

MINUTES OF MEETING HARMONY COMMUNITY DEVELOPMENT DISTRICT

The regular meeting of the Board of Supervisors of the Harmony Community Development District was held Thursday, August 27, 2015, at 6:00 p.m. at Harmony Community School, 3365 Schoolhouse Road, St. Cloud, Florida.

Present and constituting a quorum were:

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

Also present were:

Gary Moyer	Manager: Moyer Management Group
Tim Qualls	Attorney: Young, van Assenderp & Qualls, P.A.
Steve Boyd	Engineer: Boyd Civil Engineering
Gerhard van der Snel	District Staff
Residents and Members of the Public	

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

Audience Comments

Mr. Mike Stancil stated I have been a resident for quite some time, and I am also the pastor of Life Church. We submitted paperwork to do a couple events in the community. There are a lot of people from Harmony who attend our church, and we enjoy being connected to the community and serving here. One of the events is a Halloween event. We know a lot of people pack into the residential streets in Harmony. We thought we might be able to alleviate that by providing a trunk-or-treat event on the square that might keep many people from up and down the streets where residents live. I know this is such a nice community that we draw people from outside the community. I thought this might serve to alleviate some of the pressure and congestion during Halloween. Our thought was simply to provide candy around the square. With the parameters that you would set, we would then provide activities on the square, like music and food, depending on what you are okay with. We could do bouncy houses and things like that, or not. It is whatever you are comfortable doing.

Mr. Berube asked is the trunk part of the event people's vehicle trunks that they will pass candy out of?

Mr. Stancil stated yes. The way we have done this in the past is, in many cases, you do not even see the car because people have turned the backs of their cars into castles, barns, and all types of visually stimulating and interesting things for the kids.

Mr. Berube asked how many vehicles do you anticipate would show up for this?

Mr. Stancil stated probably 25 to 30, and we would spread them around Town Square.

Ms. Kassel stated my only concern is traffic access. We will probably have people coming in and out, and we would need at least all of the roadways in to be accessible.

Mr. Stancil stated we would not have to block any roads. We could park against the square in the parking areas. We could park sideways and not into the street to alleviate that concern, and we would be happy to do so. It would look a little better facing out, but I understand your concern. That is not a problem.

Mr. LeMenager stated let me suggest an alternative, just in case the Board does not grant your request. You have the parking lot of the stores, and you could certainly approach them. That has nothing to do with us. You might be able to do something with them.

Mr. Stancil asked the parking lot at the end of the market?

Mr. LeMenager stated it is also behind the market.

Ms. Kassel stated it is between the market and U.S. Hwy 192.

Mr. LeMenager stated it is a pretty big parking lot, just as an alternative thought.

Mr. Berube stated consider also where Champions Grill is at the golf course, which has a parking lot. There is also a parking down by Buck Lake. Two-sided parking is there, as well. Our concern is, even during the day with the businesses, there is traffic on both sides, and it gets very tight. Last year, there was an emergency during Halloween where the police had to get in. It was a break-in at someone's house or something, and it was a fast police response. We have to take all these things into consideration, and Town Square is not typically made for big events that congregate there. Typically when there is an event, they shut down Town Square to traffic and do something around it. That is our major concern. A lot of people like Halloween, and a lot of people do not. A lot of people

here would rather not see Halloween happen, but it does. I think we understand. Would you consider using alternative parking areas other than Town Square?

Mr. Stancil stated yes, if I do not have a choice. Obviously, the successful Harmony events that have been done for years have primarily been held on the square. I would like to host a successful event.

Mr. Berube stated consider the parking lot at Buck Lake. There is typically a pre-Halloween costume party where they give out pizza and candy, and they have some contests for the kids. So there is already an attraction to that parking lot.

Ms. Kassel asked are you sure that is going to happen?

Mr. Berube stated I do not know if it will happen this year. Historically, it has.

Mr. Stancil stated if not, then maybe that is the void that we could fill, and maybe that is the space we could occupy.

Ms. Kassel asked what is your timeframe?

Mr. Stancil stated it is in the application, but I have not looked to see what time the sun sets.

Mr. Berube stated typically people are spreading out from that parking lot at 5:30 and 6:00 p.m. when that party ends and people go out.

Mr. Stancil stated we are looking for a two- to three-hour event total.

Ms. Kassel stated I am just asking. Should that location be an option, most of the people will be out of there by 6:00, so it is not as though it will be taken up when you want it unless you need to be set up there earlier.

Mr. Stancil stated I appreciate what you are suggesting. If there is something already taking place, there will already be a draw.

Mr. Berube stated that is exactly right. You might be able to be there ahead of them, which is not too big of a deal since there is a lot of space available. It has on-street parking because you cannot fit all those people into that parking area anyway for that pre-Halloween party.

Mr. Stancil asked could we flow over into that park area if we did that?

Mr. Berube stated yes.

Mr. Stancil stated then we could use the parking area and the park.

Ms. Kassel stated as long as there is no damage to the grass in the park.

Mr. Stancil stated we understand we would be responsible of there was.

Mr. Berube stated if you remember the school that used to be there, it has an asphalt parking area with room for 12 to 15 cars anyway. So that has room for 20 to 25 cars as you have described.

Mr. Walls stated my concern is the same as last year. You cannot drive down our streets. It is vehicle after vehicle following kids down the road. Inviting more people will cause more of a problem. I understand what you are trying to do, and I am not against what you are trying to do. I think in terms of the infrastructure that we have, I am not sure we can support continuing to invite people in and be able to handle everyone without creating a safety issue in terms of ingress and egress in the community and throughout the community.

Mr. Stancil stated I want to suggest to you, as a Board, to consider that having an event on the square could actually serve to alleviate some of the pressure on the residential streets if people are trick or treating on the square.

Mr. Walls stated my concern is people will hit that event and then go into the community.

Mr. Berube stated anything that is attractive to bring more people into this development. We have been watching this, and every year it gets crazier. I think we understand your position. We will have an hour or so as the meeting goes on to digest this. We will make the fairest decision that we can.

Mr. Stancil stated if you deny the use of Town Square, I will ask you to approve the use of the park and parking lot area by Buck Lake. The other request we submitted was for Christmas Eve worship. Our community has done an Easter community worship for several years, early on Easter Sunday morning. I do not recall a Christmas Eve worship being offered. This is something we would like to offer this year. We would like to do that on the square, the same place where we do Easter worship. Obviously, we would not have the same traffic concerns on Christmas Eve that we have on Halloween.

THIRD ORDER OF BUSINESS

**Approval of the Minutes of the July 30, 2015,
Meeting**

Mr. Berube reviewed the minutes and requested any additions, corrections, notations, or deletions.

Mr. Berube stated some changes were submitted to us by email and should be incorporated by the management office.

On MOTION by Ms. Kassel, seconded by Mr. LeMenager, with all in favor, unanimous approval was given to the minutes of the July 30, 2015, regular meeting, as amended.

FOURTH ORDER OF BUSINESS

Public Hearing for Adoption of the Budget for Fiscal Year 2016

A. Fiscal Year 2016 Budget

Mr. Moyer stated this meeting has been advertised as a public hearing, so I recommend that we open the public hearing, take public comment on the budget, the Board will discuss your input, then close the public hearing and vote on the budget.

Mr. Berube opened the public hearing related to the adoption of the budget for fiscal year 2016.

Ms. Kassel stated perhaps we can give a little background to the residents of what the budget is this year, what we are increasing, and what we are decreasing.

A Resident asked is there a copy of the budget?

Ms. Kassel stated it is on the website. It was published before last week.

The Resident stated it would have been nice to know that was published online.

Ms. Kassel stated I believe I did make a post about that.

Mr. LeMenager stated it has been on the website for months. It is the same procedure we have used for 10 years.

The Resident stated may I suggest that is not very effective.

Mr. Berube stated I have a copy you can use. The good news is that assessments are not increasing.

Mr. LeMenager stated that is a false statement. We are raising the operation and maintenance assessment by 6.43%, which is offset by a reduction in the debt assessment because of the refinancing of the bonds. Make no mistake, the money we are taking out of your pocket long term is increasing 6.43%, the main reason being to pay down the street lights that the developer stuck us with.

Ms. Kassel stated that is not the main reason. The main reason is, we have new neighborhoods coming online that have street lighting, landscaping, and electricity for street lighting, not just the street lights themselves.

Mr. LeMenager stated I am in complete disagreement with that. I would not vote for this budget if the entire increase is not earmarked for street lights.

