

MINUTES OF MEETING
BAYTREE
COMMUNITY DEVELOPMENT DISTRICT

The regular meeting of the Board of Supervisors of the Baytree Community Development District was held on Wednesday, April 4, 2018 at 1:30 p.m. at Baytree National Golf Links, 8207 National Drive, Melbourne, Florida.

Present and constituting a quorum were:

Carolyn Witcher	Chairman
Melvin Mills	Vice Chairman
Richard Bosseler	Supervisor
Jerry Darby	Supervisor
Richard Brown	Supervisor

Also present were:

Jason Showe	District Manager
Michael Pawelczyk	District Counsel
Christian Ossa	District Engineer
Maryelen Samitas	District Engineer
Alan Scheerer	Field Operations Manager
Residents	

FIRST ORDER OF BUSINESS

Roll Call

Mr. Showe called the meeting to order at 1:30 p.m., called the roll and the Pledge of Allegiance was recited.

SECOND ORDER OF BUSINESS

Community Updates

A. Security

Mr. Showe: No one from the security company is present, but we installed a new camera system at the front. It was cheaper to install a new camera system, than to replace a part from our old system, because of how outdated some of those older pieces of equipment were. We are checking it now to make sure that it works properly. When the time comes to update the rear gate, we will likely look for the same type of option, but right now, the rear gate is functioning. We will let the residents know that we have a new system.

Mr. Sims: Jack Sims, of Sandhurst. Several times in the last month or so, people arrived at my house with no phone call to alert me.

Ms. Witcher: We will let them know.

Mr. Showe: I will pass that along.

Ms. Witcher: Do you have any particular dates or times, so we can go back to that particular guard?

Mr. Sims: It was yesterday around 1:00 p.m.

Mr. Showe: Perfect. As long as we have something. If any of those incidents happen and you can give us a time or date, that will at least let the security company find out what is happening.

Ms. Witcher: They would go back to the guard and ask why they did this.

Mr. Showe: We will check it out.

Mr. Brown: Rick Brown, 8023 Old Tramway Drive. Kudos to the guard who was on Tuesday morning between 8:30 a.m. and 10:00 a.m. When I came back from a breakfast meeting, the cars were all lined up to Wickham Road, which meant that the guard was doing what he was supposed to do.

Mr. Sims: Amen.

Mr. Showe: I'm pretty sure that we saw the same guard on Monday. Just so everyone is aware, we received complaints about how long people were waiting. I reiterated that he was doing his job and we seemed to think that he was doing it well, at that point.

Mr. Mills: We had somebody come in yesterday who said that the guard asked them for a photo ID and wanted to know where they were going. Do they know that they are being looked at?

Mr. Showe: They are aware that there is a camera system.

Ms. Witcher: Does the security company know that we are rebidding security?

Mr. Showe: Not yet, because we haven't made the bid formal yet. Once we do, they will receive a copy of the Request for Proposals (RFP) like everyone else.

Ms. Witcher: Once we change to a new system, I would like a letter to go out, maybe from the BCA if possible, asking them to update their vendor list.

Mr. Showe: If you go to the guardhouse, they have a piece of paper that you can fill out. They will be able to send out on the web site, so folks can fill it out online. We will try to make sure that's part of the RFP.

Ms. Hill: I have a group meeting at my house on a regular basis. All members are on the list and go through the same process, each time.

Mr. Pawelczyk: Jason and I go to hundreds of communities. The system that I like the most is the guard that walks out with the iPad. I just tell them that I'm the Counsel for the District and I'm going to the Clubhouse for a meeting. The woman guard is very courteous and nice. When I came in today, she just asked for my name and where I was going. That's it.

Ms. Hill: Did she ask for your ID?

Mr. Showe: No.

Mr. Pawelczyk: I'm just wondering if there's a consistency that we might want to address in the Post Orders.

Mr. Mills: Jan, since you are representing the BCA, you might want to have Francesca put in there, that it is the resident's responsibility to call the guardhouse when they are expecting a vendor or a guest. That's why Barbara got fired, because she was not asking.

Mr. Bosseler: Jason, do you want to address the neighbor that said they called the guardhouse five times and nobody answered the phone?

Mr. Showe: Yes. As soon as we received that message, Alan was onsite later that day and it turned out that the night guard unplugged or turned off the answering machine.

Mr. Scheerer: They turned off the answering machine. They may have just hit a button while they were trying to answer the phone. I don't know.

Mr. Showe: We've addressed that with them to make sure that they are not turning the answering machine off.

Mr. Bosseler: Do we know who the guard was?

Mr. Scheerer: Yes. Absolutely.

Mr. Showe: It's been addressed.

Mr. Scheerer: Jason sent an email to the Manager.

Mr. Darby: Jason, I wonder if as part of the RFP, which we will consider later for new security services, we should add features such as the one that Mike had described. We should update that entire pre-allowed guest situation to make it much more efficient. I agree that the

guard is doing his job, but if the line of cars is all the way out to Wickham Road, you are going to get a lot of irritated people.

Mr. Showe: They need to tell you what system they are providing and a link so you can look at it online or some demos. They will have some information.

Ms. Witcher: We can have them go to Fairway Management.

Mr. Showe: From what I understand, most of the newer systems have an online system, and we can put the link on the CDD website. They will get a login and update all of their information live. That will get updated to the guard.

Mr. Darby: That's what we should do.

Ms. Hill: I understood that Baytree Drive is a public road that is privately maintained. Can we legally stop people from coming in, as long as the guard gets their name, tag number and hopefully where they are going?

Mr. Showe: We can ask them their name and get information, but cannot deny access to anyone at any point.

Mr. Mills: We can make it very difficult for them to get in. They are not going to want to sit there and answer questions. That will help deter some of that activity.

Mr. Showe: Is there anything else for security? If not, we will proceed to the BCA update.

B. BCA

C. Update on BCA Pavilion Project

Ms. Hill: Our committee went through the RFP process and had three bidders. The bidders were initially Fender Marine, Joel and Di Prima; however, Joyal and DiPrima declined. At one of our meetings, Joan Wagner from the Isles of Baytree suggested Halco and Francisca who is the Editor of our magazine suggested Bella. Mel suggested Mike Willis, but Mr. Willis declined. Halco, Fender Marine and Bella accepted, so we met on February 6th and reviewed the bids. We created a spreadsheet and evaluated all of their merits. While Fender Marine was very competent, they were out of Orlando, were used to building pavilions on the water and their price was out of range. The first one came in at over \$200,000. We asked them to rebid it and they came back with a price that was still well out of range. Then they reduced the size of our pavilion. They weren't in the ballpark, but the other two were, which Jerry and I met with onsite, to allow them to see what we wanted to do and talk to them in greater detail. Jerry

checked their credentials with the Better Business Bureau online and the Builders Association, to make sure that they had good solid people. Ultimately, we all agreed that Bella was the best choice to build our pavilion.

Mr. Breitner: Jan, this is Art Breitner. You had both of the contractors here, right?

Ms. Hill: Yes.

Mr. Breitner: Did we ask them formally for a best and final offer?

Ms. Hill: Yes, we did.

Mr. Darby: I can give you the results. On a comparable basis, Bella put in a couple of additional bells and whistles that I removed out of the bid to normalize it, against the Halco bid, which was around \$93,000, for a difference of \$800. The interesting thing is that Bella will give us a seven-year warranty on workmanship and a two-year warranty on the roof and the rest of the structure. Halco would only give us a one-year warranty. Both companies are going to assign the manufacturer's warranty for materials over to the CDD. Bella is a larger company, they have a much better grasp of the concepts that we are talking about and they are very excited about the project. Having said that, Halco was also enthusiastic about the job, but we didn't think that they had the depth of experience to give us a quality project. The best part about Bella is that they provided a specific itemized quote, so we knew exactly where the money was going. Each time we asked for an itemized quote from Halco, I received a lump sum amount, which made us concerned that what we thought was included would not be.

Ms. Hill: One of the big factors for me was that Bella had a good solid crew of 80 people, versus Halco, who only had 8 people and then picked up people. You know from your own experience in building a house, that a builder who has subs that stay with them, will provide a good product. Bella was our choice and they already prepared the first drawings.

Ms. Witcher: Did they give you a total price?

Ms. Hill: We are not going to have a final price until we receive the design.

Mr. Darby: The actual bid, Carolyn, was \$99,900.

Ms. Witcher: Did it include paving?

Mr. Darby: It includes pouring a slab, 5 inches thick with reinforced concrete.

Ms. Witcher: Is it up to Dade County codes?

Mr. Darby: It will be up to the Miami-Dade County code and Miami-Dade County hurricane codes.

Ms. Witcher: How long is the warranty on the roof?

Mr. Darby: Seven years for workmanship.

Ms. Witcher: What about the shingle company?

Mr. Darby: The shingle company is providing between a 25 to 30-year warranty, depending on what shingles we select.

Ms. Witcher: Will they come back if the mold comes back?

Mr. Darby: I will have to look at the warranty on the material.

Ms. Witcher: If they will come back, and clean it, which will save us money.

Mr. Darby: We will look at that. That's a good point. The timeline for construction is to start about 100 days from the execution of the contract, which I think was March 22nd and complete it on or about July 11th. It may be completed in time for the Fourth of July holiday. We are keeping our fingers crossed. BCA has already provided funds to the CDD. I believe that you also sent the deposit.

Mr. Showe: That is correct.

Mr. Darby: We are just waiting for the engineering drawings that will be submitted to the County. As soon as we receive the permit, we will break ground.

Ms. Hill: We sent a certified check for \$100,000 by overnight mail to Jason to set up a special account. Just so you know, there is a draw system. Once that meets inspection, they will receive the next draw.

Mr. Pawelczyk: There are essentially six payments.

Ms. Witcher: Yes, but it's still paid for upfront.

Mr. Pawelczyk: Absolutely not.

Mr. Darby: A 10% deposit is required and 40% once the permit is issued. There are four other defined mile posts that they have to achieve before they receive further money.

Mr. Pawelczyk: You will basically be retaining 30%, which is about \$30,000, before the shingles are installed on the roof. Jason, if you need a Field Supervisor, ask Mr. Darby, because he was all over this contractor, as well as Jan Hill. I was dealing mostly with Jerry. I think we have a really good contract with Bella.

Mr. Darby: I think so.

Mr. Pawelczyk: The other contract is with the BCA. Everything has been executed. I think it's as good as it can be. This is a small project in my estimation, and it does seem like you

have a good contractor. Based on their response, I think it's better than what we usually see. I handle a lot of Miami-Dade County work.

Mr. Showe: It's better than typically what we see.

Mr. Mills: Does this include electric?

Mr. Darby: Yes.

Mr. Mills: And tree removal?

Ms. Hill: Tree removal, landscaping, lighting, two fans and electric that will automatically turn off the lights and fans after an hour. Jerry did an exceptional job. I was the one with the idea, but I am not a building contractor. I didn't know the questions to ask, but Jerry did. He did a fantastic job.

Mr. Darby: If anyone is interested, I have the latest RFQ and the salient features of the pavilion. I would be happy to share that if anyone wants to look at it.

Ms. Witcher: We are going to tweak some things from a CDD point of view. We are going to put some locks on the electric, so people can't go out there and plug things in.

Mr. Darby: Let's think about that before we do that, because putting locks on electric outlets requires someone to unlock it and then go back and lock it. I'm not necessarily sure that's the best approach. We put timers on the fan and lights, so they don't run all night. You could put a timer on an outlet. I propose that we monitor the electrical usage first, and if there is a problem, try to confine it in some way, shape, or form, rather than just restricting it. That would be my preference.

Ms. Witcher: Is it going to have a separate meter so we can monitor it?

