gallons.

Ms. Kassel stated I am not referring to the money amounts; I am talking about the usage amounts. If you look at the bar graph and the thousand gallons per day for this year and compare it to the thousand gallons per day for last year, it is more than double in most cases.

Mr. Berube stated I noticed that, too. I do not know that it was all of them, but I saw about an equal number of them were reduced.

Ms. Kassel stated it was five-sixths, at least three-quarters reflect that there is more than 50% greater usage than last year.

Mr. Haskett stated it was recognized at the last meeting that the water bill was a little higher. We researched it. One was explained because the meter had been repaired and was now registering usage.

Mr. Walls asked is that the one at Harmony Square Drive for \$900 every month?

Mr. Haskett stated yes.

Mr. Berube stated it had been zero for a long time.

Ms. Kassel asked what is the usage number for this year, 20,000 gallons per day?

Mr. Berube stated it is a pretty large number.

Mr. Walls stated about 27,000 gallons.

Mr. Haskett stated the biggest user is Cat Brier Trail. The main reason that bill is large is because it is a larger zone and has a larger meter.

Ms. Kassel stated the one for 20,000 gallons per day is Harmony Square Drive.

Mr. Haskett stated it runs all of the main entrance, the west side, goes past the tunnel to the traffic light, and around Ashley Park so it covers a lot of area.

Ms. Kassel stated that is just the one spot. I could have saved this for Supervisor Requests, but since it is invoice related, I thought I would bring it up now. I would like Mr. Haskett to look into why we are using more than double the amount of water and probably spending double the money. In most cases, the water usage is greater than double for most of those meters.

Mr. Berube stated from last year to this year, I presume there have been no significant changes to Maxicom. However, I think this year is drier than last year was in general, so Maxicom is probably activating the irrigation more often.

Mr. Haskett stated if you came in through Town Square Sunday morning or Thursday morning, you will see Maxicom still running because it has a lot of rotors on it and each rotor is running for the length of time Maxicom tells it, which is 45 to 60 minutes. There are 32 zones per controller trying to get all that water in, so there is a lot of water going out. It was very dry in January and February.

Mr. Walls asked are there wireless receivers on these meters?

Mr. Haskett stated yes.

Mr. Walls stated I noticed Toho was in the neighborhoods a month or two ago. They spray painted all the meters and looked like they were installing something.

Mr. Berube stated we have been wireless for a long time.

Mr. Walls stated I was just wondering. Ms. Kassel is right that there was this huge increase.

Ms. Kassel stated I think there is something going on and I do not know what.

Mr. LeMenager stated what is funny and perverse about this. For the first year ever, we did not hear a lot of moaning in February about how brown the place was getting. There is a reason. If you want to defeat Mother Nature and make everything nice and green, you will need to use too much water, which is what we do. I thought I was going to get through a whole year without making my famous speech that the natural color of Florida in winter is brown. If we try to defeat that, we are going to spend a lot more on water. That is really what is happening because we had a really dry winter.

Mr. Berube stated considering all this, we are still \$3,000 below the budgeted amount for water and sewer.

Mr. LeMenager stated that is correct.

Ms. Kassel stated if it is just because the sensors were saying we needed more water and we used more water, that is fine. It just seemed odd that all of a sudden we are more than double what we spent last year.

Mr. Nicholas stated that is a good point. I think Mr. Gologowski is a good candidate to call the people at Toho and ask them to come out and perform a free audit to help us answer that question. I think they could do that for us, and it is part of their service for

big customers. It is worth having that answer, even if it is something really common sense, like the usage changed. At least we will know.

Ms. Kassel stated exactly, especially if there are constraints on watering.

Mr. Nicholas stated they will do that for us. We can call customer service and provide them with some data and ask them to tell us what is going on.

Mr. Berube stated my point of view on this is, as long as we do not have water going into the ground through leaks, and I doubt that we do because Mr. Druckenmiller is on top of things, I am fine spraying water above the ground on the green plant material. I think we would notice leaks.

Mr. Nicholas stated I have not analyzed the bills or the kind of growth you are referencing, but the District now has a dedicated irrigation technician who is checking lines and making sure everything is running. Some of that will have an impact on the water bills.

Ms. Kassel stated of course it will, and if that is the reason for the increase, that is fine. We are now doing the appropriate thing and we were not previously. I just noted this pattern, and we should find out if it is something that is good or bad.