Mr. Berube stated we can shuffle the money around anyway we want. Let me rephrase what I said. The actual assessment that the average home owner is going to pay

this year is going to be identical to what they paid last year. Some people have already paid off their long-term bond obligation, and those residents who paid that off will see a shifting in their responsibility. The majority of people have not paid off their debt assessment, so for them, the assessments will be the same as last year. We shifted money around in the budget, and we are paying off a huge street light obligation. In fact, we just wrote a check for \$511,000. We avoided \$161,000 in additional costs last year by writing a check to buy down the street lights in neighborhood H-1. This Board decided to tell the developer that we are not buying street lights anymore. They are buying the street lights in neighborhoods F and H-2. We will not spend any more money on street lights, and we are going to pay down all of these leases. That buy down we just did for \$511,000 will save us about \$170,000 over the first term of that contract.

Mr. Moyer stated it will save about \$7,400 per month.

Mr. Berube stated we are going to continue to expend all the money that we save on that initial contract toward buying them all out. The ultimate goal is, we had a \$3 million obligation, and we are going to spend \$2 million to erase a \$3 million obligation. Depending on when we get it all done, we will save about \$1 million.

Mr. LeMenager stated then the objective is to lower the operation and maintenance assessment.

Mr. Berube stated that is correct.

Ms. Kassel stated that will be difficult because we do have neighborhoods coming online with new landscaping, irrigation, and electricity. We are probably going to need to increase our staff to take care of things, so we will have increasing costs for those reasons.

Mr. Berube stated the long-term outlook is that assessments should not rise in any substantial number where people will get hammered like what is going on in St. Cloud right now. The long-term cash flow of this District is very strong and solid. We spend every dollar of your money as if it was ours. There is nothing on the horizon that says we are in trouble.

A Resident stated I had a question a couple months ago about the paving in the alleys. I am asking if that is in the current budget.

Mr. Berube stated yes, the paving of the alleys is not a budgeted line item because it comes out of reserves. We have money in reserves for alley paving.

Mr. Walls stated we budgeted \$60,000.

Mr. Berube stated we set aside \$60,000 for fiscal year 2016, which I think will be devoted to the Green neighborhood. I think those seem to be the worst alleys at this point. Alley paving is an ongoing process.

A Resident asked if assessments were to increase, is there a maximum amount?

Mr. Berube stated no. Each 1% that your assessments increase equates to about \$44,000 in the budget. If it increases 3%, it will be about \$125,000. To the average home owner, a 3% increase is \$90 per year since the average assessment is about \$3,000. So 1% is \$30. We attempt to hold it all down. We shifted money and we refinanced the bonds. We are eliminating street light costs. We are buying out the long-term capital costs on the street light leases that we already have. The low-hanging fruit has already been picked, so now we get into the tougher items. We watch every dollar.

B. Consideration of Resolution 2015-08 Adopting the Budget for Fiscal Year 2016

Mr. Moyer read Resolution 2015-08 into the record by title.

Mr. Walls made a MOTION to approve Resolution 2015-08 adopting the budget for fiscal year 2016.
Ms. Kassel seconded the motion.

Mr. Qualls stated I want everyone to be sure they understand what the numbers are. The manager does not fill them in the resolution because until the budget is approved, you do not know. I want to be sure everyone is comfortable with the numbers in the blanks when you approve the resolutions.

Mr. Berube stated yes.

On VOICE VOTE, with all in favor, unanimous approval was given to Resolution 2015-08 adopting the budget for fiscal year 2016.

C. Consideration of Resolution 2015-09 Imposing and Levying the Assessments for Fiscal Year 2016

Mr. Moyer read Resolution 2015-09 into the record by title.

Mr. Moyer stated this is the document that will accompany the electronic roll that we send to the property appraiser and tax collector so we can merge this onto the real estate tax bills.

On MOTION by Mr. LeMenager, seconded by Mr. Walls, with all in favor, unanimous approval was given to Resolution 2015-09 imposing and levying the assessments for fiscal year 2016.

FIFTH ORDER OF BUSINESS

Subcontractor Reports

A. Aquatic Weed Control - Bio-Tech Consulting Monthly Highlight Report

The monthly highlight maintenance report is contained in the agenda package and is available for public review in the District Office during normal business hours.

Ms. Kassel stated I contacted a resident, Ms. Jennifer Dwyer, who had submitted a report to us last month. She apparently had some family illness. I reached out to her several times, and she finally wrote back to me today. She was unable to come up with the specifications for the Reedy Creek Improvement District (RCID) pond management RFP, but perhaps with further reaching out to her colleagues, I can get a copy of that. I was able to get some RCID comprehensive plans regarding a conservation easement and stormwater management, which I am happy to share with everyone. They are not really specifications.

Mr. Berube stated we can give this to Mr. Moyer to scan and send to all of us. Is it more boiler plate than anything?

Ms. Kassel stated it really does not particularly address what the specifications need to be to go out for an RFP. We are still looking at that.

Mr. Berube stated this is their overview of what they do.

Ms. Kassel stated this is part of their plan, goals, objectives, and policies. In this case, it is their objectives around stormwater management, and the objectives are not the specifications. They have objectives around conservation, as well, which are also not specifications. If we can get a copy of the Celebration CDD specifications for their pond management, we can look at that. I will continue to see if I can get a copy of the RCID specifications.

Mr. LeMenager stated for anyone who is not familiar, RCID is Disney.

Ms. Kassel stated it is Lake Buena Vista.

Mr. Berube stated RCID is a special District that is wholly run by Disney. It is the biggest special District in the State, I believe.

Mr. LeMenager stated we figured we would copy from the best.

Mr. Berube stated Disney probably has good ideas about how to manage ponds, if we can get into whatever their plan is. What we have been doing sometimes works and

sometimes does not. We are trying to make sure the ponds are doing what they need to and hopefully look good at the same time. It is a tough balance.

Ms. Kassel stated I reached out to the gentleman in Winter Park, and he has not gotten back with me. I will try him again.

Mr. Berube asked you had a good feeling from Ms. Dwyer?

Ms. Kassel stated yes.

Mr. Berube stated she is just busy.

Ms. Kassel stated she said she was, but because of whatever that I do not recall from her email, she felt each pond should have a different management plan. But we have 36 ponds, so that will not be necessarily helpful for creating an RFP. I let her know that. I asked for her thoughts, and I am waiting to hear back.

Mr. Berube stated I think if we look carefully at all the ponds, there are about five different types of ponds in the way they look and the way they need to be maintained. I think we can probably narrow it down, but we can't go into that further. We will continue with Bio-Tech for the near future and let them continue what they are doing until we get out of our paralysis in what we are doing with the ponds.

B. Landscaping - Davey Tree Monthly Highlight Report

The monthly landscape maintenance report is contained in the agenda package and is available for public review in the District Office during normal business hours.

Mr. Berube stated Mr. Garth Rinard was not able to be here tonight. We had a conversation this week. He is preparing a couple different proposals for tree trimming, both the interior streets and the main boulevards. That will be coming along probably next month. We need to consider doing their RFP sometime after the beginning of the fiscal year.

Mr. LeMenager asked can we not just do a renewal?

Mr. Qualls stated I think you have reached the end of the contract term.

Mr. LeMenager asked can you figure out a way we can do a renewal?

Mr. Qualls stated yes, potentially.

Mr. LeMenager stated I think we would all appreciate that.

Mr. Berube stated I asked him for a four-year flat renewal.

Mr. LeMenager stated I think Mr. Qualls is aware that there is no desire on the part of this Board to change our landscape company. We might have the occasional instance where we crack the whip at them, but overall, we are extremely pleased with Davey Tree.

If we do not have to spend \$20,000 or \$30,000 to go through an RFP, that is certainly the will of this Board.

Mr. Berube stated to that point, there have been certain deficiencies and a little slacking off over the past couple months.

Mr. LeMenager stated no one is perfect, but when there is a problem, they have the resources to get it fixed.

Mr. Berube stated yes. Mr. van der Snel and I have been pointing out some of these deficiencies to them, and the response has been immediate. Like everything else, they get blinded by certain things that we notice. But whenever you say something to them, something happens quickly. To Mr. LeMenager's point, I have no intention of switching away from them.