Mr. Darby: That's a good question. It depends on where we are pulling the electricity from. We looked at two areas, one was a transformer by the side of the road, which requires its own circuit breaker and its own box. The second area was a panel on the pool, where you can pull electricity directly by any circuit breaker; however, you wouldn't necessarily need to have a new meter. There is a cost savings if we don't have to install a meter. If you did not take that approach, you could see what the baseline electrical consumption at the pool is. If you see any blips, you can attribute it to the pavilion or we could just put in a meter and monitor it separately.

Mr. Mills: Are the security lights movement activated?

Mr. Darby: There are.

Ms. Witcher: What fund does that rent money go into?

Mr. Darby: It's going to be a deposit.

Ms. Witcher: Are they going to get it all back and it's not going to cost them any money?

Mr. Darby: The way that the rules were proposed, we wanted to get it approved by the BCA first and then the CDD. A \$200 deposit was proposed. If any damage was noted when it was inspected, or if there were complaints, then some or all of that deposit would be retained. We could discuss this further.

Ms. Witcher: We just need to know publically where it's going to go.

Ms. Hill: There will be an account at the BCA for monies held by Fairway Management. If you want to have a party next month, you would pay a deposit to Fairway Management. They are going to put you on the calendar, providing that you don't interfere with any of the activities within the community. Then you have a deposit that would be returned after the event, if everything was noted in good condition.

Ms. Witcher: Are there any public laws that we need to worry about?

Mr. Pawelczyk: The BCA's rules mean absolutely nothing, because the BCA would not own it. What we talked about before was the BCA drafting the rules, which Jerry is working on. It will be presented to us and we would adopt the rules, rental rates and deposits through rulemaking, like we have to by law. We must have a public hearing, which must be advertised. That might be something we want to think about doing this summer, about the time that the pavilion will be open. If the BCA retains the money, there needs to be an agreement between the District and the BCA, regarding the maintenance and/or management. It has to do with management of the pavilion property and the compensation, which would be paid to the BCA in the form of rental fees, or whatever the Board decides. We would just need an accounting from them. You can set that up in the agreement, for payment every quarter, or whenever they send the accounting to the District. We could revisit it each year. You may want to retain some money for maintenance. It depends on what the rates are. What I tell my clients is that you don't set your rental rates to make money.

Ms. Witcher: No.

Mr. Pawelczyk: You are providing an amenity at a cost, like a City park. You are providing an amenity that everyone is going to use, especially as it gets warmer or cooler. More people will use it after the summer. I think we can work on setting something up that meets legal muster. We just need to make sure that we protect the accounting, because it is a District

property, but that doesn't mean we can't pay somebody to manage that facility, who is onsite, which is Fairway Management.

Ms. Hill: They are around the corner and they have a gentleman that they already employ that does that through other properties.

Ms. Witcher: Can we put something in the agreement stating that any monies would go towards improving and repairing the pavilion, rather than using the General Fund?

Mr. Pawelczyk: That's what I think. Let's say in a quarter, the pavilion brings in \$1,000, the BCA would pay the District \$100 towards maintenance. The more you think about it, the more complicated this could be, because if the pavilion is used all the time, Fairway Management would actually be unfairly compensated for doing little work. I don't know how we set that up. What else is Fairway Management going to do except for managing the rentals?

Ms. Hill: They are already doing it for a number of facilities.

Mr. Pawelczyk: I don't care about any other facilities. My point is that all they are doing is taking the checks, inspecting the facility and returning the deposit. To me, that's very little work. I'm saying that if the pavilion makes \$10,000 next year, and you are paying them \$9,000, that's unfair.

Ms. Hill: We haven't received their quote yet, but we will have it by our meeting next week.

Mr. Pawelczyk: Okay. I will start putting something together on our end.

Ms. Hill: The other thing that I thought about is that we could put these rules in our Baytree magazine, so everyone would have an opportunity to see them. Every time we post something somewhere on the website, people say that they can't find it. We have a perfect opportunity to put it in the magazine for everyone to look at it, so they know that these are the rules for everybody and this is the way that it's going to work. We have time to work out those details.

Mr. Darby: I think it might be helpful, Jan, if I give you a draft.

Mr. Showe: Absolutely.

Mr. Darby: We didn't think through all of the machinations between the two organizations. This is a working document of what we want to see there and want to impose on its use. That's just part of the entire agreement.

Mr. Mills: We need to be thinking about, as we go forward, maybe utilizing a percentage of the remaining funds in the account.

Mr. Pawelczyk: I think we need to see what we are going to be charged for enacting this.

Mr. Darby: Exactly.

Mr. Pawelczyk: It should be on per rental basis, because that's going to help you set your rental fee, in addition to the deposit.

Ms. Witcher: There will be two separate items; the rental fee and the security deposit.

Mr. Pawelczyk: You have a difficult position, because you don't have any rentals here. The difficulty is that you want to set the rental fee at a rate that makes sense in terms of the use of the facility, but at the same time, you don't want to discourage anyone from renting the pavilion, because the cost is too high. They are going to come back and say, "*Well I'm already paying taxes or assessments.*" You are, but you are not paying for the exclusive use of a piece of property. That's the difficulty you have in setting rates. Let's see what Fairway Management comes back with and then I think you can set the rate. We will set up the rules. My idea of rules is that less is more. I don't like to over legislate, unless you need to. One thing that we don't have, is what happens if they violate the rules.

Mr. Darby: Policing becomes a problem.

Mr. Pawelczyk: We don't have law enforcement powers and you can't fine. You can retain someone's deposit if there's damage, but you can't retain a deposit if there's a violation. You can prohibit someone from utilizing the facility or suspend someone from using or renting the facility. If someone causes damage to the facility and fails to pay within 30 days and it's beyond the amount of the security deposit or there was no security deposit, we can suspend their gate card until they pay. That doesn't mean they can't get into the community. They would have to sit in the same line that I sit in. There are ways that we can add this to the facility usage rules that Jason and I worked through in our Districts.

Ms. Witcher: Is there a camera in the pool area that would see the pavilion?

Mr. Showe: As of now, no.

Mr. Pawelczyk: Let's look at that for Phase 2.

Ms. Witcher: Maybe when we do the back gate, we could include the pool area.

Mr. Showe: We can look at it.

Ms. Witcher: That could be something that both Alan and you can see. That first house on the other side of the pool structure is going to hear the noise.

Mr. Showe: The challenge with cameras at the pool has always been, since Alan and I have been here, there has been maybe \$2,000 to \$3,000 in damage cumulatively, so to install a \$4,000 to \$5,000 camera system, doesn't make sense. You are throwing money out afterwards.

Mr. Pawelczyk: You also have to pay a monitoring fee every month.

Mr. Bosseler: I think we just need to get it built.

Mr. Showe: Then we can work out all the other issues.

Ms. Hill: We have plenty of time to work out all of the details.

Mr. Bosseler: Exactly.

Mr. Darby: The one remaining item is that the BCA was going to donate the furniture for the pavilion. That was not in the \$100,000 that was allocated. I think we have to come to some agreement. It would be unfortunate to have the pavilion built and have no furniture.

Ms. Hill: We only have so much money that we need to use to build the pavilion. Anyone who has ever built anything, knows that there is always something that isn't anticipated, so we are figuring out what exactly we are going to do.

Ms. Witcher: It's hurricane season too.

Mr. Pawelczyk: We talked at a prior meeting, that there's a number of ways to do that. I think what we talked about is the BCA picking out the furniture and having the District purchase it, using funds donated by the BCA so we can save on sales tax, because we are a public facility. We could either amend the current agreement or have a letter agreement saying, "*I'm giving you \$50,000 to purchase these items and if the Board approves it, sign here and we will write a check.*" That's probably the best way to do it.

Ms. Hill: That's what we just did.

Mr. Pawelczyk: It is. Like I said, there's a way to work that out, once you are ready to do that, in a manner that saves the community the most money. That's why we are doing it this way.

Mr. Darby: Rick, do you have a question?

Mr. Brown: Yes. First of all, as a voting member of the Hamlet, I would like to thank Jan and Jerry for everything they have done on this project. Is there a way that the design can be

placed on the website or in the next Baytree magazine? A number of residents asked, “*What is it going to look like?*” Just looking at it, it looks great.

Mr. Darby: I’m absolutely going to do that. The reason we haven’t moved in that direction is because those are preliminary. We went back to the designer and said “*Put the sidewalk in.*” On the side, you will see that there is no column. I think a 20-foot span without columns is dangerous, so I asked them to redesign it with the column. I was hoping to have the amended design today, but I don’t. As soon we receive it, I suggest that we put the design in the magazine and on the website, and once we are under construction, we will provide updates regarding where we are and what the estimated completion date is.

Mr. Bosseler: People are interested.

Ms. Witcher: Is there going to be a barbecue?

Mr. Darby: No. We just thought it was dangerous leaving an outdoor kitchen out there, due to having to maintain the gas and it getting out of control.

Ms. Witcher: I wasn’t thinking about a gas barbecue. I was thinking of a charcoal barbeque, like the ones they have in the parks.

Mr. Mills: That’s even worse.

Ms. Hill: We have a plan for the trash receptacles. We made sure that it’s functional. You can hire somebody to cater. When I was on the Social Committee for the BCA, for \$7.50 a head, Charlie and Jake’s would show up with their barbecue pit. There are too many things that can go wrong.

Ms. Witcher: We are going to get questions.

Mr. Pawelczyk: I think the response is that this is what we are starting with and we want to see how it works out. The same thing with the rules. You are going to realize that you didn’t address something or shouldn’t have something in there.

Ms. Witcher: Fairway Management manages Viera East and my mother-in-law rented their pavilion.

Ms. Hill: I was there when they were signing checks. The lady in front of me was reserving Viera East for a party. They had a calendar on their computer, so I’m sure that they can do the same for us.

Ms. Witcher: Viera East has electricity in their pavilion and in the bathroom too.

Mr. Mills: I think we need to move on.

Ms. Hill: Are there any other questions?

Ms. Witcher: No, I think we are good. Thank you very much!

THIRD ORDER OF BUSINESS

Approval of Minutes of the February 7, 2018 Meeting

Mr. Showe: The minutes from the February 7, 2018 meeting were included in your agenda package. We incorporated changes that were received prior to the meeting, and we can take any other corrections or changes at this time.

Mr. Mills: On the bottom of Page 3, under Ms. Witcher's comments, "*threshold*" is not correct.

Mr. Showe: I think it's appropriate. She was talking about the trees that are there and that there was a threshold to remove them.

Mr. Mills: Then it should say "*threshold to remove.*" On Page 7, a quarter of the way down, under Ms. Witcher's comments, "*financial ratifications*" should be "*financial ramifications.*" In the middle of Page 8 in the sentence "*I think it would only be right that Jerry continue.*" insert "*to*" before "*represent the Board.*" On Page 9, under Mr. Darby's comments "*which did not attend,*" doesn't make sense.

Mr. Mills: It should be "*which I did not attend.*"

Mr. Pawelczyk: He was referring to not attending the last meeting.

Mr. Mills: On the bottom of Page 16, Mr. Pawelczyk said "*In 2006 we sent letters because we were removing them.*" It should say "*In 2006, we sent letters to the Suntree residents, because we were removing them.*" On the top of Page 17, where it says "*I heard from a resident that was impacted by this that there is discussion by Suntree residents,*" "*Suntree*" should be "*Baytree.*" On the bottom of Page 17, Ms. Witcher said "*Everyone that bought their house in 1987.*" I don't think that 1987 is a proper date and maybe we just say "*Everyone that bought their house knew that there were other houses across the water from them.*" I don't think that this property was developed in 1987.

Ms. Witcher: It wasn't. Suntree was developed in 1987. The houses behind were complaining about the backs of those houses, but when the people bought the property in Baytree, those houses were existing.

Mr. Mills: I understand.