Mr. Nicholas stated I think it is worth looking into.

Mr. Berube stated in a short period of time, we will receive another set of invoices and we will be able to see if this trend is continuing. Hopefully Toho will be able to come out and perform an analysis. I noticed the same thing, but I attributed it to dryness and the fact that we are spraying water on the landscaping to make it green, which results in a cost.

Mr. Nicholas stated we can also look at the flow meters on the golf course, which is a big user, and the well water and things like that to see if there is any difference from last year. I do not know the answer to that, and there very well might be a difference. There are big swings from season to season.

On MOTION by Ms. Kassel, seconded by Mr. LeMenager, with all in favor, unanimous approval was given to the invoices, as discussed.
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### **C. Public Comments/Communication Log**

Mr. Moyer reviewed the complaint log as contained in the agenda package and available for public review in the District Office during normal business hours.

Ms. Kassel stated thank you for keeping up the communication log.

**D. Website Statistics**

Mr. Moyer reviewed the website statistics as contained in the agenda package and available for public review in the District Office during normal business hours.

**EIGHTH ORDER OF BUSINESS**

**Staff Reports**

**A. Attorney**

Mr. Qualls stated we have finalized the closing for the Lakeshore Park improvements. That was all taken care of.

Ms. Kassel asked are we now closing that capital account or will it remain open?

Mr. Nicholas stated there is some money left in that account still, a couple thousand dollars.

Mr. Moyer stated we are close enough that Mr. Boyd can certify that the project is complete, which means I can close the trust account and we will transfer that money in accordance with the trust indenture. If it has a couple thousand dollars, that money may go to the redemption account, but there is no sense in continuing with fees on that account for that amount of money.

Mr. Berube stated we have some ongoing landscaping being done in that area, which is outside the project.

Mr. Walls stated it can be included as part of the project.

Mr. Berube asked can we use the balance in that account for the landscaping?

Ms. Kassel asked can we use it for the new swing set?

Mr. Boyd stated it is an improvement, and it can be called a capital improvement.

Mr. Berube stated we will spend more than is in the account on the irrigation package, the trees and the other landscaping that is going in that area.

Mr. Moyer stated as long as Mr. Boyd says it is part of the project, then we are fine.

Mr. Berube stated it is definitely part of the project.

Mr. Boyd stated as long as it is for a capital improvement, that is what that money is for.

Mr. Walls asked can we put that money toward the irrigation?

Mr. Berube stated yes, we have irrigation and landscaping being installed as part of that project, so we should use that money on these items. That way we will not spend it on something else and it is easy to track.

Mr. Moyer stated that is a good idea.

Mr. Berube stated I will let staff work on that as the bills are received.

Mr. LeMenager stated I like using it for the irrigation because that is clearly in the scope of the project.

Mr. Berube asked do we have an idea how much the landscaping package will cost?

Mr. Golgowski stated it was already accommodated in the budget for the project, and it has already been paid for.

Mr. Berube stated then the only addition we will have is irrigation.

Mr. Golgowski stated that is correct.

Mr. Berube stated based on what I have seen for the irrigation extension, we will need a couple thousand dollars.

## **B. Engineer**

### **i. Reserve Study**

Mr. Boyd stated Ms. Brenda Burgess sent an email on this item, but I also have copies to distribute. I have been able to work up some information related to a reserve-type study. As we started to look at what we have and what we are building, we found we actually did this about three years ago. I took what we prepared three years ago and updated it, although there are some things that I discussed with Mr. Golgowski that we probably need to add to this report. This is not a true reserve study. It is a framework to give you an idea of how much needs to be going into the reserve account. Sidewalks are quantified at the bottom, and that probably should not be a reserve item. It is an ongoing maintenance item. You are not going to replace all the sidewalks ten years from now.

Ms. Kassel stated we need something like the dock, which is not on here.

Mr. Boyd stated that is correct. Mr. Golgowski and I discussed that we need to add the dock, as well as the boats because those probably will be replaceable items.

Ms. Kassel stated that is correct, as well as all the weather stations and those kinds of items.

Mr. Boyd stated that is correct; the Maxicom components can be a replacement cost above and beyond normal maintenance.

Ms. Kassel stated there are a number of these items that have useful lives of 20 to 30 years, which seems excessive to me. For example, the fountain shows a useful life of 20 years, but we have already had to replace some major components of the fountain.