SIXTH ORDER OF BUSINESS

Developer's Report

Mr. Berube stated one thing that I have been discussing with Mr. Bob Glantz, where Mr. Boyd can probably provide some input, is a request made to Mr. Qualls to accept the deeds of dedication for neighborhoods F and H-2, Cherry Hill and Hawthorne. I rebuffed those because there is a flooding issue going on in the Cherry Hill neighborhood now, and I have pictures as evidence. There are five storm drains here, four of which are in the new landscaped buffer they put in. One is over to the right in another drainage ditch. All of those storm drains are now surrounded by the silt fence, and they have plastic covers over the storm drains, as well as sand bags holding them down. When the water level comes up, the water out of the pond backs up into the storm drains and floods the ditches. That is the only thing I can see going on there now. If you look at that landscaped buffer ditch right now, the third one back is under a foot of water. That ditch is always flooded. The new landscaping in there is turning brown, especially the pine trees, because they have wet feet all the time. The one on the right is typically always flooded. I have no idea why it is always flooded, but I do know that when it rains, they do not drain. It looks like the pond backs up into the drain. I have told the developer that I am not willing to take on that responsibility until the flooding issue is solved. Mr. Qualls has been involved with all the emails back and forth. To date, there has been no response from the developer other than they wanted to give all that to us as of August 31, and I said no. It has to be fixed. I see similar drainage problems taking place in Hawthorne, as well. Even if we fix the drainage problems, much of the landscaping in that buffer zone is going to die, because it

already is. Then there is going to be a contest between REW and Davey over who killed it. Until all of this is settled and the landscaping looks good, I do not want it. It is bad enough that they already tied onto our water meters to water their stuff and did not say much about it. We have been paying for the water for three or four months, and I am not happy about that. But that is minor compared to this problem.

Mr. Boyd stated I am not aware of anything in Hawthorne that is a problem. If you will point it out, then I will take a look at it.

Mr. Berube stated along U.S. Hwy 192, there is a small ditch along the front, right inside the fence line. There appear to be drains in there that are marked by half-round metal covers with slots in them. They are currently covered with the landscape fabric to keep debris from going in.

Mr. Boyd stated I will take a look at that.

Mr. Berube stated those are not draining, but it might be since the landscape fabric is over them. That ditch was flooded this morning.

Mr. Boyd stated that is a big part of it. These ditches are part of the conveyance system to take water to the lakes. I have not seen those, so I will take a look at them. In neighborhood F, a combination of factors has been causing the problem there. One relates to a conversation we had last month regarding the outfalls from the ponds that are still not working as efficiently as they should be. Right now, the Lakeshore pond is about two feet above normal water level. We are still working to get that cleared and flowing better.

Mr. Berube asked how are they not working efficiently? Water is steadily coming out, and when it rains a lot, water comes up through the grate over the top.

Mr. Boyd stated about 6 to 12 inches below the grate are the holes in the side of the box. The flow path through the wetlands allows that to flow through to the lake, which is the challenge. The way the ponds work is, the pond is supposed to hold a certain amount of water which is to treat the water before it gets to Buck Lake. Once it has held that volume, it flows out of the top of the box and goes straight to the lake. The distance between the top of the box and the bottom of the three-inch hole on the side of the box is the recovery, the amount of water that is being treated. That orifice allows water to come down very slowly so that as it is discharged over time, the water in the pond cleans itself and you have clean water being discharged. There is another box to the east that is flowing through there, but that one box is flowing slower than it should be. On top of

that, they have had trouble recovering because it looks like you continue to get pretty hard rains, substantial rains fairly frequently. It may not be every day but every other day. The ponds are higher than they normally would be right now. The other part of that is the washouts that are starting to occur. Construction was taking place before that had established. When we get through this establishment period and take the filter fabric out, then I think you will see those conditions improve. I am still looking at them. If we need to do something physical beyond that point, then we will talk about it.

Mr. Walls asked if we have a rain event or a hurricane next week, what kind of issues will we be having with that pond since it is already high?

Mr. Boyd stated the outfalls are sized to handle that much rain. The pond is high, but as the large rain event comes into the streets and gets into the ponds, the capacity of that inlet to pass that water through the top of that grate and out into the lake is still sufficient. You will still see the lake levels rise. If we were to get a six-inch to eight-inch rainfall event over the weekend from a hurricane, you will see the ponds max out, but the streets should stay dry.

Mr. Walls asked what is your opinion as to the cause of that outfall draining slowly?

Mr. Boyd stated it is growth over time of the vegetative floor of the wetland.

Mr. Berube stated when you look at it, the water is coming out the grate on the top, and it is running out and looks like a river.

Mr. Walls stated I have seen it. So plant growth is backing it up?

Mr. Boyd stated yes, and it is out in the wetland where we have very limited opportunities to clear cut. We will have to dig a very small trench through the wetland itself to clean that out. I am looking at another alternative, which would be to approach SFWMD about moving the recovery for the one box that is having trouble to the one box that flows freely.

Mr. Berube stated you are trying to get the pond to drain faster after a rain event.

Mr. Boyd stated as fast as it can without violating State water quality.

Mr. Berube stated so all these ditches can drain into that pond. What happens is when the pond comes up, these come up. It is going the wrong way. We are holding off to accept all this. Mr. Boyd must be working with the developer on this.

Mr. Boyd stated the developer is aware of the concern, and we are in conversations about it.

Mr. Berube asked could it be three months?

Mr. Boyd stated I cannot say.

Mr. Berube asked do you agree that they should not be flooded the way they are and that they are not working properly?

Mr. Boyd stated I would call them wet bottom but not flooded. I looked at them twice today. They are soggy, but they are not flooded.

Mr. Berube stated in the third one over here, there is a foot of water.

Mr. Walls stated once it is working properly, the water will flow into these ditches. We will be taking all this landscaping that has been put there, and people will be upset when it dies. They will want us to replace it over and over again. That needs to be figured out as well, in terms of if it really works there.

Mr. LeMenager stated that is when we just say no.

Mr. Berube stated that is what I said.

Mr. Boyd stated once it is established, I do not think you will see any standing water in those. We are trying to get it established.

Mr. Walls stated that will happen over time.

Ms. Kassel stated it is not just standing water in the drainage ditch but the standing water in the ditch between the Cherry Hill neighborhood and the gas pipeline.

Mr. Berube stated yes. The landscaped buffer is really flooded now.

Ms. Kassel stated it is not just the outflow.

Mr. Berube stated no.

Ms. Kassel stated it is that ditch.

Mr. Berube stated when you look at all the drainage grates that are surrounded by the silt fence, they all have some sort of material over the top.

Mr. Boyd stated they still have the erosion fabric on the top of them.

Mr. Berube stated in some cases, sand is holding down other material. It looks to me like they do not want the water coming back up.

Mr. Boyd stated it is not holding the water coming out. It is a silt fabric to keep dirty water from going in.

Mr. Berube stated we might have a slight disagreement on that, but whatever the case, it is flooded. We are putting a hold on accepting these lands until we feel secure.

Ms. Kassel stated that whole drainage ditch that was planted by the developer with all this buffer zone plant material is underwater. There are pine trees sitting with wet feet, and they cannot tolerate that. There will be dead plant material.

Mr. Boyd stated I understand.

SEVENTH ORDER OF BUSINESS

Staff Reports

A. Engineer

Mr. Boyd stated I distributed the gas easement agreement that was executed for the work that was done. Any of the landscaping that will be proposed by the District for an enhancement program for that easement would require a new agreement with the gas company for anything that is in the easement. If you are doing anything on the CDD tract between the curb and the easement, you do not need an agreement. But if you are doing anything in the easement itself, you will need an easement with the gas company. They are getting much more particular over the last several years.

Mr. Berube stated there is a 75-foot-wide easement. The width of land that we are talking about for the gas pipeline, as we know it, is a 75-foot strip of land that runs all along Butterfly Drive. Are you saying there are two or more parts to that easement?

Mr. Boyd stated no. The easement is the easement, but there is a narrow strip between the curb and the boundary of that easement that is CDD land.

Mr. Berube asked about how wide?

Mr. Boyd stated it varies, and I do not have the dimensions with me tonight. It ranges from 6 to 12 feet depending on where you stand.

Mr. Berube stated it is an average of 10 feet from the curb. Does the same boundary apply at the other side of the easement against the landscape buffer that the developer just filled in?

Mr. Boyd stated it originally did but it was replatted. So there is a clean boundary between neighborhood F and the gas easement on the north side now. The reason that buffer was planted north of the easement is because of those restrictions the gas company has on the easement. As you can imagine, the developer would probably like the lots all the way up to the easement. The landscape buffer is north of the easement because of the restrictions in the easement.