Mr. Pawelczyk: So we should change it to "*Everyone in Suntree.*"

Mr. Mills: Right. On the bottom of Page 18, “look” should be “looked.” On Page 21, under Item C, the statement “*we can remove that upon notice of the resident*” should be “*we can remove that upon notice to the resident.*” On the bottom of the page, Ms. Witcher said, “*property and 8 feet off of the District sidewalk.*” Who is “Mr. Miller” on Page 22.

Mr. Showe: That may be a typo. It should be Mr. Mills.

Mr. Mills: On the top of Page 40, “Mr. Deary” should be “Mr. Darby.” In the next to the last paragraph, Mr. Showe said “*I will include all of these for now.*” On Page 42, “\$39 linear feet” should be “39 linear feet.”

Mr. Showe: It should be “\$39 per linear feet.”

Mr. Mills: Further down, Mr. Showe said “*District has additional funds to do two years’ worth.*” On Page 44, in the middle of the page, “*the shingles on the guardhouse*” should be “*the slate on the guardhouse.*” Alan, are the speed humps called tables?

Mr. Scheerer: Speed hump or speed table.

Mr. Mills: That’s all I have.

Mr. Darby: On Page 2, where I’m speaking, “*We want to extend the contract*” should be “*We do not want to extend the contract.*” On Page 14, where it says “*overall, they want to make sure that we are,*” the word “not” should be deleted. On Page 15, the word “in” was repeated. In the next sentence, “*\$2,000 for new trees*” should be “*\$32,000 for new trees.*”

Mr. Pawelczyk: On the top first line of Page 15, “caliper” should be “caliber.”

Mr. Darby: On the bottom of Page 17, “\$13,000” should be “\$30,000.” On Page 33, “prevent a towing” should be “prevent tailgating.” On Page 36, is the tennis court coming in at \$100,000?

Mr. Showe: Yes, if we had to tear it all out and rebuild from scratch.

Mr. Bosseler: On Page 25, the minutes reflect that I said “*If we have a company that is cleaning three days a week, they should be able to clean all week.*” It should say, “*they should be able to straighten the chairs once per week.*”

Mr. Showe: If there are no other changes, we need a motion to accept the minutes, as amended.

On MOTION by Ms. Witcher seconded by Mr. Darby with all in favor, the minutes of the February 7, 2018 meeting were approved, as amended.

FOURTH ORDER OF BUSINESS Organizational Matters

A. Acceptance of Resignation of Edward Rizzotti and Presentation of Letter of Application

Mr. Showe: We received a resignation via email from Mr. Rizzotti on February 8th, which was included in your agenda package. We need a motion to accept the resignation.

On MOTION by Mr. Darby, seconded by Mr. Mills, with all in favor, Edward Rizzotti's resignation was accepted, effective February 8, 2018.

Mr. Showe: We have a certificate for Mr. Rizzotti for his hard work. We greatly appreciate it.

Mr. Mills: He served on the Board for 12 years, which is the longest of any other Board Member.

B. Review of Letter of Interest/Resume

C. Appointment of Individual to Fulfill the Board Vacancy with a Term Ending November 2018

Mr. Showe: Now there is a vacancy. We received a resume from Richard Brown. It's up to the Board on how to proceed. Typically, we allowed one meeting to open it up to the community. There's no requirement for filling that seat now.

Mr. Mills: I think we should take nominations from the floor if there's any.

Ms. Witcher: I think we should advertise it.

Mr. Mills: We are right in the middle of the budget process and I hate to wait another month.

Mr. Darby: I move to nominate Richard Brown to replace Ed Rizzotti.

On MOTION by Mr. Darby, seconded by Mr. Mills, with all in favor, Richard Brown was appointed to fill the Board vacancy with a term ending November 2018.

D. Administration of Oath of Office to Newly Appointed Board Member

Mr. Showe, a Notary Public of the State of Florida and duly authorized, administered the Oath of Office to Mr. Brown.

Mr. Showe: I will go through the procedural paperwork with Rick after the meeting; however, I will briefly discuss the Florida Sunshine Law. The most important thing to remember is that you are now a public official as a member of the Baytree CDD and are not permitted to have any discussions with other Board Members about things that might reasonably come up for a vote in front of the Board. That includes any emails, texts and phone calls. When you receive emails from our office, it will say, "*Please do not reply to all*" at the bottom. You can inadvertently start conversations if you hit "*Reply to All.*" You are not required to keep any records from the meetings. That's our job as District Manager. We keep the official records for the District; however, if you decide to retain your CDD materials, we recommend that you keep them in a separate file, so you have all of your District records in one place, if you receive a public records request, so your personal files are not being intermingled.

Ms. Witcher: Especially with emails.

Mr. Showe: With your emails, set up a special folder that says "*Baytree CDD*" so its separated from other emails.

Ms. Witcher: You are active with the BCA, which is wonderful, but you can't use them as an intermediary.

Mr. Brown: It's probably important for people to realize that I am active in the BCA, the ARC Manager, Chairman of the Due Process Committee and a voting member for The Hamlet. I advised both Wayne Wilkerson, who is the Chair of the BCA Board and Richard Mather, who is the Board Representative to the ARC Committee, that I submitted my resume for the CDD Board vacancy. Following this meeting, I will tell them that have been approved to this Board and will remove myself from the ARC Committee as Manager. I still want to retain membership as a Chair to the Due Process Committee and I need talk to an associate voting member for The Hamlet to see if they are willing to take over as voting member. I want to be upfront with everyone.

Ms. Witcher: That's good, because it will help you separate things.

Mr. Showe: We will go over the rest of those documents with you after the meeting.

Ms. Witcher: Are there going to be three open positions in November?

Mr. Showe: Yes. On the general ballot in November. Caroline, Jerry and Rick's seats are up for election. We will make sure that we send a notice. You go down to the Supervisor of Elections and pay \$25 to file. We will make sure that you are appraised of that.

Ms. Witcher: Do you have the qualifying dates?

Mr. Showe: Yes.

Mr. Pawelczyk: I think they have an early qualifying period.

Mr. Showe: I will double check.

Ms. Witcher: There is a disclosure form that you must complete for your financials.

Mr. Pawelczyk: We will go through that with Richard, but for those of you who have to qualify, you must fill out a financial disclosure form. You are going to get that around the end of May, but you can fill it out now. I filled out my form in January.

E. Election of Officers

F. Consideration of Resolution 2018-03 Electing Officers

Mr. Showe: We have a vacancy under the Vice Chair and there were adjustments in the other seats. We ask that Ariel Lovera be appointed Treasurer, George Flint as Secretary and myself as Assistant Secretary. Then the Board can determine how to fill the remaining seats. Typically, we have a Chair and Vice Chair and the rest of the Board serves as Assistant Secretaries. Carolyn is currently serving as Chair. We will have to do this again after the election in November.

Mr. Darby: Jason, is there an option to leave it as it is?

Mr. Showe: I would like for someone to serve as Chair and Vice Chair, because if Carolyn can't attend a meeting, we need to get documents signed so it would be nice to have a backup for the Vice Chair.

Ms. Witcher: Who wants to serve as Vice Chair?

Mr. Bosseler: I move to nominate Mel.

Mr. Showe: The resolution will show Ms. Witcher as Chair, Mr. Mills as Vice Chair, Mr. Lovera as Treasurer, Mr. Flint as Secretary, Mr. Showe as Assistant Secretary and Mr. Brown, Mr. Darby and Mr. Bosseler as Assistant Secretary.

On MOTION by Mr. Darby seconded by Mr. Brown with all in favor, Resolution 2018-03 electing officers, as stated above, was adopted.

G. Discussion of Board Member Responsibilities

Mr. Showe: I didn't know if the Board wanted to adjust any of the Board Member responsibilities.

Ms. Witcher: I like being responsible for the sidewalks and streets.

Mr. Mills: I would like to keep handling the landscaping.

Mr. Darby: Let's keep it the same.

Mr. Showe: Rick would handle finances. I will walk him through the budget.

Mr. Pawelczyk: That's probably one of the best things for Rick to do, in order to learn about the District. In November, you can change the responsibilities.

FIFTH ORDER OF BUSINESS

New Business

A. Approval of RFP Scope for Security Services

Mr. Showe: Based on the earlier discussion, I am going to note on Page 13, where they put in the price. They typically do that anyway, but we will require that they provide us the name, type and all of the information about the software they are proposing. As part of their program, we will spell that out. Because we already received comments on the RFP, I sent it to two companies that provide these types of services, just to get their feel for the scope and their opinion. The one we heard back from, thought that based on our current contract, we were not paying the guards enough for you to retain quality guards. That could be the reason for the problems that you are having, so it was their recommendation, to increase the contract cost from the current amount of \$13.30 per hour to \$16 per hour. Now is a good time for us to make this change, as we are going through the budget process. At this point, we can take any additional changes or comments to the RFP. This does not require a formal bid under the Florida Statutes, so we are going to send it to vendors we know that provide these services. We are also going to send it to the current vendor. I'm going to request that they return it in enough time so at your May meeting, you can review their pricing and make a determination.

Mr. Mills: On Page 28, Section 4.1, the Schedule of Operations, we do not specify that we would ask for a photo ID. I think we should include that language.

Mr. Showe: We can add that.

Mr. Pawelczyk: Change "Patrol Area" in 4.2.

Ms. Witcher: What happens if the landscaper shows up without his ID?

Mr. Showe: All we can do is request it.

Mr. Mills: We are just trying to make it difficult for people just to come in.

Ms. Witcher: On the e-verify system, do we need to ask people to verify their information?

Mr. Pawelczyk: I don't know what you are talking about.

Ms. Witcher: With e-verify, the employer is responsible to make sure that each one of his employees are US citizens.

Mr. Showe: We don't.

Ms. Witcher: I thought it was a State of Florida law.

Mr. Pawelczyk: We have to put it in the agreement, because the agreement says that they must abide by all State, local and Federal laws.

Mr. Showe: It's up to the contractor. We will make sure that's added into the Guardhouse Policies.

Mr. Brown: You mentioned that one of the companies said that the amount of money they are currently paying the guards may not be sufficient to get the caliber of people that we are looking for. I ran hospitals for forty years and had contracts with outside security companies. We used to pay those security officers that specifically worked in our emergency room, more than officers that patrolled the floors. It would seem to me that the key ingredient for this community is to have a guard at the front gate, between 7:00 a.m. and 6:00 p.m., which is when everybody and their grandmother is trying to get in here. If we are inclined to go along with paying more, my preference would be to pay the day guard more than the night guard.

Mr. Showe: Our contracts spell out just an hourly rate. This is what we pay for every guard. Internally, they will assign a Site Supervisor that is the daytime guard. More than likely, they will be paid more than the other guards, because they are the Site Supervisor. For our contract purposes, we only pay a flat fee per hour for guard services. They work out their structure on their own.

Mr. Brown: If I pay somebody more, I have higher expectations.

Mr. Showe: Right. We expect that all of the guards are going to do what's in here. That's why these companies will typically hire a Site Supervisor that is paid more. Their job is to manage the guards that are here to keep all of these standards in line at all times.

Mr. Mills: I know that Barbara was earning around \$12.54 an hour. That is a poverty wage. You get what you pay for. I think we have to look at that. I agree with Rick. You want the guard that is there during the day to be a top-notch guard. I would like for the responders to the RFP to present their case to the Board, because that gives us the opportunity as a Board to ask the questions that we are concerned about. Before we hired the group that we have now, we interviewed them. Of course, they can change management.

Mr. Showe: They typically change their management and corporate structure.

Mr. Mills: I don't know how the rest of the Board feels, but I strongly suggest that we interview them.

Mr. Showe: If we receive five bids, you are likely to have about a four-hour meeting with all of them attending. Do you want to look at the bids in May and schedule a continued meeting for a time and date certain, and invite only the bidders?