Mr. Berube stated that is correct, but that is not because it wore out. That was due to a failure, part of which was covered by insurance. The sump pump failed and it flooded. It

did not wear out in that case; something went wrong. Ms. Kassel is correct that we spent a lot of money on it, but this report contemplates things that are going to wear out due to wear and tear from the sun and other conditions.

Ms. Kassel stated that was one example. Another is the pool decking. Are we not about to replace the pool decking?

Mr. Berube stated I had the same question. This report shows a resurface on the pool of 20 years, but clearly that will not work.

Ms. Kassel stated there are a lot of items that seem to have too long of a useful life.

Mr. Berube stated this is not to argue with you, but rather than redoing the whole report, if we think this is twice as long as it should be, then we double the number in the bottom corner.

Ms. Kassel stated correct, but I am saying to the engineer that if he is updating this reserve study, then he should adjust it and send us a new one so we know what we are dealing with.

Mr. Boyd stated I will update the report with all the things that we have discussed, and I will filter back through the useful life timeframe.

Mr. Berube stated I think what Ms. Kassel is requesting, and what I would also like, give us the bad news now. If that means we need to put aside \$100,000 annually instead of \$52,000, that is fine. Tell us that and let us make that decision.

Mr. Boyd stated that is the challenge in updating the frequencies because it will impact the numbers.

Ms. Kassel stated we know that, but that is the purpose of this report.

Mr. Farnsworth asked how pessimistic do we want the engineer to be in his estimates?

Mr. Berube stated pessimistic.

Ms. Kassel stated we want him to be conservative, not too optimistic.

Mr. Farnsworth stated that will end up being very expensive.

Mr. Berube stated I understand that.

Ms. Kassel stated I would rather have the money and not need it so we can spend it on something else, than to need it and not have it.

Mr. Boyd stated some of these items will be replaced a little sooner than might be projected, and some of these might have a useful life that goes well beyond these numbers. We will try to average those out a little.

Mr. LeMenager stated it is a nice theoretical discussion, considering we put zero into reserves this year. That means we are \$50,000 short for this year. I appreciate Mr. Boyd updating this report. The thing that concerned me was there was nothing concerning timing. How much do we have in reserves now, \$250,000?

Mr. Moyer stated \$135,000.

Mr. LeMenager stated that is a couple years' worth, but clearly a lot of these items are well past their useful life and some will be 10 years old pretty soon.

Mr. Boyd stated we already had an alley refurbishment three years ago.

Mr. Moyer stated we also did a pool refurbishment.

Mr. LeMenager stated I know we have done a few things, but that seems to be what is lacking. But that addresses my point that there is nothing in the report with respect to timing. When do we expect to do some of these things? The report gives us a nice ballpark number that we should be putting \$50,000 into reserves annually, which is the number we had in mind for the past couple years. We also need to look at the report to say in 2018, we will probably spend money on these certain items at the respective dollar amounts. This is a ballpark estimate, and there is nothing wrong with that.

Mr. Berube stated consider that we funded the pool resurfacing last year out of our regular budget. We did not use any reserve monies for that at all. If I recall, we also funded the alley resurfacing from our regular budget, as well.

Mr. Boyd stated that is correct and that is something to keep in mind that part of the maintenance budget covers some of these items already.

Mr. Berube stated it all depends on how much money do we want to spend for Mr. Boyd to provide a spreadsheet that folds out 10 sheets long with great detail that we really do not need.

Mr. LeMenager we do need something that says what level we need to have the reserve at, and I think we are all in agreement that \$135,000 is probably not enough, and where do we need to be. Do we need to get to a point where we have \$500,000 in reserves and we know pretty much that will put us in an equilibrium state where we will be spending some of that each year and putting enough back in?

Mr. Berube stated I do not think we have ever spent anything from reserves.

Mr. Walls stated I think our reserves are at a very good level right now. This report looks at replacing everything we own, which is a worst-case scenario. We are maintaining these facilities, which extends the useful life. We are replacing some of these items from the operating budget. It is great if we can set aside \$50,000 annually, but we do not need it. We need reserves to fix the things that need to be fixed right away when something bad happens. A lot of these items do not need to be fixed right away. If a fountain gets broken and we do not have the money to fix it, then we do not fix it. For things that are issues that cause public safety problems, like sidewalks that are bad, then we want to set aside money for that and fix those things. I think this is a good starting point. I want to see the list of things, which is important to me. As long as we know we have these facilities and are maintaining them, at some point when we need to replace it, then we can set aside money for that. I think where we are now is a very good place in terms of dollars.