Mr. Berube asked what can we do and what can we not do on top of the pipeline easement?

Mr. Boyd stated not very much on top of the pipeline.

Ms. Kassel stated in the easement, much of that plan that was sent might be possible.

Mr. Boyd stated it looks like most of the improvements could be squeezed into that tract between the easement and be put on CDD property.

Mr. Berube stated be specific about “not very much.” Can we plant a tree?

Mr. Boyd stated trees are not allowed.

Ms. Kassel stated trees are not allowed on the pipeline easement.

Mr. Boyd stated there is an exhibit A to the agreement, number 22, page 6.

Ms. Kassel stated “consent for landscaping has been granted. Owner shall not plant shrubs on the easement area which are classified as deep-rooted or projected to exceed an eventual growth height of four feet. Shrubs shall be planted so that no part of its ultimate growth shall be ten feet to the pipeline facilities. No trees shall be planted on the easement.” The plan that was designed is a design idea at this point. It was drafted and sent to the CDD yesterday. Ms. Nettie Bartel designed it, knowing that there was just this thin strip between the curb and the easement that we could do something with. We would possibly be able to plant trees. Because the sun comes from the south to the north, we would want to put any trees right by the curb and the sidewalk inside of that.

Mr. LeMenager asked why would we plant trees?

A Resident stated for shade.

Mr. Berube stated it is a tree-lined boulevard.

Ms. Kassel stated when you are walking or exercising there, you would have some shade.

Mr. Berube stated that is one of the few streets we have that does not have trees along it, so trees would be a natural addition.

Mr. LeMenager stated we can certainly plant trees in there. Is that the grand experiment on the winding path?

Mr. Berube stated no, we are talking about on this side along the gas pipeline.

Ms. Kassel stated on the north side of Butterfly Drive.

Mr. LeMenager stated I understand. The request for shade is because they do not have their own trees.

Ms. Kassel stated no, we are talking immediately next to the gas pipeline.

Mr. Berube stated it is right along Butterfly Drive. Part of this proposal is to have outdoor play equipment. The trees will happen and they are not a problem.

Mr. Boyd stated I highly doubt they will agree to that.

Mr. Walls stated the other problem you have is, if you walk down the strip that the CDD owns, it is not level land. It is sloped for drainage. We cannot put much on that land.

Mr. LeMenager stated the point I was making is correct. This is the little street with the wavy sidewalk.

Mr. Berube stated where it has xeriscaping.

A Resident stated the sidewalk goes in front of the houses, and they have no trees.

Mr. LeMenager stated I understand, but if your goal is shade, then just plant trees in front of your houses like the rest of us did.

Ms. Kassel stated because they are on the other side of the street.

Mr. Berube stated they already have trees.

The Resident stated but they are not big enough to shade the other side of the street if you are putting a walkway there for people to have a pleasant walk down a long, narrow sidewalk.

Ms. Kassel stated we need to put trees here in order to be able to walk under them on the sidewalk.

The Resident stated just like down on Cat Brier.

Mr. Berube stated let us go back to the easement. What constitutes a violation of our agreement? If a piece of exercise equipment is lightly mounted to the ground to keep it from falling over, that is not really a permanent structure.

Mr. Boyd stated this agreement was specific to the construction of a proposed neighborhood after Cherry Hill. Anything that is done in the easement that was not part of the plans or part of this easement requires a different agreement.

Mr. Berube asked do you prepare such an agreement?

Mr. Boyd stated no, we send the plans to the gas company. They prepare the agreement, and then we review it. At that point, we would engage in negotiation with them to the extent they are willing to negotiate.

Mr. Berube stated to be clear, the first question we need answered is how wide the area is that we own. Mr. Boyd can provide that once we get the plat, but we think it is around 10 feet.

Mr. Boyd stated it is wider in some locations than in others.

Ms. Kassel stated provide that to me as soon as possible so I can get it to Ms. Bartel.

Mr. Berube asked is there anything else in this besides what we have just discussed?

Mr. Boyd stated the agreement I distributed is the form of their new agreements.

Mr. Berube stated so the sum total is that we have to stay off the pipeline.

Mr. Boyd stated yes.

Mr. Farnsworth asked can we get something closer to an original of some of these drawings so we can get the actual dimensions?

Mr. Boyd stated yes.

A Resident asked what would happen if we built something, like an exercise machine, to skirt around the issue, and a kid fell and got hurt? Would we be liable?

Mr. Boyd stated the CDD owns the land.

The Resident stated the argument could be made that it should not have been put there to begin with.

Mr. Berube stated that is why we ask the questions in advance. That is why I want to know what we can and cannot do. Our attorney attends our meetings and keeps us from doing dumb things.

Mr. LeMenager stated the fact of the matter is, there is an incredible volume of natural gas flowing underneath that. I am not sure we should be developing it all that much.

Ms. Kassel stated we are not talking about developing it all that much.

Mr. LeMenager stated you are talking about putting trees, and he is talking about putting a swing on top of it.

Mr. Berube stated that pipeline runs right next to this school, and stuff is built all over the top of the pipeline. There are dog parks on top of it. When people go to the dog park, they are on top of the gas pipeline every day.

Mr. LeMenager stated I appreciate that, but these not the kinds of permanent things you want to do.

Mr. Berube stated it is not really permanent.

Mr. LeMenager stated I am not saying I have made up my mind, but let us be aware what the gas lines are.

A Resident stated years ago, the gas people were replacing the pipes.

Mr. Berube stated it is all brand new.

The Resident stated they said they do it every so often. Obviously, it gets dug up sometimes.

Mr. Berube stated if you remember when they did that, because they are coming through a neighborhood, they did the underground boring. All of the above-ground work ended at the tree line. They dug a tunnel underneath all the way and drug all those welded pipes through the neighborhood to where it exited on the other side of the golf course, so as not to disrupt all of us. When they do these within neighborhoods, they do not tear everything up. I agree with you, but I think at the time, they said it was a 30-year replacement when they put all the pipes in. If we build things on top and they have to go, then so be it.

B. Attorney

i. OUC Street Light Buy-Out

Mr. Qualls stated during last month's meeting, I alerted OUC that you wanted to move forward on the buy-out. Yesterday afternoon, we received a contract from OUC, which we reviewed. They had taken our language and cut and pasted it. The contract has been executed and notarized, so you are good to go.

Mr. Berube stated I understand a check has been issued.

Mr. Moyer stated yes, it was sent FedEx for delivery tomorrow.

Mr. Berube stated that buys out contract #1 on the street lights.

ii. Subpoena

Mr. Qualls stated Mr. van der Snel was subpoenaed due to the alleged trespassing that took place, although the young individual admitted to trespassing. Mr. van der Snel complied with the subpoena and everything is fine with that.

iii. Miscellaneous

Mr. Qualls stated we double-checked the executed pond maintenance contract, and it is a 30-day termination. With the drainage concerns with the deeds, I contacted the attorney for the developer, and he said they could hold off until these things are resolved.

C. Field Manager

i. Dock and Maintenance Activities Report

The monthly dock and maintenance activities report is contained in the agenda package and is available for public review in the District Office during normal business hours.

ii. Buck Lake Boat Use Report

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

iii. Miscellaneous

Mr. Berube stated I know about most of the items in the reports, and Mr. van der Snel and I talk frequently. I think the reports are remarkably detailed. I know residents appreciate the fact that you reply to their concerns on Facebook very quickly. Everything is going along well. To Mr. LeMenager's comment a month or so ago about taking care of the staff, for the next fiscal year, they have all had their salaries increased appropriately. I anticipate we are keeping field services staff happy and staying significantly under budget.

Ms. Kassel stated at the end of the Facebook report, you talked about the two teenage boys and no evidence is available to find out their identity. Why are our cameras not able to do that?

Mr. van der Snel stated this occurred all the way in the back of the main pool. We have two cameras on the pool, but they do not reach all the way in the back. Those are pretty simple cameras. We can put focus cameras on there, but they are \$500 or \$600 each. You can zoom in on HD, but we would need a new recorder for that. Otherwise, it cannot take the picture with all the pixels. We think it was two boys ages 10 and 12, but I cannot go to the parents and say we think their boys vandalized the stairs. I would be upset if someone did that to me. It was too gray. The other thing is, I already ordered new steps three days before that, so they sort of helped us out, but it was not planned. There are black strips on the steps, the kids are peeling them off, and that becomes a safety issue. Now we have PVC-molded steps, so they cannot be peeled off. It did create a situation that I did not anticipate.