Ms. Witcher: Do you want to look at all five or the last two?

Mr. Showe: There may be two or three that you can throw out immediately.

Mr. Mills: I would say that we invite three bidders.

Mr. Darby: I think that's the more prudent approach.

Mr. Pawelczyk: What I'm hearing is that the Board is saying, "*I'm willing to pay more, if he or she is good at what they are doing.*" You have the RFP and different evaluation criteria, so it's not based totally on price. You may want to expand upon the experience or qualifications of a daytime guard and address it in the point system, so the proposers can put their best guy in here and pay them \$17 an hour. If I'm a proposer or contractor, I'm thinking that Baytree has all of these criteria here, because all they really care about is price. Any other HOA or CDD Board cares about is the bottom line, but you have shown that is not the case.

Ms. Witcher: We need to be clear about what we want, because one day they will say, "*You have to let everybody in*" and the next day they say "*No.*" We've gone back and forth.

Mr. Pawelczyk: That refers to the Post Orders. You have one guard abiding by the Post Orders and doing what he is supposed to and other guards that don't. Hopefully the contractor is not listening to the owners and are listening to what this Board says, because the Board hired them.

Mr. Mills: That hasn't always been the case, unfortunately.

Mr. Pawelczyk: I know. You can make that clear as part of the presentations that they answer to the Board and direct their questions through Jason. Maybe the Board should designate a liaison for security.

Mr. Showe: To address your point, Mel, I can request that a representative from each company that submits a bid to attend the May meeting. That way as you look at the bids and we are talking about it, you can ask direct questions to them. I get nervous about giving them open ended presentation time because it does not tend to be super productive. If you have their proposal and you have specific questions, we can set a timer and give five minutes to each company. You guys can ask your questions and if we want to make a decision, you have the information before you.

Mr. Sims: John Sims. The way we are structured now gives a false sense of security, because residents want the guards to stop a car, take their name, driver's license and allow them through. At any given time, they will let three or four golf carts in and people walking in and out. What we are not doing is providing security. We are fooling ourselves. The facility isn't designed to protect the community. We should look at that before we consider who and what type of personnel to employ to provide our security. I think we need to revamp most of what we do. I'm fairly new to the area, but I came to Brevard County in the early 1960's, built a lot of what you see here, so it's not new to me. Its ingrained. If we are going to protect our community, we need to build a facility that protects it and then staff it.

Mr. Mills: What do you recommend?

Mr. Sims: A complete revamp of the front structure. I have no trouble with iron gates or stopping people, especially those with backpacks, because residents are complaining about homeless people walking on the golf cart paths. We have so many problems that it's pitiful, but I have addressed lots of them. I have a copy of Florida Statute 900, allowing you to dictate how communities are managed, which I can email to you. Come on guys, this is 2018. We have so much work to do its pitiful. You charge me \$1,500 a year for what? The same thing that the County provides. I can go across the street and get the same service and a different house without paying \$1,500 per year. That adds up to \$15,000 over a 10-year period or \$9 million to \$11 million for 451 residents in the community. We are not doing our job.

Mr. Mills: If I may, Mr. Sims, the unfortunate part is that we are not a closed community. The roads were built with public funds and, therefore, we cannot say that you are not allowed to come into this community.

Mr. Sims: You can't control who comes in and out?

Mr. Mills: No you really can't. If a person says that they want to go in there, we have no choice but to let them in. That is the law.

Mr. Sims: That's fine. As long as you have a camera.

Mr. Mills: We have cameras in the front and the back of the community.

Mr. Sims: I mean a camera that captures faces as they pass.

Mr. Mills: We do.

Mr. Sims: I haven't seen it.

Mr. Mills: They are all at the front gate. In fact, you can go online right now and they can see who is going in and going out. That's part of your \$1,500 a year.

Mr. Sims: I looked at the things that you do for \$1,500. I looked at the County and they do the same things. Come on guys.

Ms. Witcher: We are taking care of the infrastructure. The County is not taking care of it.

Mr. Sims: What infrastructure?

Mr. Mills: The roads, sidewalks and landscaping.

Ms. Witcher: And the wells.

Mr. Mills: The wells and the lakes.

Mr. Sims: That's the County's responsibility.

Mr. Mills: It is not the County's responsibility.

Mr. Sims: After the community was developed, they gave it to you.

Mr. Pawelczyk: No. The community would not have been developed, without the CDD. I'm just telling you the way that CDDs work. We need to move on.

Mr. Sims: We have a lot of work to do. We need to re-think what we have done.

Mr. Showe: On the Security RFP, with Mike's recommendation, they need to propose a Project Manager, Field Supervisor and Site Supervisor and schedule for when the guards will rotate. That will help you evaluate them.

Mr. Mills: We asked the Security Company to provide the resume of their manager.

Mr. Showe: They typically do that.

Mr. Pawelczyk: You can evaluate the key personnel, including the Project and Field Managers.

Ms. Witcher: They don't give them time to each lunch. One guard left and went across the street, got a pizza and came back. Maybe we can address how we want that to be handled. We don't want him going away. We want to make sure that he stays here.

Mr. Darby: On 17D on Page 6, maybe we should say, "*Describe the proposed staffing levels – minimum experience required.*" That goes for everyone.

Mr. Showe: Since this is not a public bid process, we can specify the timeframe. I will make these changes immediately, provide the revised document to Jerry and if the Board is amenable, we will get it out ASAP, so we have bids in time for your May meeting.

Mr. Pawelczyk: Just to clarify, it's not a competitive bid.

Mr. Showe: It's formal.

Mr. Pawelczyk: Anybody can bid on it, but under the statutes it is a sealed bid process.

B. Discussion of Current Holiday Lighting Contract

Mr. Showe: We discussed the BCA having some interest in taking over the holiday lighting contract. Mike reviewed the contract. We would need to give them notice by September 30th if we intend to cancel or make changes to that contract.

Mr. Darby: Jan, has Wayne expressed any interest in doing this on behalf of the BCA?

Ms. Hill: He said at the last meeting that he would do it.

Mr. Showe: I can reach out to him again.

Mr. Darby: We have a BCA meeting coming up a week from Friday.

Ms. Hill: We need to discuss that, because the BCA had no place to store the holiday wreaths or anything else and no personnel. For two years, Sandy and I hung wreaths. There needs to be a better system.

Mr. Mills: All of us have decorated. I've been here 16 years, stringing wreaths and lights.

Ms. Hill: If you want the BCA to take that on, we need information to include in our packet for our meeting, which is scheduled for the 13th. We need to get it to Fairway Management so that we have it in our packet and can discuss it at the meeting.

Mr. Showe: I will get it over to them.

Mr. Darby: Is this agreement assignable or does it have to be terminated?

Mr. Pawelczyk: It can be assigned, but if the BCA takes it on, they are going to turn it into their own agreement. If you want to allocate a certain amount of funds in the budget, you could identify those funds and pay for a portion of the CDD areas, such as the entrances, under their contract. We could set it up that way. I think that the BCA was concerned at one time because they have all of these other areas that they might want to decorate, other than just the CDD areas. Is that correct?

Mr. Mills: In the minutes, you stated that the current contract would have to be terminated.

Mr. Showe: It's cleaner that way.

Mr. Pawelczyk: It is cleaner. I will send you the Word version if the BCA wants to use the same agreement.

Ms. Hill: The BCA does not have funds for this purpose. It's not in the budget. It only collects \$95 from each person. That takes care of paying Fairway Management. Now our Fairway Management bill is going to increase, because of the pavilion. It takes care of doing very specific things. It's pretty well spoken for, before we collect, so we have to look at what we are signing up for.

Mr. Darby: I think Wayne and the BCA Board need to frame how they want to interact with the CDD and our Decorations Committee and get back to us.

Mr. Showe: I will send them the information.

Ms. Hill: That's why it needs to be in our packet. We need to review it before it goes on our agenda.

Mr. Mills: It probably should be resolved so we can put it in the budget for review at the next meeting.

Ms. Witcher: You have a meeting next week, right?

Ms. Hill: We have a meeting on Friday.

Mr. Showe: It's on my list. They will get it tomorrow.

D, Fiscal Year 2019 Budget Workshop

Mr. Showe: This is the start of the budget process for Fiscal Year 2019. Just to give you some background on this, timing wise, we are a good meeting ahead of where we need to be, which is a good position for all of us. At this meeting, how in depth we go is up to the Board.

At your May meeting, we need to approve a Proposed Budget by resolution. If there is going to be an assessment increase, we must have that set by the June meeting. We will meet in May and in June. We have a couple of months to work through all of this to get the budget where you want it to be. The reason we need to know by June is because, at your August meeting, if there is an assessment increase, we have to send out mailed notices 21 days in advance. June is the timeframe that we would need to have it all set. On all of these projections for the rest of the year, I will note that we are using financials through the end of February. We are projecting what our financials will look like for the rest of the year. We tried to be conservative, so we are on the side of showing more expenses than less. We don't have a lot of changes in your General Fund. Those are standard. We kept the sidewalk and curb cleaning the same. I have not added money for the pavilion, which I will probably need to look at, as we move forward.

Ms. Witcher: Are we going to have any increase for landscape maintenance?

Mr. Showe: I actually think it would be less. It may end up being a wash. It's not that much of a difference.

Ms. Witcher: They said that they were going to landscape around it.

Mr. Showe: We will have to take a look at it. Typically, they call it a wash. They will take care of whatever is there.

Mr. Darby: Jason, I noted that you had a \$1,100 contingency in electricity, which could be used for the pavilion.

Mr. Showe: Right. That is a good point. The utilities never go down. When we do our budgets, especially this early in the process, we always predict a good contingency. We will refine all of those projections and those budget lines as we move forward in the process.

Mr. Darby: I'm not familiar with the budget process. It looks like there is \$187,000 in new expenditures or \$406 per home, which is a 26.5% increase over last year. It all seems to be coming out of capital projects. \$148,000 is over our current estimate. That is either because it's underfunded in prior years, or we are exceeding the budget. I know that there are a lot of capital projects.

Mr. Showe: There are a couple capital projects. I think Mr. Darby is looking at Page 2. This is at the end of the General Fund, where you transfer money to reserves. There are a couple of things going on. A couple of years ago, we were allocating \$60,000 per year to roadway projects, and our Engineer said that was not going to be enough long-term to sustain that

program, so we've been increasing that by 8% per year for the last several years. Right now, we are allocating almost \$90,000, between Baytree and the Isles of Baytree for roadway projects. That goes into your Roadway Fund.

Mr. Darby: In the Roadway Fund, we had no paving expenses for this year or next year.

Mr. Showe: Because they typically do those every couple of years, so we set that money aside to do the larger scale projects, when its available.

Ms. Witcher: We have a rotation where we do roads within the community.

Mr. Showe: When we first started, we basically allocated \$60,000 every year, and we discovered that you were spending too much money on mobilization and you weren't getting the best bang for the buck, so we shifted to a more larger scale project.

Mr. Darby: I'm just noting that for 2018 and 2019, there were no expenditures budgeted.

Mr. Showe: That is correct.

Mr. Mills: So the money just keeps building.

Mr. Darby: I understand.