Mr. LeMenager asked based on what?

Mr. Berube stated based on past experience.

Mr. Walls stated based on the fact that we have not used any of those dollars.

Mr. LeMenager stated the community only now is starting to get old and starting to fall apart.

Mr. Walls stated that is correct, and we will need to replace things in the future. I am saying that we have money set aside for that, and we have room in the operating budget to pay for some of them. Mr. Boyd does good work, but I do not want to spend a lot of money for a more detailed report.

Mr. LeMenager stated clearly, if we do a formal reserve study, it will cost a lot more.

Mr. Berube stated Mr. Boyd can add the things we already discussed that are not included on the spreadsheet, maybe rethink the lifespan knowing we resurfaced one pool already at 10 years. There is another pool coming up, which is currently shown at 20 years, so that can be reduced.

Ms. Kassel stated there are a number of items where the useful life can be reduced.

Mr. Berube stated I also think the wooden bridges are anticipated at 20 years, and I think that should be reduced.

Mr. Boyd stated I actually show them at 25 years.



Mr. Berube stated we need to reduce that lifespan because they are wood.

Mr. Boyd stated you are maintaining them over time. After a period of time—20 or 25 years—the piles have to be replaced, so we would anticipate replacing the whole bridge at that time.

Ms. Kassel stated but we are looking to replace the dock at 10 years.

Mr. Boyd stated that is due to heavy storm damage over time.

Mr. Berube stated we are always going to have storms.

Ms. Kassel stated we may have that same scenario again.

Mr. Berube stated we are not arguing with Mr. Boyd. I would rather have the bottom number be higher for the worst-case scenario, rather than a best-case estimate so that we do not have a problem in the future. That is my opinion and where I think we all are going. Let us make sure we are adequately prepared. We do not want to have to impose a special assessment.

Mr. Boyd stated I will review it and update it.

Mr. Moyer stated your budget this year will be pretty challenging.

Mr. Berube stated yes, we know.

Ms. Kassel stated instead of budgeting for reserves, we simply used what we did not spend last year and pushed that to reserves.

Mr. LeMenager stated our reserves did not change. The amount we are keeping in reserves is exactly the same as we kept in reserves last year.

Mr. Walls stated there is a healthy level of unassigned fund balance, also.

Ms. Kassel stated it goes into the same fund balance.

Mr. Walls stated it is still a reserve.

Mr. Berube stated we are not going broke.

Mr. LeMenager stated I do not think we are going broke. I think we actually share something in terms of not wanting to go to the voters and ask for increased assessments in case something happens.

Mr. Berube stated no, we do not want to do that. I will remind everyone that I suggested we increase assessments 1% last year, and everyone else objected.

Mr. LeMenager stated I agreed with you.

Mr. Berube stated we are getting very tight where the budget will have an equilibrium where it is a flat line. We need to remember that a 1% increase generates \$40,000 for that

budget, at an average cost to the home owners of \$30. It is a pretty good trade considering the level of services that we want to continue. It is something to consider with the upcoming budget cycle. I am not saying we should raise assessments. I am just offering things to be considered. It is good management to be sure you do not have to worry about fixing things and buying things as needed.

**ii. Neighborhood G**

Mr. Boyd stated Neighborhood G was completed several years ago. The CDD has been operating and maintaining the stormwater system well, and there are no issues there. I recently discovered that SFWMD does not have on file the paperwork saying that the CDD is maintaining that stormwater system. I completed the paperwork that just needs the Chairman's signature. I will submit that to SFWMD and this will bring their records up to date. This is primarily a housekeeping item

Mr. Moyer asked is this a standard letter?

Mr. Berube stated this involves the ponds and the underground system.

Mr. Boyd stated yes. It lets SFWMD know who is maintaining the system in case they want to make contact with the maintenance entity.

**NINTH ORDER OF BUSINESS**

**Supervisor Requests**

Mr. Farnsworth stated I spoke with one of the crew members from Davey, and they indicated they are the ones who take care of the fire ants. They have not addressed all of them.