Mr. Berube stated if they try it again, the new steps are plastic and will not leave little bits of metal all over the bottom of the pool. These kids literally tore the stainless steel steps apart. That takes some work. Luckily, a resident alerted us to it, but they knew Mr. van der Snel had been called. By the time he got there, the kids were gone.

Ms. Kassel stated encourage people to use their cameras.

Mr. Berube stated the problem is, they are pictures of juveniles. We had this discussion before about posting a video of someone's kid.

Ms. Kassel stated no, they just send it to Mr. van der Snel.

Mr. Berube stated I understand that, but if you do not know who it is, then we may want to post it publicly asking if anyone knows that kid. We will have kids vandalizing things. Fortunately, it was fairly cheap and we were able to respond and repair it fairly quickly.

Ms. Kassel stated I saw that field services also purchased a number of cameras. What are they for?

Mr. van der Snel stated those are the extra cameras. We only had one. We had wireless cameras, but they did not work because the internet could not take it. I had to send them back to Amazon. I purchased new cameras but sent the other ones back. I did not see a refund scheduled on the invoices, but normally you will see a refund from Amazon.

Ms. Kassel stated I saw one, I believe.

Mr. Berube stated it might be a timing issue.

Ms. Kassel asked where were they for?

Mr. van der Snel stated we wanted a camera on the exit button, so I put a better camera under the back porch at the Swim Club so we can actually see who pushes the exit button and lets people in. It gives us a little more control seeing who actually does that. It was the extra \$70. We purchased two newer cameras, and I kept one wireless camera and sent one back.

Mr. Berube stated in addition, there were some intrusions at night over three nights at around the same time each night. He knew it, but the cameras could not pick it up because it was very dark. A couple motion-activated flood lights were added in front of the cameras. Immediately, when those flood lights went up, the nighttime intrusions stopped.

Mr. van der Snel stated also underneath the porch is a nighttime camera. Mainly the intruders who come in are not from Harmony.

Mr. Berube stated no, they are from outside.

Mr. van der Snel stated all in all, looking back, it did pretty well.

Mr. Berube stated what happened was one of the kids goes over the fence at night and pushes the button to let all their friends in. you can see that on the lights going through the gate because it is well lit. Once they are inside, it all went dark and you could not see what was going on. Now, the night-vision cameras motion-detected flood lights were put up. Once they noticed that, no more going through the gate.

Ms. Kassel stated I would suggest we remove the sailboat from the boat reservation report.

Mr. van der Snel stated I can do that.

Mr. Berube stated last month, we discussed the permitting of the dock. We were going to follow the lead of the developer and use Mr. Jay Baker from Bio-Tech. I do not remember who decided to take the responsibility of following up and starting that permitting process for the dock. It was not reflected in the minutes if it was going to be the attorney, the engineer, or the manager.

Mr. Boyd stated the contractor is typically the one who does the permitting.

Mr. Berube stated when we went to expand the dock about two years ago, we went for the whole permit. Harmony Development Company ran into some issue with DEP regarding the permit, and it all stopped. So we cut the new dock in half, and we were able to get a permit to replace what was there but the expansion portion was stymied. Mr. Brock Nicholas was handling it, but he is gone. I asked Mr. Bob Glantz, and he did not know. Mr. Glantz said he called Mr. Baker who handles their water permitting, and he would be happy to start that permitting process again. Harmony Development Company needs to be involved since they are the owner of the lake, and he said to let him know when we were ready and he would pick it up from there. He wanted us to start it. We agreed last month to start this process, but I do not know who took that on.

Mr. Qualls stated my recollection was that it had been tabled.

Mr. Berube stated we said we were not ready to spend the money yet, but when we get down the road with the permit process, I fully expect it will get stymied again for whatever reason. Once it does, then we need to get Harmony Development Company to figure out what is going on.

Mr. Boyd stated it would be the environmental consultant, like Bio-Tech or another firm, that would have the knowledge base to get that in the system. If you were to come to me, as the District's engineer, I would need to hire a private entity to get that done. I

would have to engage an environmental firm as a sub-consultant to get that done. There are two ways to do it. You could get proposals that are routed through me, or you could contact an environmental firm directly to do that work. It would need to be done by an environmental firm.

Mr. Berube asked Bio-Tech would be the people to do it?

Mr. Boyd stated yes.

Mr. Walls asked before we go down that road, what if we opened a dialogue with the developer in terms of what is going to happen with Cat Lake? We are talking about expanding the existing dock on Buck Lake, but what if we had an additional dock on Cat Lake? Then we would not necessarily need an expanded dock on Buck Lake. Eventually, we need to know what is going to happen with Cat Lake. Maybe we can direct our efforts that way instead of the expansion on Buck Lake.

Mr. Berube stated the reason for the expansion on Buck Lake is because we are pretty much out of room, and we already decided to add another pontoon boat at a minimum.

Mr. Walls stated yes. But what if we added those boats to Cat Lake? I think we need to figure out what is going to happen long term at both lakes and then decide.

Ms. Kassel stated I would think the developer might be interested in building a dock at Cat Lake in order to be able to sell their properties there.

Mr. Walls stated right.

Ms. Kassel stated so we might not have to.

Mr. Walls stated they are building right down the street from that. I am thinking that will not be too far off.

Ms. Kassel stated maybe they will be the ones to invest in that dock.

Mr. Berube stated if we offer to do it, then they will not.

Mr. Walls stated I am not saying we should, but we should look to see if we need to expand Buck Lake if there is going to be activity on Cat Lake.

Ms. Kassel stated I am fine postponing it for the time being. They already started building out there, so it is probably not that far off. It is probably only a few months away from them having a model home there.

Mr. Berube stated I am okay. I just see the permit process probably taking a year to get it through.

Mr. Boyd stated it may not take a year, but it will take several months.

Mr. Berube stated considering the hold-up last time that did not get fixed, something is going on.

Mr. Boyd stated the issue, as I recall, is both Buck Lake and Cat Lake are supposed to be owned by the landowner. There is legal documentation for that. At some point, the State of Florida took it upon themselves to say they own the lakes.

Mr. Berube asked DEP?

Mr. Boyd stated yes, so that is a dispute. I think that had something to do with it.

Mr. Berube stated that is what I remembered.

Mr. Walls stated I do not think we want to get in the middle of that. It would be my suggestion to let them figure it out. I could see that getting pretty costly. If we are not ready to build or expand the dock, then why even create that headache for ourselves?

Mr. Berube stated to be clear, we do not have room for another pontoon boat on that dock now.

Mr. van der Snel stated that is correct.

Mr. Berube asked what if we moved the rescue boat?

Mr. van der Snel stated then there would be room.

Mr. Berube stated but that means putting the rescue boat somewhere back by the boathouse.

Mr. van der Snel stated it could be next to the kayaks.

Mr. Berube stated if we decide in the next fiscal year to add a pontoon boat, we can do it, but we would shuffle one boat farther to the back.

Mr. van der Snel stated the rescue boat does not get reserved. It only goes out when needed for a rescue.

Mr. Berube stated we will hold off on the permitting and figure out what we are going to do with Cat Lake. I will open that dialogue with Mr. Glantz and see what his plans are.

Mr. Walls stated I just want to have the whole picture before we proceed.

Mr. Berube stated we wanted to add a pontoon boat. There is a lot of demand for it.

Ms. Kassel stated I do not know how often the 14-foot fishing boat gets used. It was not used this past month.

Mr. van der Snel stated it is underneath the boathouse and has not been used.

Mr. Berube stated it is not usable.

Ms. Kassel stated then it should be removed from the boat report, as well.

Mr. LeMenager stated not if we still own it.

Mr. Berube stated it is not usable. We may find some other use for it at some point, but right now, it is not used. We can remove those two and clean up the report.

Mr. Qualls stated to be clear, the permitting has been tabled.

Mr. Berube stated yes.

EIGHTH ORDER OF BUSINESS

Discussion Items

A. Discussion of Landscape Issues

Mr. Berube stated this is for the parks. We have two in the package this month. I like the whole package. My only concern is how much this will cost. My estimation, excluding the playground structure, is about 28 live oak trees. I figured if we put in 30-gallon trees, they will cost just under \$1,000 each.

Ms. Kassel stated the last time, it was about \$300 for an oak tree.