Mr. Showe: There is a line item that says "*Re-balance First Quarter Operating.*" Because of the storms over the last year, we used some of that First Quarter Operating and I wanted to get that line item replenished. That First Quarter Operating is important because our Fiscal Year starts on October 1st, but we don't typically receive our revenues until November, December and January. We need to have enough money in the bank so that the District can operate until those revenues come in. Right now, we are approximately \$24,000 short of a good First Quarter Operating. That doesn't mean we can't operate if we don't do that, but if we are going to increase assessments, my thought was to do it right and get you back into a good financial position. What you don't want to do is to have assessment increases year after year. There is a cost and obviously this room likely will be a lot fuller, when we send those mailed notices out. It is always our goal, if you are going to do an assessment increase, to not do it for a one-time charge. Try to catch everything you need for the next several years all at once and then move forward. The capital projects are listed on Pages 11 and 12. On Page 11, we allocated some of those projects that we discussed previously for next year. In the past, we budgeted \$15,000 a year for Lake Bank Evaluation. That amount is not currently sufficient for the projects that need to be completed. He is projecting \$30,000 for this year, \$63,000 next year and \$100,000 the following year. Obviously, that's a huge impact financially and has been

calculated. We also added funds for tennis court resurfacing. We previously talked about a figure in the \$100,000 range. We reached out to a vendor. They looked at the tennis courts and don't think we need a full-scale tear down and re build at this point. They think that we can do a standard resurfacing. They also recommended, and it is probably time, to replace the entire tennis court fence. The total amount with new benches and nets is \$16,200.

Mr. Mills: It's been close to six years since we replaced the nets?

Mr. Scheerer: I think Bob was on the Board the last time they were replaced.

Mr. Showe: We replace the nets when they are needed. I think Alan and I replaced them eight months ago.

Mr. Darby: I visited the tennis courts the other day to find out what is going on. There are spider cracks on the courts. Is there a cheaper way to repair them in the short term, other than to do a resurfacing or a mini-resurfacing?

Mr. Showe: The mini-resurfacing is standard. In all of their contracts, you will not find a contractor who will come out to fix those and you will never see them again.

Mr. Scheerer: Crack repairs are part of the resurfacing process.

Mr. Showe: They will treat it, but there is language in the contract that specifically says, "*We are not guaranteeing that these will never come back.*" The cost was \$16,000, as opposed to \$100,000, for the fence, new benches and new nets. You may be getting questions from residents on the tennis court lights. Unfortunately, the vendor tried everything they could, but they can't get around to the back side of that court without tearing down the fences. Our current plan is whenever you guys decide to do the tennis courts, do it with the new fence. We are going to have to install lights on the opposite side. We don't just want to tear the old fence down, repair it and put it back up. They may not be able to even do that with the current condition of the fence. Just to give you an update, we are fielding questions from residents. There is one full court lit now at night. We are trying to work on the other one as quickly as we can.

Ms. Witcher: How can we keep rollerbladers and skateboarders off the tennis courts?

Mr. Showe: I wish I had an answer for you. If you could keep them off of your courts, I would be able to sell that method at every District we manage.

Ms. Witcher: How much would it cost to put in a locked gate on the tennis courts?

Mr. Showe: We can find out.

Ms. Witcher: If a homeowner has their card, they can get access.

Mr. Showe: We looked at doing that at another property and it was in excess of \$7,000. That one was almost right next door to the system that we had.

Mr. Darby: I think a rollerblader could take a card and go in anyway.

Ms. Witcher: I don't know. Four cars came in the front gate and then they went out.

Mr. Mills: If we do the parking lot, instead of the tennis courts, that will definitely help.

Ms. Witcher: That parking lot is a big expense.

Mr. Showe: The parking lot is not included. With a \$400 increase proposed, I couldn't figure out a good place to put that in until we get to future years. I know that we talked about looking at that at some point. We also added a sunshade for the pool for \$20,000. That was the first estimate we received. We will look at other options, if the Board chooses to move forward with that.

Ms. Witcher: How much are umbrellas?

Mr. Showe: A couple of hundred.

Mr. Bosseler: Maybe less.

Mr. Mills: Would that be a better route to go?

Mr. Bosseler: It depends on the size. A 20x20 umbrella for the gap at the end of the pool is about \$3,000 to \$5,000. We talked at the last meeting about getting some new tables and chairs with umbrellas. We certainly can go that route.

Ms. Witcher: I think that's nice.

Mr. Bosseler: We need to go with one or the other.

Ms. Witcher: It's hot.

Mr. Bosseler: The sun is brutal.

Mr. Mills: I would be in favor of purchasing tables and umbrellas.

Mr. Showe: If the Board's amenable to that, I can change that line item to "*New Pool Furniture*" and allocate \$7,500.

Mr. Mills: Is that a realistic price?

Mr. Showe: I think so.

Mr. Scheerer: We can definitely get four tables, 16 chairs and four umbrellas.

Mr. Bosseler: Sold.

Ms. Witcher: When a hurricane is coming, can you move them?

Mr. Scheerer: Yes. We did that last hurricane season. GMS had a crew of people out here. We put everything into the restrooms. After the storm, we came back and put everything back.

Mr. Mills: Would these be commercial grade umbrellas?

Mr. Scheerer: Yes.

Mr. Showe: We will decrease this line item from \$20,000 to \$7,500 and still call it "*Pool Furniture*." You can still look at sunshade options. If you find one that's a good price, let us know.

Ms. Witcher: Does that have a weight on the bottom?

Mr. Scheerer: It's actually a weighted base that is free standing.

Mr. Showe: The next item is "*New LED Gate Arms*." Based on a request form the last Board meeting, we reached out to our vendor. It would be about \$6,500 for LED gate arms at all entrances of the community.

Ms. Witcher: What do regular one's cost?

Mr. Showe: We have the regular ones now. These were LED ones that would change from red when they are down and green when they go up.

Mr. Scheerer: That proposal is split up to \$3,375 for the front gate. One request was to remove the pull noodles off of the exit gate and convert them over to a regular gate arm. There is a gear reducer and some pulleys that need to be replaced to accommodate the counter balance gate arms that we currently have at the entrances and the rear gate. That is all the work necessary for \$3,375 at the front gate. They would take off the rapid arms and convert those over, put the red and green LED arms on all four of those gates, entrance and exit and allocate \$2,785 for the rear gates.

Mr. Mills: In my opinion, that's going to help a lot, because you will be able to see those LED lights from Wickham Road. If anyone is thinking about coming into Baytree and they see those red lights, they will think twice about coming in here. I think it serves a dual purpose. It may even eliminate tailgating, because those arms will have electric in them and they are going to think that if the pole comes down and hits their car, they will get electrocuted.

Mr. Scheerer: It's low voltage.

Mr. Darby: Would it be wise to try it at one entrance?

Mr. Scheerer: If you want to do the main entrance and exit side combined, you are looking at a cost of \$3,375. That would convert the pull noodles to regular standard gate arms.

Mr. Darby: We could get a feel for it, see how much breakage we have and whether its effective.

Mr. Mills: Let's do that.

Mr. Scheerer: You could approve a not-to-exceed of \$3,500.

On MOTION by Mr. Mills, seconded by Mr. Darby, with all in favor, LED gate arms be installed for the main entrance and exit, in a not-to-exceed amount of \$3,500, was approved.

Mr. Showe: I will move the front gate ones to 2018, since you are approving it now and I will leave the rear gate in the 2019 budget.

Mr. Brown: Do those gates have cameras, so if someone breaks an arm, it will record them?

Ms. Witcher: Yes.

Mr. Scheerer: We love the new camera system. I'm watching it every day.

Mr. Showe: The next item is the rear gate camera system. At some point, that's going to need to go, whether we do it next year or not. We budgeted approximately \$4,000. That's about what we paid for the new front system.

Mr. Mills: Do we absolutely need to put that in now?

Mr. Showe: No. I'm budgeting it for purposes of when we need to repair the rear gate, so the money is set aside and we can proceed. I definitely wouldn't recommend doing it until it's absolutely necessary.

Ms. Witcher: We are not going to do it until it's in need of repair.

Mr. Showe: In the case of the front gate, for those that weren't fully aware, the lowest price that I could get for that DVR was about \$5,500. An entire new camera system, new camera, DVR with remote access was \$3,600.

Mr. Scheerer: With a new monitor.

Mr. Showe: We thought the new monitor was a better trade off.

Ms. Witcher: How much capacity do you have on the DVR?

Mr. Showe: We definitely have a week, but not a month.

Mr. Darby : Is it seven or eight terabytes?

Mr. Showe: It has four terabytes. I think he said we should get at least two weeks out of it, which is fine, because we can access it on our phone. When we are informed about an incident, we can look it up right on our phone. The vendor also committed to us that if we ever need anything on disk, all we have to do is send him an email with the date, time and the gate. We can also pull that right off of our phone.

Mr. Scheerer: If I want to play a recording back, the red dots on a calendar tell you how many days you can go back and view the video. It goes back as far as March 14th.

Mr. Mills: Can you delete video from your phone?

Mr. Scheerer: No.

Mr. Mills: So you will have to come here and delete it from the DVR.

Mr. Showe: It automatically does that. It is like the DVR we have now. Depending on how much it holds, the oldest day will drop off. The good thing about this is that we don't have to search. We just pull up the calendar and it will tell you. We are onsite at least once a week, so if we have to hard access it, it has enough capacity for that. We can also get it on the phone or talk to the vendor.

Ms. Witcher: So if there's an accident, we can go to them and they will give us a hard disk?

Mr. Showe: Yes, or we can pull it and save the file right to our computers.

Mr. Scheerer: We also talked about, at some point, maybe getting local law enforcement access, if that's necessary. If we can't be here, they can pull it up in an emergency, but typically if you respond within a few days, we can get here and pull the footage.

Ms. Witcher: If there's an incident, you need to access it.

Mr. Scheerer: We do that now.

Mr. Showe: The only other item we added was the rear pool gate. We added approximately \$15,000. I think the quote was about \$10,000 or \$11,000. There are likely going to be some additional costs in terms of giving out new access keys for people, because the new system had a different type of access. We will probably have some electrical costs and Internet to connect all the way over to there, so I added \$15,000 just to make sure that we had it fully covered.

Mr. Bosseler: Jason, I think we should hold that one for a year, until the pavilion is in.

Mr. Showe: Okay. Perfect.

Mr. Bosseler: We should see how that functions and if people are complaining about trying to get to the bathroom.

Mr. Showe: I will move that on our schedule from 2019 to 2020 for now.

Mr. Darby: Jason, we just came up with \$35,000 in reductions. I would like to see \$20,000 budgeted for the parking lot, assuming that the BCA funds the other end.

Mr. Showe: We can do that. I can definitely show you what that looks like.

Mr. Mills: I would much rather see it going to the parking lot. If we are going to have the pavilion ADA compliant, we certainly want to be able to have the ease of getting a wheelchair out of a car, going across a parking lot and into the pavilion.

Mr. Showe: Perfect.

Ms. Witcher: Once it's marked off, it's going to restrict the parking.

Mr. Mills: Right now, I think we are doing the pool and the tennis courts. Correct?

Mr. Showe: Yes.

Mr. Mills: The pavilion is not even included.

Ms. Witcher: We decided to hold off on that activity. We didn't want it as part of the process.

Mr. Darby: We did agree to budget for it.

Ms. Witcher: Right.

Mr. Darby: After the pavilion is constructed.

Mr. Showe: I will put that in for 2019, make the other changes and then we can look at that as part of next month's discussion. To your point, with the way it was presented, there was a \$406 increase per home for assessments. At this stage, when you send out your mailed notice, you are setting a ceiling, which is as high as you can assess. If you assess \$450, by the time you get to that August hearing, if you have been able to lower that to \$300, that's perfectly fine, but you can't go any higher. Statutorily, you are setting a ceiling when you set that assessment level.

Mr. Mills: Before we do that, I would like to hear from the District Engineer.

Mr. Showe: Okay.

Mr. Mills: That way, it gives us guidance.

Mr. Showe: Absolutely.

Ms. Witcher: We are getting up to the edge of some homeowner's pools, so we have to take care of this. Otherwise, it's going to be a very big expense, on our part, to restore their pool and the lakes.

Mr. Pawelczyk: It is not our responsibility to take care of someone's pool.