Ms. Kassel stated the ants are on the move with all the rain we have had.

Mr. Farnsworth stated I have checked the area across the street in front of my house. Some of them have been taken care of, but there are three hills that are still pretty active. I just wanted to mention that. My second item is about the dog park area, and I have not been back there today to check. Outside the fence is the trash can that at one time had a ribbon around it. It is off its pegs. The bolts are supposed to hold it down, but someone has picked it up and set it off the pegs.

Mr. Haskett stated we will get it taken care of.

Ms. Kassel asked has there been any vandalism recently?

Mr. Haskett stated not until Mr. Farnsworth mentioned about the trash can.

Mr. Farnsworth stated it does not look like they destroyed anything. They just picked it up and set it off the mounts.

Mr. Walls stated when I was at the amphitheater for the Relay for Life, there were some ant beds around the seating area. Mr. Druckenmiller was kind enough to come out and take care of them because we had a lot of people out there with kids getting into them. I appreciate that.

Mr. Berube stated a couple weeks ago, I was at the pool and there was a significant number of people there. The security system went down and locked everyone in. When that gate locks, you cannot get out. I happened to be there and knew who to call. Within 10 minutes or so, the situation was resolved with the assistance of both Mr. Calabro and Mr. Druckenmiller. It is conceivable there could be another situation like that where people are locked in, and it could be a safety consideration. I can imagine if people get locked in there, someone will kick down the gate or some other damage. It would seem to be as simple as shutting down power to that system to get the gate to release. Can we do something with some sort of an emergency override within that enclosure, where you can shut off the power without getting into a locked room and unplugging it? I would make that request for both facilities.

Mr. LeMenager asked if we have a button like that, what is to prevent people from pushing the button to let all their friends in? That defeats the purpose of having the card access system. Mr. Berube was there and knew the people to call. It seems to me the simple solution is to post the names and numbers who to call in an emergency if there is any system failure.

Mr. Berube stated that will also work, as long as someone is here.

Mr. Haskett stated I did research it, and the reason it happened is a default in the program. If the gate is held open for an extended period of time, which it had been, it will fault out, locking people in and keeping people out. The goal is for people to keep the gate closed pursuant to health code and not keep it propped open.

Mr. Berube stated initially when we discussed this, there was going to be an alarm or a bell as part of the system, so when the gate is held open for 30 or 60 seconds, a bell was going to ring or something was going to happen. Up until now, we have not needed that, but we had one instance recently. Has anyone thought about the next step is to prevent someone from holding the gate open?

Mr. Haskett stated I discussed it with the staff. Their goal is to keep an eye on the gate all the time. It seems that it happens during reserved events, so we now put on the application that you cannot leave the gate propped open or it will default and lock.

Mr. Berube stated I was there for a party. It was not the group I was with, but there was another group on the other side, and I watched them prop it open Sunday afternoon. I did not even think about the gate defaulting like that. I knew what was going on since they had people coming and going the whole time, mostly non-residents. When the gate locked up, then it dawned on me that is probably why it happened. I probably should have said something earlier. It is a little bit of a problem which is easily avoided. I am just looking for a situation around it. Maybe we do not need to address it or maybe we do.

Mr. LeMenager stated put up a little sign. Mr. Berube made the comment earlier that you cannot control stupid.

Mr. Berube stated that is correct; you cannot fix stupid. People do not know the repercussions of propping the door open, and there is not a sign there. Most of the signs have faded, so if we are going to redo some of them and refresh them, this would be another one that says not to hold the gate open.

Mr. Haskett stated I will also look into the alarm that was adaptable to it, and maybe that will help.

Mr. Berube stated maybe an override will prevent that from happening.

Mr. LeMenager stated include on the sign that if they leave the gate open too long, they run the risk of being locked in and unable to get out. That tends to focus the mind.

Mr. Berube asked did someone repaint the gate today?

Mr. Haskett stated yes.

Mr. Berube stated that worked well except there was no sign for wet paint, and there are a lot of new fingerprints in the wet paint.

Mr. Haskett stated it apparently did not dry as fast as the label said it would.

#### **TENTH ORDER OF BUSINESS**

#### **Adjournment**

The next regular meeting is scheduled for Thursday, May 30, 2013, at 9:00 a.m.

The meeting adjourned at 7:35 p.m.
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Gary L. Moyer, Secretary

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Steve Berube, Chairman