Mr. Berube stated 10- or 15-gallon trees are from \$300 to \$500.

Mr. van der Snel stated they also need to be installed, which is an additional cost.

Mr. Berube stated if you put in big ones, figure \$1,000 each tree. If you put in 10- or 15-gallon trees, they are about \$500 each, installed. For 28 trees, it is somewhere between \$14,000 and \$28,000, which is fine. I think there were crepe myrtles and magnolias as part of that. I do not remember the count.

Mr. LeMenager stated you mentioned we have two proposals, but this is not a proposal.

Ms. Kassel stated it is just a design.

Mr. LeMenager stated proposals come with budgets.

Ms. Kassel stated this is just a design idea. From the design idea, we are just talking about what it might cost us just to start thinking if we want to move forward or amend this in some way based on the budget.

Mr. LeMenager asked should we decide whether or not we like the concept?

Mr. Berube stated I am just suggesting numbers.

A Resident asked are any of these based on what the engineer just said, that we really do not have room to do much over there?

Mr. Berube stated we have enough room.

Ms. Kassel stated we do not know yet how much we have.

Mr. Berube stated we need to move this forward. We have been dealing with playgrounds for months. There is an idea in the center for a playground with a shade structure, swings, climbing structure, and so forth. I printed these off today, and the number you see in the circle is how much these cost in thousands of dollars.

Mr. LeMenager asked why do we not solve the problems we can actually solve tonight?

Mr. Berube stated this is \$13,000 because it is huge with multiple slides and so forth.

Mr. LeMenager stated I am not sure it is a good use of this body's time to talk through undeveloped ideas at these meetings. That is why you put proposals together and give us a proposal. We have a nice solid proposal.

Mr. Farnsworth stated there is nothing wrong in hashing things out before you get a proposal. It is a good idea.

Mr. Berube stated this is as good a proposal as we ever get.

Ms. Kassel stated no, it is not coming with a price tag.

Mr. LeMenager stated it is not a proposal.

Ms. Kassel stated it is a design idea for the CDD to consider as to whether or not we should continue forward with this, provided we have the room to do so.

Mr. Farnsworth stated yes, it could work. We just need some idea what the cost is.

Mr. Walls stated these designs look great, but I have talked with people who live in the Green neighborhood. I have heard people who are for and against them. This really comes back to the dead grass. That is what started all of this. If you go there now, it is pretty green. Ms. Kassel sent the design that did not have a cost figure attached to it. The one we are looking at in our agenda package from Mr. Berube is going to be over \$50,000. My concern is that we are coming up with a \$50,000 project to fix some dead grass that a couple people have complained about. I have talked with people who live along that pathway. Some of them do not care about the way it looks now. Some think it is fine. Others want to get rid of everything. There is no consensus in terms of what we should do over there.

Ms. Kassel stated we have a team looking at it.

Mr. Walls stated I understand you have a team, but if you talk to those residents, they all have different ideas.

Ms. Kassel stated we have a team looking to talk to people and gather the data. This is not my proposal.

Mr. Walls stated that is fine, and I understand. I just do not want to get carried away with a really expensive proposal to fix dead grass.

Ms. Kassel stated this is not a proposal to fix dead grass.

Mr. Walls stated right, but that is essentially what is happening in the Green neighborhood. That is my concern about what we are doing here.

Mr. Berube stated since I submitted this last month, Ms. Kassel and I had competing ideas of what should go on in neighborhood G. She suggested we provide drawings of what we were proposing. This is a Google Earth picture from February 2015 that shows what people are complaining about when this grass goes dead in the winter. You can see the sandy areas in brown. Right now, it is all nice and green, but it is all weeds, clover, and so forth.

Mr. LeMenager stated it has no grass there.

Mr. Berube stated it is green stuff because it is fertilized and watered.

A Resident asked where is this?

Ms. Kassel stated it is the park on Blazing Star.

Mr. Berube stated I put a legend with this, and a lot of money will come off this cost because we will do something different with the gas pipeline. If you look at the area marked as A, that is where the playground equipment is. My concept is to expand the area within the boundaries of A to have it all be playground mulch. The black lines, exclusive of the sidewalk, will have landscaped timbers to delineate that area. The B area is Ms. Kassel's swale proposal, which will incorporate everything that she put in her proposal from two months ago.

Ms. Kassel stated it has changed since then.

Mr. Berube stated I understand, but we will put some sort of groundcover in the area marked B.

Ms. Kassel stated it would not be groundcover because it will get trampled.

Mr. Berube stated I think I have the trampling covered. It would be largely confined to the swale area, and we will cover how it gets trampled. The area marked C is where the chair swing is now. That area is largely all mulch because it has all been trampled. That will all get fluffed up with some sort of color.

Ms. Kassel stated this area will be sunshine mimosa.

Mr. Berube stated it will be some plant material so it is not a big, brown area of mulch. Area D is largely sod, which is in fairly good shape. The corners need some fluffing up, but it will have some sort of color with kid-resistant plants. Area E is a similar landscaped bed which does not really need a lot of work, and we delineate that. It has a couple bare spots, but it looks pretty good. The areas shown with an X mean those are trees.

Ms. Kassel stated no one wants trees there.

Mr. Berube asked then what are you going to do?

Ms. Kassel stated a few trees, like three or four trees.

Mr. Berube stated this is too many trees, and I understand that. All of the sodded area in the area marked X will be removed, and the entire area will be covered with pine needles. The pine needles are kid resistant. If you leave sod in that area, it will look like this again. We already know there is no sod that will put up with the trampling from kids.

Ms. Kassel stated if you plant trees, they are not going to have a big enough area to play football or soccer in.

Mr. Berube stated that is the point. If you plant trees, it is hard to grow sod under the trees because of the shade.

Ms. Kassel stated not if they are single-stem crepe myrtles.

Mr. Berube stated that is fine. My idea was to put similar kinds of trees—live oaks—that match the tree line in front of the homes now.

Ms. Kassel stated they are too big, and people do not want a lot of trees there. When we went there as a group, no one wanted trees.

Mr. Berube stated there are people who like the trees. I am not arguing, but I am just saying what my concept is. The area marked B, it was mentioned last month about putting posts with chains on them to keep kids out of there. Around that, the kids should not be playing in the swale anyway, so we can put some little posts with nice chains around it, perhaps even along the sidewalk of C and D, maybe around E. They will be nice, dignified posts with little chains to remind kids not to run through this area.

Mr. LeMenager stated the difficulty with that is, kids are going to run into these chains and trip.

Mr. Farnsworth stated yes.

Mr. Berube stated so be it. But they are destroying this area, and we have been discussing this for a couple years. People have been screaming at us about it. To Mr. Walls's point, this is what are we trying to do except patch up some sod. There are a lot of people who live there who are not happy with it, and I agree there are a lot of people who do not care.

Mr. Walls stated I heard from three or four people who are upset.

A Resident stated some did not want any mulch there or kids playing there.

Mr. Walls stated at a certain point, you have to realize you are not going to appease everyone. They bought their house there.

Mr. Berube stated it is our charge to maintain this to the same standard that we maintain other CDD facilities. It is not maintained to the same standard because we twiddle our thumbs every month and wonder what to do about the kids.

Mr. Walls stated I think it is not being maintained to the same standards, but I think it gets more use than other places.

Mr. Berube stated this is a Board meeting for the Board to discuss these things. I understand residents want to talk, but this is my opinion that I raised so we can discuss it. I did not make it fancy because I knew we would beat it to death and table it again tonight. Next month, we will be discussing the same thing again.

Ms. Kassel stated no, next month we will have a plan with finances for all of these areas.

Mr. Berube stated I provided finances on my proposal. It is \$24,000 to \$36,000 based on the tree choices.

Ms. Kassel stated it will not be anywhere near that amount. We are not going to have all those trees there.

Mr. Berube stated I know. That is why I said it depends on what kind of trees and how many you want to put in. Four is not enough, and 15 is too many.

Ms. Kassel stated we have people who have put time into trying to come up with plans for this.

Mr. Berube asked is there a plan like this in this month's agenda package?

Ms. Kassel stated it is not in this month's agenda but it is in process. I asked for it, but it has not yet been delivered.

A Resident stated you will have to wait and see if we can use this pipeline area or not, but one of the suggestions was to put a play area as an alternative and put stations for the older kids and take the pressure off that little park on Blazing Star.

Mr. Berube stated I understand that, but what you have not seen is that part of this proposal is to have a playset for the kids.