Ms. Witcher: We own 15 feet to the lake.

Mr. Pawelczyk: It is up to the homeowner to protect his or her property, according to Florida Law. Most Districts are doing this. You are responsible for the stormwater facilities. All these lakes do is retain water. What they look like, doesn't matter, but it does matter to everybody. Its serving its purpose, but the only way to deal with erosion control in a managed way, is for the District or HOA to do it, because you need to do it uniformly. Otherwise, you are going to have rip rap. If it does erode on private property, the homeowner can do whatever they have to. They can put in a sea wall, as long as they can get a permit. The only way to do it is for the BCA to do it, rather than the District in this case. We have plenty of Districts that are 25 to 30 years old, that are undertaking this process, either through the issuance of bonds or borrowing, because they are the only ones that can finance it. The BCA can't borrow money for a long-term period. Their HOA can allocate a certain amount of money per year for a particular category, so you can address those needs as you go forward. I just wanted to clarify that. Where their property falls in the lake is the property owner's responsibility.

Ms. Witcher: The CDD has a right-of-way (ROW) 15 feet from the water. The homeowners do not own the property.

Mr. Pawelczyk: We do not have an easement from the water. We have an easement from the property line.

Ms. Witcher: They don't own it all the way to the water.

Mr. Pawelczyk: I understand that. It depends on where the property line is. The only reason we have that easement, I believe, from a planning perspective, is so if the lake erodes, you have an extra 15 feet to get in there. Most lakes are dug smaller than what they are actually showing on the plat. In other words, the lake tract actually includes water on the land and compensate for that erosion. Lakes naturally fill in and when that happens, they expand, because they erode. The lake bank material keeps flowing into the middle. Eventually the lakes can fill in. In smaller lakes, it is even worse.

Ms. Witcher: When we first moved here, we asked if we could put up a seawall and they said absolutely not.

Mr. Pawelczyk: You can't because it's not your property. In order to protect the CDD property and the integrity of the stormwater system and provide a means to get the project completed, most CDDs are electing to do that, even though your only legal obligation is to maintain the slopes of the lake. The permit requires them to keep the structures clear.

Ms. Witcher: Can a homeowner that has a pool in the backyard, put in a seawall?

Mr. Mills: That's not what he said.

Mr. Pawelczyk: I'm saying that they have to protect their home. We've talked about this. I had a District say, "*We are not yet ready to address an erosion control problem in this District, but will be in a couple of years.*" The District elected not to do it because of budgetary concerns, but they told the property owner, if you want shore up your property, you can, but you have to do it this way. Essentially the District gave him a permit to make the improvement in a particular manner. It's my understanding that we don't have any properties.

Ms. Witcher: We have one that had a pool. He was at one of our meetings.

Mr. Pawelczyk: I believe that gentleman was here and we told him that if he wanted to do it, we would have the Engineer tell him how to do it and he could do it himself.

Ms. Witcher: We should reiterate that to him.

Mr. Pawelczyk: I think he wants someone else to pay for it.

Mr. Ossa: Richard and I did a site visit and spoke to the homeowner.

Mr. Mills: Let's move forward.

Mr. Bosseler: This is a major item.

Mr. Showe: This is the source of a lot of potential increase in your budget.

Mr. Ossa: At the last Board meeting, the Board had me look at a couple of items. We will leave the lake banks until the end. I looked at some of the items for the pavilion. I spoke with the County. The Building Department's permit is going to be for an "ancillary structure." It's not going to be a full-blown building permit, but will be a watered-down version. The pavilion itself will be permitted and that's the route you would take.

Mr. Darby: In that permit, we are going to include the removal of two trees.

Mr. Ossa: I looked at the trees and sent the pictures to our Landscape Architect to get his interpretation. We will need a permit for one of them and the other could be removed.

Mr. Showe: We are going to include it as part of their contract.

Mr. Ossa: It doesn't affect the tree removal permit. With regards to the actual parking area, that would go to the land development side of the County. Depending on how many reviews within the jurisdictions of the different offices of the County, if there are more than five reviews, then it's considered a major site plan review, so it's going to be a more expensive permitting process. If it's less, then it will be a minor alteration approval. I think this is probably going to be minor. They will probably have landscaping, stormwater and fire reviews. The County suggested, once we have something preliminary in nature, that we submit it to them for a cursory review and they will tell us what we have to do.

Mr. Mills: Does EPA have to get involved?

Mr. Ossa: No, just the County. There will be a St. Johns River Water Management District (SJRWMD) permitting effort, because we have to modify the existing master permit.

Mr. Darby: That's for the paving.

Mr. Ossa: Right. There is roughly 9,200 square feet of paving. According to the County's Code, the pavilion would not need parking. The only structure that needs to have dedicated parking would be the Clubhouse and bathroom. From the aerial, I was able to do an approximation. That structure is about 1,200 linear feet, and according to the County's Code, it's considered a private club or Clubhouse. There would be one parking space for every 200 square feet of area of the building, which equates to six required parking spaces. One of those six has to be an ADA parking spot. You could add more, but you need to have a minimum of six total parking spots. The tennis courts and the pavilion don't count. That was a good answer regarding the actual parking requirement, because the County has stringent parking requirements. They will ask for 30 parking spaces. Jason asked me to put together a cost estimate. We reached out to the contractors that do surfacing work in the community. The price for just their labor, materials and installation is about \$30,000.

Mr. Mills: It was originally \$40,000.

Mr. Showe: What would you estimate for all of the permitting efforts?

Mr. Ossa: It does not include permitting. The survey will be about \$2,000 and our efforts would be between \$8,000 and \$10,000.

Ms. Witcher: So we are back to \$40,000.

Mr. Ossa: That construction cost is fluid. It depends on the time of year and materials. That was at the time of my inquiry.

Mr. Darby: Is there a better time of year to do this, like a more cost-effective time?

Mr. Ossa: It's hard to say. It depends on the amount of construction in the area and the cost for materials.

Ms. Witcher: If we have them here already, there would be some savings.

Mr. Showe: I was just thinking the same thing.

Ms. Witcher: Their set up fee is very expensive. If we had them here when we were doing our regular paving, it would be easier, because we know that he is already going to do the paving. It would be \$20,000/\$20,000.

Mr. Ossa: For the next resurfacing effort?

Ms. Witcher: Yes.

Mr. Ossa: It is \$20,000/\$20,000 because there is one next year.

Ms. Witcher: We don't know if we have one in the budget this year. Do we have one this year?

Mr. Ossa: Yes, according to the spreadsheet, but it's from two years ago.

Mr. Darby: Jason, according to this budget, there is no paving scheduled for 2018 or 2019.

Mr. Showe: We haven't coordinated that with the District Engineer. The money is set aside and we will just plug it in when we know. To date, the Board hasn't approved anything. Mike has something.

Mr. Pawelczyk: If you are getting this minor site plan approval, how long is that good for?

Mr. Ossa: A year.

Mr. Pawelczyk: So in other words you can get the minor site plan approval and then gauge your time and try to coordinate with your paving.

Mr. Ossa: You don't have to construct it.

Mr. Pawelczyk: You will have time.

Ms. Witcher: Is the paving scheduled for 2020?

Mr. Ossa: Yes.

Mr. Mills: That's my understanding when we were talking about this a year ago. He said that we were going to have to put down a new pad and base.

Mr. Ossa: You are going to have to remove the existing millings. Everything there is going to be scraped out.

Mr. Mills: I can't understand why he would have to do that, because there are millings in there now.

Ms. Witcher: I know, but they won't reuse the old millings.

Mr. Ossa: That is not the problem. In order to put asphalt on top, you have to properly install the actual asphalt base.

Mr. Mills: How thick does the base have to be?

Mr. Ossa: 8 inches.

Mr. Brown: But that's included in this cost.

Mr. Ossa: It's included.

Ms. Witcher: When we did the parking for the guard shack, we couldn't use our own millings. We had to get new millings and they had to scrape it down.

Mr. Ossa: For the asphalt resurfacing of the parking lot, some stormwater improvement needs to be done, because now we are adding all of these new impervious areas. There are ways of doing that in a cost-effective way.

Mr. Mills: Didn't we have parking on the other side of the tennis court?

Mr. Ossa: That area flooded badly. You could proceed with the engineering and permitting, find all of the findings and as part of our effort, we will prepare a cost estimate, based on what we find. After that, we will have a more accurate cost estimate.

Mr. Darby: When you are looking at paving that particular area, behind the pool, there's an extension with a palm tree in it that has grass. Do you know what I'm referring to?

Mr. Ossa: I think I do.

Mr. Darby: What did the cost estimate include?

Mr. Ossa: It included that small area.

Ms. Witcher: If we don't do the paving on the parking lot, are we required to put in two ADA parking spaces?

Mr. Ossa: No.

Ms. Witcher: We were trying to mark something off of the sidewalk for them to get up there. They can't go across gravel. It's pretty difficult.

Mr. Ossa: We could put a couple of handicapped signs in designated areas, which would give them access. The more you disturb, the more expensive it is. Does anyone have any questions with regard to the pavilion, parking and permitting?

Mr. Showe: It sounds like the \$40,000 is the target.

Ms. Witcher: Thanks for all of that. That is a lot of work.

Mr. Darby: When would the paving happen?

Mr. Ossa: I'm not sure. I believe after the budget is approved.

Mr. Darby: The 2018 budget has already been approved.

Mr. Ossa: From looking at the maintenance schedule, what's scheduled this year is a portion of Old Tramway Drive. It would cover Linford Court and National Drive. These are short roads.

Mr. Darby: This is my point. If the pavilion is not going to be built until the July and August timeframe, we want to make sure that we don't do the paving any time before that. I want to schedule it out enough so that we can combine the efforts.

Mr. Scheerer: That would need to be coordinated.

Mr. Darby: I guess what I'm saying is if we put it in the budget, then that is the opportune time to do the repaving.

Mr. Showe: I agree with you 100%. With that road paving program, I think we've seen in the past that there is flexibility from the Board. I don't think we have any infrastructure that needs to be addressed immediately, so you have the flexibility of saying, "*Okay, lets hold this for six months, make sure we get everything else right and then we can do it all at once.*"

Mr. Ossa: There is going to be a lot of lead time to get the contract signed.

Ms. Witcher: We have to look at his schedule and see what he has.

Mr. Showe: We have to look at the weather as well.

Mr. Darby: The permitting is going to take a long time.

1. Lake Bank Evaluation

Mr. Ossa: We assessed all the lakes in the community that abut residential areas. In the report, we approximated the location of the property line and measured it to the water's edge, in order to see where the drop-offs to the lakes were. We also measured the actual height of the

drop-offs and the slopes coming into the drop-offs. Based on our findings, we created a spreadsheet to identify the areas of critical concern and a maintenance program, like the paving program. We found three lakes that were in critical condition, that should be part of this year's maintenance program, which are Lakes 1A, 4 and 5. Lake 1A is extremely soft. The angle compared to the location of the water table are close together.

Mr. Mills: Is this the one that Sandy Schoonmaker was talking about where fabric was floating in the water?

Mr. Ossa: Yes. The black material that she was referencing to was the actual geotube sock.

Ms. Witcher: It came loose during the hurricane?

Mr. Ossa: No.

Mr. Mills: At one point, it is almost encroaching or is past the property line.

Mr. Ossa: I want to remind the Board that the improvements that are proposed with that geo fabric sock, does not add embankment to the lake. It prevents any further erosion. In order to add more land, there would have to be significant construction.

Mr. Mills: Did they fill that sock with the residue that comes out of the lake? Is that what they do?

Mr. Ossa: Yes. They use the actual silt from the bottom.

Mr. Showe: It's a big vacuum that sucks it from the bottom.

Ms. Witcher: If we are going to do a particular lake like 1A, then you want to look at all of it, whether it's the red or green.

Mr. Ossa: Unfortunately that has already been done. This effort will just finish it. Lake 4 has a large drop-off. In the contract, that was one of the specific areas that he said needs to be done now, because of the height of the drop-off. That had significant erosion. He is going to stack two socks together.

Ms. Witcher: Are they going to be black?

Mr. Ossa: Yes.

Ms. Witcher: The neighborhood asked what they were doing.

Mr. Ossa: There's no way of landscaping that or to make it aesthetically pleasing. It's there to serve a purpose.

Ms. Witcher: It drops off quite a bit now than it used to.

Mr. Ossa: Lake 5 was the one that we briefly spoke about. Its directly behind 7970 Chatham Court, the one closest to the Suntree community. We met with the property owner.

Mr. Mills: That lake has been an issue for a long time.

Ms. Witcher: That lake floods when we have hurricanes. The water goes up to the road.

Mr. Mills: When we had torrential rains, I have seen the water from that lake go right up to the edge of the pool of a home on that lake, and then floods the lower portion of Chatsworth Drive. The lake is actually higher than the roadway.

Mr. Ossa: I am referring to the lake on Chatham Court.

Mr. Mills: I'm sorry.

Mr. Ossa: I know which area you are talking about. We saw that area after the hurricane. Like I told the property owner, there are different ways of dealing with it. The way that we are proceeding with all of the other restoration efforts, is to use the geo fabric sock. That would work there. They were asking us if it would bring the embankment to where it needs to be, but that geosock doesn't do that.

Ms. Witcher: No, it just stops it from doing it anymore.

Mr. Ossa: The location of the house and all of the landscaping on the sides of the house, is going to make any construction effort difficult because of access. It's something to consider when that work is being done. Maybe that's one of the situations where the homeowner will take care of a portion of the work. The geo fabric sock will stop the erosion.

Ms. Witcher: All we are responsible for is to stop the erosion?

Mr. Ossa: Yes.

Ms. Witcher: The homeowner has to do their own landscaping.

Mr. Mills: Are you recommending doing these two this year?

Mr. Ossa: Yes.

Mr. Showe: There are three lakes. He's approximated a cost of \$20,680.

Mr. Ossa: From looking at the spreadsheet, I want to push it out a couple of more years. I could only forecast until 2020. That's why the cost for 2019 and 2020 are a lot higher. If you want, we can stick to a budget of about \$30,000, or whatever the Board decides. Obviously, we won't cater to that and would push out the maintenance program, just like the paving program. This is another one of those documents that we created from scratch and I have been fine tuning it. As I'm looking at it now, I feel that we should extend it.

Mr. Mills: In your opinion, are these critical?

Mr. Ossa: Yes.

Mr. Mills: How far out do you think we could spread the rest of them?

Mr. Ossa: There wasn't anything else that was glaring.

Mr. Mills: So the \$100,000 that you predicted, we can actually spread out.

Mr. Ossa: Exactly.

Mr. Showe: For budgeting purposes, what do think the timeframe might be to complete all of these?

Mr. Mills: 10 years?

Mr. Ossa: Possibly.

Mr. Showe: If we decide to contribute that amount every year, that definitely will change. I've included all of these in the first three years.

Ms. Witcher: Once we complete the first group, we will be in better shape.

Mr. Darby: I might offer a slightly different approach. I don't know if you can do this, but the money that we put in the budget to address this issue needs to be dictated by the areas that need refurbishment. Is there any way that you can predict beyond this timeframe, what you think would have to be done right away and then we can tally it up? It may not be 30 days. It may be 50 days or 100 days or 120 days. I think that's probably a more prudent approach.

Mr. Showe: What would be beneficial is if we can get an amount from them to set aside every year for the next five years or 10 years, whatever the timeframe is.

Mr. Ossa: I'm looking at about 10 years.

Mr. Mills: You will use the inflation figure of 3% and add to it each year.

Mr. Ossa: We would apply that to the linear footage cost.

Mr. Showe: If you take the \$63,000, plus the \$102,000 and divide that by 10, that's approximately \$16,000 a year. Even if we go with \$30,000 in the budget for now, that seems to give you enough to complete it, but I understand what you are saying.

Mr. Darby: We might be coming to the critical point where we are going to have to be investing more.

Mr. Showe: Right, but for planning purposes, any amount that they can give us, reduces it from \$63,000 to something lower, which means that we can lower those assessments.

Ms. Witcher: There would be an additional amount, in case something else pops up.

Mr. Ossa: Weather is a big factor.

Mr. Mills: If we have no hurricanes or minor windstorms with rain, that all adds into it.

Mr. Ossa: It's almost a living document that needs to be re-evaluated.

Ms. Witcher: Like we do with the paving.

Mr. Ossa: Exactly.

Ms. Witcher: I wanted to handle it like the paving.

Mr. Mills: I think it's going to be more sellable to the residents, doing what Jerry said.

We can basically say, "*This is what it's going to be and keep it a minimal assessment instead of \$100.*" We wouldn't have room for everybody.

Mr. Showe: Between those changes and the ones that you made earlier, I will rerun the numbers. Obviously with Rick's financial responsibility now, we will work with you. It will be painless, I promise. As painless as it can be.

Mr. Darby: There was a gentleman who came here once complaining about his lake and encroachment onto his property, and asked us to do something. Is his property addressed in here for 2018?

Mr. Ossa: I don't know which lake it was.

Mr. Showe: The one that I'm getting a lot of complaints on is Lake 1A. I think the gentleman lived on Linford Court. He and his next-door neighbor complained.

Mr. Sims: Rich met with him. Does this address the golf course runoff water?

Mr. Showe: No.

Ms. Witcher: No.

Mr. Sims: I know that 10 houses along there had water up above my knee. What are we doing about that?

Ms. Witcher: Is there CDD property behind your house and the golf course?

Mr. Sims: There is a golf course behind my house.

Ms. Witcher: But no CDD property. It's between you and the golf course.

Mr. Sims: No. It's between me and this committee, because this committee elected to remove the golf course from their jurisdiction. When they did that, they gave up the right and placed that responsibility on the 10 or 12 individuals that have water running in their bedrooms. Come on guys.

Ms. Witcher: We never owned the golf course. Ever.

Mr. Sims: Yes ma'am.

Ms. Witcher: I'm sorry. I lived here since it started and we never owned the golf course.

Mr. Sims: When you formed this District you owned it. If you have any questions, talk to your representative.

Ms. Witcher: We did not own it.

Mr. Pawelczyk: The golf course was never included within the boundaries of the District.

Ms. Witcher: Scratch Golf owned it from day one.

Mr. Sims: Am I correct?

Mr. Pawelczyk: I don't think so.

Mr. Sims: Was this part of the original District?

Ms. Witcher: Scratch Golf was here and there were no houses.

Mr. Sims: It was part of the original District.

Ms. Witcher: No it wasn't. I'm sorry.

Mr. Sims: This committee, the CDD, elected to eliminate the golf course under their responsibility.

Ms. Witcher: No we did not.

Mr. Sims: Lady, I have minutes that say that.

Mr. Pawelczyk: If you could provide a copy to Jason, that would be great. We would love to see it.

Mr. Sims: I think maybe you should take another look at that.

Mr. Pawelczyk: Can you provide a copy of that document?

Mr. Sims: It's this committee's responsibility.

Ms. Witcher: Do you have a paper that you can give to Jason for us?

Mr. Pawelczyk: I would love to see it.

Mr. Sims: I can give the minutes of these meetings to show you that you did.

Mr. Pawelczyk: I just want to see what you have in writing that shows that. If you can get that to Jason, like you said, that would be fantastic.

Mr. Sims: I see very few notes being taken.

Mr. Scheerer: This meeting is being recorded.

Mr. Pawelczyk: I'm trying to help.

Mr. Sims: I don't have to give it to you. You have them.

Mr. Pawelczyk: I'm just asking you, because you said that you had it. That's all. If you have it, we will look at it.

Mr. Showe: For budgeting purposes, I will work with the District Engineer, between now and the May meeting and come up with a figure. Tentatively, I will put \$30,000 in the budget, which is double what you have previously done. I think that's a strong increase. That should definitely offset some of that increase going forward.

Ms. Witcher: I know that he likes to work on the lakes when they are down.

Mr. Scheerer: He does.

Ms. Witcher: Can you check with his schedule?

Mr. Scheerer: We are scheduled for September.

Mr. Showe: Could you bring in a proposal, so the Board could approve that at the next meeting?

Mr. Sims: My neighbors are angry over this. They are threatening to get an attorney to take care of this. Then they would sue you for things that you did. Do you understand what I'm saying?

Ms. Witcher: We don't own the property. We never owned it. We can't touch your property.

Mr. Sims: You owned it when you took it from Brevard County.

Ms. Witcher: We didn't take it from Brevard County. Scratch Golf did.

Mr. Pawelczyk: Let's move on and stay on target, please.

Mr. Sims: I think you have a lot of work to do.

Mr. Ossa: Are there any questions?

Ms. Witcher: No. Thank you for your work.

Mr. Ossa: I also want to let the Board know that I submitted my resignation at my company. I appreciate the short time that I spent with you. Hopefully I have done a good job. It's been a learning experience. We don't get exposed to a lot of communities like this and get to see our progress 25 to 30 years down the line. It has been interesting. I'm leaving you in the very capable hands of Maryelen Samitas. She's a Project Manager and Professional Engineer with Atkins. She has been in the Melbourne office longer than I have. She worked with Melissa and is familiar with the community. I wish everybody the best of luck.

Ms. Witcher: Thank you very much for your hard work.

Mr. Showe: I will make those changes to the budget. When you have your May meeting and you do your proposed budget, you will see that reflected. I will work with Rick to get him up to speed on everything. The nice thing with our budgets is that we worked with them enough. There is a lot of narrative in there. Even for the new folks on the Board, we try to give enough explanation for each line as we can. If you have any questions between now and then, let us know. We are trying to get as much of a head start on this as we can, so we are as well prepared as we need to be for that process. Are there any other questions on the budget?

Ms. Witcher: No.

SIXTH ORDER OF BUSINESS

CDD Action Items/Staff Reports

A. CDD Action Items/Potential CIP Projects

Mr. Showe: We added some items, based on Board input. For the fountain LED light replacement, we are still waiting on a quote from our vendor. He's scheduled to come out and do some timer work out there. There was a request from a Board Member to get that price, so if we ever need to replace the entire light kit or the fountain, we can do that quickly. Regarding the lighting of the monument signs, Alan and I met with the contractor three weeks ago and he was still putting that proposal together. We don't have it yet. We asked for a status a couple of times. We will keep working on that.

Mr. Mills: What about the lights on the back gate?

Mr. Scheerer: It's the same.

Mr. Mills: Are you getting a proposal as well?

Mr. Scheerer: Yes.

Mr. Showe: The painting of the rear gate entrance occurred when we started the meeting and I just received an email saying that it was completed. After the meeting, Alan and I will put those gates back up. They should look brand new. The rear entrance sign approved by the Board at the last meeting was installed. As part of Jerry's review, he noticed that the electrical panel at the pool probably needs a good replacement, so we contacted the vendor. We will follow up on that. They have to pull a permit at the power company to replace those boxes.

Ms. Witcher: We have to both be there at the same time.

Mr. Scheerer: The power company has to pull the meter.

Ms. Witcher: It's hard to get them both here at the same time.

Mr. Showe: They coordinate that. We are working on that as well. I think we talked about all of the CIP projects as part of the budget. We will update that after today's meeting.

Ms. Witcher: Where is the tree trimming occurring?

Mr. Showe: Between the sidewalk and the curb. We will look at those as we move forward.

Ms. Witcher: There is one in front of our cul-de-sac.