The Resident stated in place of that playset, there would be things like this, and they would be spaced out along that long area. The problem is that we do not know if we can do it. One of the suggestions was workout equipment to take the pressure off the park at Blazing Star and move kids to this park.

Mr. Berube stated that is my point with my idea, and I like the fact that someone thought about that with having a playground or playset area. Whether it is mine or yours or someone else's, whatever you do, make it attractive. Then kids will leave Blazing Star and come to this area.

The Resident stated that is exactly right.

Mr. Walls stated no offense, but we are a bunch of amateurs sitting here and trying to come up with some grand plan. We really should have a professional designing it.

The Resident stated excuse me, but this woman has done professional landscaping before. That is an insult, and I object to that.

Mr. Walls stated it is not an insult. None of us are paid to do this. That is what it comes down to. We need someone who is, who understands what will work and what will not work out there, and who will tell us what it will cost.

Ms. Kassel stated that is the next phase. This is just something we want to know if we should go further with. That is the only question.

Mr. Walls stated I do not know if we can.

The Resident asked can you do it in stages?

Ms. Kassel asked so you want us to come back with a proposal that has a price tag attached?

Mr. LeMenager stated yes.

Ms. Kassel stated okay.

Mr. Berube stated you do not have enough information yet. How many play stations are you going to put in? Are you going to have a playground?

The Resident stated we will have all that information for you next month.

Mr. Walls asked what will it cost to make that land usable?

Ms. Kassel stated the first ten feet are flat.

Mr. Walls stated I do not want to sit here and hash it out. We are wasting our time trying to figure things out when we do not have the answers.

Mr. LeMenager stated that is true.

Ms. Kassel stated I will have a proposal with a design and a price tag for next month. I expected it this month, but it did not happen.

Mr. LeMenager stated I know no one will like the comment I made last month, but the solution is right here.

Ms. Kassel stated you do not want a playground there.

Mr. Berube stated that land is too low. It has to be filled two feet. That is why the developer does not want it. That is the same problem they had across the street, and they needed all that dirt to raise it. That lot is too low and you cannot do anything with it.

A Resident stated I live on that street, and there is not that much rain. I do not want to cram it so that it looks ugly, but put down some pine needles and make it a passive park. You have been on this park issue for months.

Ms. Kassel stated this is the first time we are actually talking about a plan for the pipeline area.

Mr. LeMenager stated I still come back to the same point that I keep making. All those kids over there have a wonderful park, and it is right behind me.

Mr. Berube stated you cannot force people to move. They want it close by.

Mr. LeMenager stated too bad. It costs money.

A Resident stated I know residents who want their kids to have a place to play football. They said there is a park right down there, and these are people living on the park. They just want a peaceful area.

Mr. Berube stated that is fine, but if you talk to 10 people who live on that park and ask them what they want to do, you will get 10 different answers.

Ms. Kassel stated we will have that data for next month.

A Resident stated I appreciate your intention to create a good plan for the park at Blazing Star. I am a resident there, so anything that will improve the morale of the people who live there will be good. I think you need to get a consensus. I am not sure what the

process is for that or how many people live around that park. It might be 20 people, so just get their consensus.

Ms. Kassel stated we have a crew working on that now.

The Resident stated once you have that, then you will have something solid to present based on what the residents have said, and then you can hash everything out.

Mr. Berube stated we have tried to get a consensus.

Ms. Kassel stated no, we have not, not in that area.

The Resident stated they are not bad ideas, but just get feedback.

Mr. Berube stated we cannot make decisions based on a limited set of input numbers. We do not represent only the 20 people who live around that park. There are 1,600 to 1,800 people who live here, and they are all owners. We have to make the best decisions that we can, not limited by certain special-interest people. Those people do not just pay the bills; everyone pays the bills. That is why we are charged with making these decisions. Waiting for the consensus of 20 people around that park is not necessarily right. We can make a decision after seeing multiple proposals, and I see everyone's point.

Mr. LeMenager stated the point again is that we have not had any proposals.

Ms. Kassel stated we do have a proposal.

Mr. LeMenager stated we have a proposal with a \$12,000 variance in what it is going to cost. Give us a proposal, which shows a certain number of trees and prices.

Mr. Berube stated tell me how many trees you want.

Mr. LeMenager stated it does not matter to me.

Ms. Kassel stated two months ago, we had a proposal that I asked to be tabled. It did not appear in last month's agenda package. I do not know why it did not appear. We are now working with residents as we discussed at last month's meeting. We all discussed that we are working with residents to get a new proposal and to get feedback from the people who live there.

Mr. LeMenager stated put a proposal in front of us, and we would be happy to vote.

A Resident stated the reason I think this will work is, you will be surprised by the people who live there. My daughter has played in that park because it is there. If it is not there, she will move out. I am compelled by my neighbors who feel people are invading their property. They are too loud and they are damaging their area. I would be one in favor of moving that little field somewhere else. I am hurt that my neighbors are

constantly commenting on Facebook that this bothers them. As a neighbor who cares, it bothers me even though I am not there physically. It is an ugly piece and aesthetically looks horrible. You can steer the kids somewhere else. Put the trees out there, get your consensus, and do what you have to do.

Mr. Berube stated I am willing to move it forward tonight, but I cannot engender support. Everyone is asking where the money will come from. We have \$100,000 that the developer gave us two months ago for parks and recreation. We can do both these options without affecting the budget at all.

Mr. Walls stated my issue is that we are talking about spending tens of thousands of dollars to appease a few people, and everyone pays those fees.

Ms. Kassel asked do you mean to appease a few people at that park?

Mr. Walls stated yes.

Mr. Berube stated we are appeasing all of the people who live there because we are not maintaining this area to the standards we maintain the rest of the community. We are ignoring it. That is the reality.

Ms. Kassel stated let us table it until next month.

Mr. Walls stated we are maintaining it to the same standard that we do every other piece of property that we own, but it is getting more use from people. That is the way it was designed. I have a hard time believing the people who moved there did not know that.

Mr. Berube stated we will continue this discussion next month. We apologize if residents expected a solid response, but we are semi paralyzed on this because it is a hot button, and we get this way with hot buttons. I wish more people would attend the meetings so we could get a representative sample.

A Resident stated it shows how many people are concerned if they show up.

Mr. LeMenager stated actually that is incorrect. We operate in an informal manner. The proper way you operate a government is, the residents make comments at the beginning of the meeting, and then that is it. Having more people here will not really solve it. Being prepared for the meeting is what is going to solve it.

A Resident stated I apologize for making my comments during your discussion.

Mr. LeMenager stated that is not a problem.

Mr. Berube stated Mr. LeMenager is correct. We are supposed to take comments at the beginning of the meeting to limit the length of the meeting. The reality is, you residents attend. I would rather give you a few minutes before, during, and after the meeting if you want since you took the time to come out. We comment all the time that residents do not attend the meetings. We will discuss parks again next month.

NINTH ORDER OF BUSINESS

Facility Usage Applications

A. Harmony Community Church for Pumpkin Patch

Mr. Berube stated this encompasses 16 days in the middle of Town Square.

Mr. LeMenager stated it sounds good to me.

Mr. Berube stated no.

Ms. Kassel stated no. For 16 days, 24 hours a day straight? I do not think so.

Mr. LeMenager asked have you ever been to Celebration? They have a wonderful pumpkin patch run by the church. You drive into Celebration, and there is the pumpkin patch that draws people to buy their pumpkins. It is terrific.

Mr. Berube stated it will be in the middle of Town Square with stuff all over the ground that will damage the grass and everything else that we spend good money on for no gain to the people of this District other than cost.

Mr. LeMenager stated then have them move it across the street on the developer's land.

Mr. Berube stated the developer will not let them. They already asked.

Mr. LeMenager stated then talk to the businesses right there that do not have enough customers so that they have a pumpkin patch in their parking lot.

<p>On MOTION by Mr. Walls, seconded by Ms. Kassel, with all in favor except Mr. LeMenager, approval was given to deny the use application from the Harmony Community Church for the pumpkin patch.</p>
--

B. Life Church of Central Florida for Halloween Trunk or Treat

Mr. Berube stated we heard the pastor's assessment of what he is going to do. I do not want this at Town Square for all the reasons we cited before: traffic primarily and safety secondarily. That place gets busy during the day now that the stores are busy. I do not think we need to add to that. We already know this place is going to be full of cars on Halloween night. I do not have much of a problem allowing them to do it at Buck Lake in the parking area there. We have a pre-show that usually goes on, and I presume someone

will do it again this year. If they do not, then there is open access to that area. If they do, then they will already have a pre-engaged crowd.

Mr. Walls stated I think Buck Lake has the same issue, or maybe worse, than Town Square. Now you are directing all the traffic that is coming for their event to the back of the neighborhood where all the residents are.

Mr. LeMenager stated a lot of kids come to that anyway. I live there and I like to see it every year.

Mr. Walls stated it is no different back there than it is in Town Square. It is probably worse, in my opinion.

Mr. Berube stated Town Square has plenty of traffic there anyway. The Buck Lake parking lot is out of the way, and people will be on the main streets. Yes, there will be a lot of cars and kids walking, but we have that anyway.

Mr. LeMenager stated my attitude is to give him a shot. It will either work, or it will not. If it does not work, then we never do it again.

Mr. Walls asked what if their entire church membership drives to Buck Lake?

Mr. LeMenager stated I am talking about in Town Square. Give them an opportunity to have it at Town Square.

Mr. Walls stated people are already parked there on Halloween night because they are going to houses. I do not think we want to have that kind of traffic.

On MOTION by Mr. Walls, seconded by Mr. Berube, with Mr. Walls and Mr. Berube in favor, and Mr. Farnsworth, Ms. Kassel, and Mr. LeMenager against, motion does not pass to deny the use application from Life Church of Central Florida for Halloween Trunk or Treat.

Mr. Walls stated people are already parked there on Halloween night because they are going to houses. I do not think we want to have that kind of traffic.

On MOTION by Ms. Kassel, seconded by Mr. LeMenager, with all in favor except Mr. Walls and Mr. Berube, approval was given to the use application from Life Church of Central Florida for Halloween Trunk or Treat at Town Square.

Mr. LeMenager stated it will either work or it will not. If it does not work, then we do not approve it again.

Mr. Berube stated now we have a fee schedule to deal with for events. What is the fee for this event?

Mr. LeMenager stated it is in the rules.

Mr. Berube stated the rules are not posted yet.

Ms. Kassel stated I want the fee to be part of the application so that when they apply, they know the fee involved.

Mr. Berube stated this is a non-resident event. He did not apply personally but as the church. Is it \$250?

Mr. Walls stated use whatever is in the fee schedule. I believe it is \$250 for four hours.

Mr. Berube stated so the application is approved subject to whatever Mr. Moyer determines the fee to be.

Mr. LeMenager stated it is in the fee schedule.

Mr. Berube stated I notice Ms. Burgess has been busy. Is that the reason the fee schedule has not been posted yet?

Mr. Moyer stated yes.

C. Life Church of Central Florida for Christmas Eve Worship

Mr. Berube asked will this application be subject to the fee schedule?

Mr. LeMenager stated yes.

On MOTION by Mr. LeMenager, seconded by Ms. Kassel, with all in favor, unanimous approval was given to the use application from the Life Church of Central Florida for Christmas Eve worship.

D. Harmony Community School “Learn to Swim” Program

Mr. Berube stated this has typically been approved by the manager. I presume you included it for some reason.

Mr. Moyer stated you have been looking at all these for the past couple months, so I included it this month.

Mr. Berube stated the school is not subject to the fee schedule.

Mr. LeMenager stated that is correct.

Mr. Walls stated that is appropriate because of the relationship we have with the school in letting us use their facilities to meet.

On MOTION by Mr. LeMenager, seconded by Mr. Walls, with all in favor, unanimous approval was given to the use application from the Harmony Community School for the “Learn to Swim” program.

TENTH ORDER OF BUSINESS

District Manager’s Report

A. July 31, 2015, Financial Statements

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

Mr. Moyer stated we have collected 100% of our assessments that were levied by the property appraiser and tax collector. We are right on budget for the assessments that are collected by the District. We are going to receive all of our revenues that we anticipated.

Mr. LeMenager asked did we ever get any feedback from the tax collector on how much came from the sale of the tax certificates?

Mr. Qualls stated I can get that for you.

Mr. LeMenager stated I am curious now that the recession is over. It used to be that a good portion of our money came from those. I am hoping that it is a small amount now.

Mr. Berube asked we have never taken a hit on those, have we?

Mr. Qualls stated no. Every June 1 or around there, tax certificates are sold. If it was struck to the County and someone does not buy a certificate, then you can buy it for 18%, but you get 100% collection because these are typically homestead properties. Tax certificate purchasers love those because they get a quick return on their investment.

Mr. Berube stated so we collect every year within our fiscal year based on tax certificate sales.

Mr. Qualls stated yes.

B. Invoice Approval #184, Check Register, and Debit Invoices

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

Ms. Kassel stated I made mention of this but did not hear anything back. The invoice summary shows two invoices for the attorney, but only one included the total.

Mr. Moyer stated I recall that you sent that to me.

Ms. Kassel asked are we adding the second invoice total to the approval?

Mr. Moyer stated yes. It did not make the list, but the invoice made the package. I would ask that you add it.

On MOTION by Ms. Kassel, seconded by Mr. LeMenager, with all in favor, unanimous approval was given to invoice approval #184, check register, and debit invoices, as amended to include the second invoice from Young vanAssenderp & Qualls.

C. Website Statistics

The website statistics are contained in the agenda package and are available for public review in the District Office during normal business hours.

D. Acceptance of the Arbitrage Rebate Report

Mr. Moyer stated we received the arbitrage rebate report on the 2004 bonds that we refinanced. There is no arbitrage rebate liability.

E. Consideration of Engagement Letter with Grau & Associates to Perform the Fiscal Year 2015 Audit

Mr. Moyer reviewed the engagement letter with Grau & Associates to perform the fiscal year 2015 audit in an amount not to exceed \$4,900.

On MOTION by Ms. Kassel, seconded by Mr. Walls, with all in favor, unanimous approval was given to the engagement letter with Grau & Associates to perform the fiscal year 2015 audit in an amount not to exceed \$4,900.

F. Fiscal Year 2016 Meeting Schedule

On MOTION by Ms. Kassel, seconded by Mr. Walls, with all in favor, unanimous approval was given to the fiscal year 2016 meeting schedule, as presented.

G. Approval of Incumbency Certificate

Mr. Moyer stated the trustee on our bond issue wants documentation on who can sign requisitions on behalf of the Board. We filled it out so that the Chairman and Vice Chairman have that authority.

Ms. Kassel asked so it is incumbent on them to do sign these?

Mr. Moyer stated yes.

Mr. LeMenager asked what are we giving them authority to sign?

Mr. Berube stated the same things we sign now.

On MOTION by Mr. LeMenager, seconded by Ms. Kassel, with all in favor, unanimous approval was given to the incumbency certificate.

ELEVENTH ORDER OF BUSINESS **Supervisor Requests**

Ms. Kassel stated for whomever prepares these agendas, specifically the agenda pages where they are numbered, now that we have agenda pages in the document, they should just mark what agenda page it is. We are all accessing it electronically.

Mr. LeMenager stated we are all guessing where it might be.

Ms. Kassel stated right.

Mr. Farnsworth stated I like what you are saying. Unfortunately, that is one of the drawbacks of these tablets. If you had a laptop, the pages are bookmarked so you can jump to that section.

Ms. Kassel stated I cannot do that on my computer. I have a laptop at home.

Mr. Farnsworth stated over on the side, if you open the page link, then it is bookmarked. You can jump to where you want to go.

Mr. LeMenager asked did anyone else not get the agenda? I did not get the original.

Mr. Berube stated you had to ask for it.

Mr. LeMenager stated I had to ask for it twice.

Mr. Berube stated it does not always transfer to the CDD email account.

Ms. Kassel stated I got mine.

Mr. LeMenager stated this is the first time it has happened. I finally got it.

Mr. Berube stated I asked for it a second time because I did not get it either. Something happened. The invoices came later, too.

Mr. Moyer stated we exceed the limits on a lot of your computers.

Mr. Berube stated the first email was 25 MB to the CDD email.

Mr. Farnsworth stated I received that one, but it did not forward. Like Mr. Berube, I have a forward on my email account, and I did not get it on my personal email.

TWELFTH ORDER OF BUSINESS **Adjournment**

The next meeting is scheduled for Thursday, September 24, 2015, at 6:00 p.m.

On MOTION by Mr. Walls, seconded by Mr. Farnsworth, with all in favor, the meeting was adjourned at 7:40 p.m.