Mr. Showe: If it's in front of a resident home and its hitting the trees, that will fall to the resident. That's part of the agreement with the BCA, where we requested that the homeowners maintain those trees as part of the regular maintenance.

Ms. Witcher: Thank you.

Mr. Showe: Are there any questions? If not, we will proceed to the Attorney's update.

B. Additional Staff Reports

i. Attorney

Mr. Pawelczyk: I don't have anything to report that we haven't already discussed, unless there are any questions.

ii. Engineer

Mr. Mills: One of the things that Melissa was very good at and your predecessor was, is giving the Board information. It's always beneficial if you would just raise your hand and say "*Let me give you some input.*" We are trying to make decisions and we can't make a decision without engineering input, so please feel free to speak up.

iii. District Manager's Report

1. Field Manager's Report

Mr. Scheerer: The pool is in good shape. The contractor is still getting there before 9:00 a.m., to get the pool ready for water aerobics. Staff is still installing stickers on resident vehicles. We discussed the new camera system. I think it's doing a good job. We are continuing to monitor that. When the time comes, we will install a rear gate. We talked about the answering machine at the guardhouse. There is a button that turns the answering machine on and off, right next to the key pad. I'm giving them the benefit of the doubt. Maybe they were dialing the number and turned it off by accident. ECOR is working on the lakes per their contract, as well as the stormwater grates. All of the outfall structures are being cleaned out as necessary. The

turf is being mowed, trash is being picked up, weeds are being pulled and sprayed as needed. We continue to meet with Tropic-Care every two weeks. In between those two weeks, we sent a lot of emails, trying to make sure that they were following up on what they were supposed to be doing. We are monitoring the new palm trees along the lake along Baytree Drive. I'm not happy with the way that they are looking right now. They may be too wet, due to the pipe and the water in that pond. They are going to get the palms trimmed. Then we will have to do some additional fertilization to see if they are going to respond and continue to monitor.

Mr. Mills: Alan, that one palm tree isn't standing straight up. Is there any way that they can pull that back?

Mr. Scheerer: Yes, absolutely.

Mr. Mills: I think a lot of that was because of the cold weather we had and the wind.

Mr. Scheerer: They had a moisture meter that goes up to 10, and when it was placed right next to the tree, it measured 10. We need to keep an eye on that.

Mr. Mills: The golf course pump was down and that's why there was no irrigation out of that lake.

Mr. Scheerer: We saw them filling it. For the first time, they actually have water. We couldn't figure out why the lake was so high and then we found out that the pump was down.

Ms. Witcher: It's up and running.

Mr. Scheerer: That will hopefully move some water in and keep it away from the base of the trees. The Christmas trees, if you haven't noticed, are gone.

Mr. Mills: Are we putting new ones in?

Mr. Scheerer: We haven't received that direction. If we replaced them, I would want a different tree.

Ms. Witcher: A different Evergreen.

Mr. Showe: Probably much closer to Christmas. Right now, is not a good time for planting.

Mr. Scheerer: We will come back to the Board at a later date and work with Dave and see what he comes up with. September or October is a good timeframe to install it with the new budget, rather than doing it right now. They were in bad shape.

Ms. Witcher: They never looked pretty.

Mr. Scheerer: They did for a little bit, but then it got out of control. The hurricane didn't do them any justice. Dave is supposed to touch base on the timer for the fountain. We reset it. It seems to be ready to be replaced, so we asked the contractor to do that. Jason touched on the tennis light repair. We need to remove the fencing. We have been having issues with the speed humps. According to our records, those were installed in 2009. They come out of Canada. I am waiting for a price from GNR Technologies. There is a local company in Orlando that they ship them to, but they come out of Canada. We are going to ask for the exact same speed humps. We will probably have to set them back a little bit, because the holes that are there now are bad. We anchored them several times and one is out again. It's the same one on the interior exit side. I will bring the tools on Monday and we will reset it again, but I think it's time that we look at replacing all of those.

Mr. Mills: Is the rubber tearing?

Mr. Scheerer: People are hitting it and there is constant shoving from everybody stopping.

Mr. Showe: Everybody is stopping before they get there and it shifts it slightly. Over the 9 years those bolts loosened. Obviously, they were drilled into the ground, so there's nothing for the bolts to hang on to.

Mr. Scheerer: At the entrance, landscape trailers hit the humps. We are working on that.

Mr. Showe: Do you want to talk about removing the ones at the exit, for the meantime?

Mr. Scheerer: If we get these LEDs, maybe there's not a need to invest in speed humps, at least at the exit side.

Ms. Witcher: We are not taking the gates off, just the bar.

Mr. Scheerer: While the Board was conducting business, I sent an email to ACT to try to get everybody geared up to go ahead and do the entry and exit side of the main gate. Rather than invest any money right now, maybe these LED arms, as a function of them being lit, will cause people to stop and slow down.

Mr. Mills: Can we put the LED lights up now at the front gate and not order the speed humps for the exit?

Mr. Scheerer: Yes. We are ordering the LED lights for the gates. That was approved by the Board. There should be further conversation on whether or not you want to replace those.

Mr. Showe: My thought was to remove them and see how they do.

Mr. Mills: Good idea.

Mr. Showe: If we need to, we can always go back. That will save you on some of the replacement cost. The entrance ones seem to not be in as bad shape. It seems to be mostly the exit ones, because people are hitting their brakes before they go out.

Mr. Scheerer: They are going to get a nice surprise when you change those to the slow-moving gate arms. Right now, you get up there and that gate pops right open. The new gate arms are not going to be that way. It's going to react just like the rear gates. When you pull up, it will slowly come up. It will have a counter balance at the end of the gate arm and will slowly go down.

Ms. Witcher: When they put them in, ask them how long it takes to replace them when we are ready.

Mr. Bosseler: Make sure that the camera works.

Mr. Scheerer: During our last site inspection, last week, we replaced two monument lights. We changed them to 13 watt, 5,000k LEDs. There was a broken light at the South Pointe monument so we installed an LED light there. They seem to be working well. We will replace all of the compact florescent lights with these LED lights as necessary. On the rear gatehouse, there were two lights that shined underneath the guardhouse, facing the entry and exit gate. Those were damaged. The bulbs were bad, so we replaced those. We installed the "*Resident Only*" sign at the rear entrance to Baytree and it is reflective. All monument lights are currently working. Eau Gallie is working on replacing several of the knee wall lights at the main entrance to Baytree, which Jason discussed. Of course, you approved the LED gate arms.

Ms. Witcher: Thank you, Alan.

Mr. Showe: Do you have any other questions for Alan?

Ms. Witcher: No.

SEVENTH ORDER OF BUSINESS

Treasurer's Report

A. Consideration of Check Register

Mr. Showe: In your General Fund, we have checks 53105 through 53157 for \$199,479.98. \$26,000 is a transfer to the Capital Project Funds. We have to write checks from the General Fund, so they are included. The vast majority is a transfer to set up your Reserve

Funds for the year. Also included is February payroll for \$738.80, for a grand total of \$200,218.78. Alan and I can answer any questions about those invoices, if you have any.

On MOTION by Mr. Mills, seconded by Mr. Darby, with all in favor, the Check Register was approved.

B. Balance Sheet and Income Statement

Mr. Showe: No action is required by the Board. It is unaudited. Most account lines are falling in line with what we expect. Obviously, there are some landscape overages with the storm and cleanup, but everything else is in line. Assessments were 96% collected.

EIGHTH ORDER OF BUSINESS

Supervisor's Requests

Mr. Mills: Are we turning off resident transponders as they vacate the community?

Mr. Showe: As soon as I am notified.

Mr. Mills: The reason is that John Finafrock and Lenny Jean have active transponders.

Ms. Witcher: Did he sell his house?

Mr. Mills: Yes. When you get a new resident that's coming in and putting transponders on their car, do you ask for their address?

Mr. Showe: Absolutely.

Mr. Mills: Can you use that list to turn off the transponder?

Mr. Showe: I can. The challenge I have is that you have a lot of folks in here, whether you know it or not, that move between addresses in Baytree. They will rent one property here and one property there. I've turned someone's off who actually still lives here. For the most part, when I'm notified that someone no longer lives here or purchased a new car, that's when we turn them off, just for the sake of allowing the folks that should have them to be activated. We don't find a lot of folks that shouldn't be accessing the community. I know that it can happen.

Mr. Brown: Do any vendors have transponders?

Mr. Showe: No. Not unless someone peeled it off their car and handed it to them. If I find out, it will be deactivated. We install those personally and check the registration when its installed.

Mr. Mills: Some contractors have magnetic signs on their truck, which they remove when they are in the community.

Mr. Showe: Some residents own commercial vehicles.

Mr. Bosseler: Around Christmastime, I saw a UPS truck come in the back gate, which I thought was unusual.

Mr. Showe: There is a person who works for UPS that lives in this community.

Mr. Mills: According to the minutes, we were supposed to review an FPL lighting contract.

Mr. Showe: Mike reviewed the contract.

Mr. Mills: Do you remember if we are leasing? You were going to check on that.

Mr. Pawelczyk: I don't recall. When I get back to the office tomorrow, I will email the Board and let you know what I found.

Mr. Showe: Since I made contact with them, everything seems to be up and running properly. They are making a lot more effort to fix it. Alan and I noted on Monday that several poles belonged to the Baytree CDD, which I'm sure that we installed. They put asset numbers on them. I will be calling them if they go out.

Mr. Mills: We need to do an inventory.

Mr. Showe: If they want to fix them, I will gladly try them first.

Mr. Mills: HGTV filmed House Hunters in Baytree on Chatsworth Drive. It should air in October. I met the people that purchased the house. They are a lovely young couple. We discussed that the extension office had a fertilizing program regarding what we can and cannot do. Do we have any information on that?

Mr. Scheerer: We haven't received any information.

Mr. Showe: Other than what we provided to you today. They are aware of all the regulations. That's why they use granular at certain times and liquid at other times. They have to maintain that as part of their license with the County.

Mr. Darby: How are the tennis court lights managed?

Mr. Scheerer: They are on a 15-minute timer. I think they go off at 10:00 p.m.

Mr. Darby: Whoever plays it has to activate this timer?

Mr. Scheerer: Correct.

Mr. Darby: Where is it located?

Mr. Scheerer: Right by the half gate. I believe that the power comes from an electrical panel by the irrigation well. That may be another source of power for the pavilion.

Mr. Showe: We looked at that.

Mr. Darby: There is going to be a Baytree block party and food truck night on May 4, from 5:00 p.m. to 9:00 p.m. There will be live entertainment and seven food trucks surrounding the golf club.

Ms. Witcher: The golf course is having a dinner tomorrow night.

Mr. Brown: If we are going to start enforcing what we are allowed to do with security, relative to the front gate, we might want to consider posting a sign that says, "*Be Prepared to Show a Photo ID*" coming into the area. I wasn't here when you went to the County Commissioners and said that they were moving 600 people from South Florida and they needed to build this brand-new building, which was the Space Coast Credit Union. I don't know whether the County Commissioners gave them the tax abatement. What I'm hearing is that the only people that moved into that brand-new building, were the people that were in the present building.

Ms. Witcher: I heard the same thing.

Mr. Brown: Since we are a government agency, can we write to another government agency, such as the County Commissioners, asking if they ever found out how many people moved from South Florida to Brevard County, as a result of building that building? After all, we ended up spending \$30,000 of our own money to put up landscaping, so the residents of Kingswood Way wouldn't be looking at the back of a prison. I would like to close that loop.

Mr. Bosseler: I think that's a good idea.

Ms. Witcher: I don't think they ever go back and check if 600 people from South Florida moved into the building.

Mr. Bosseler: They don't and they have two more buildings.

Ms. Witcher: They were going to try to justify it. I think they sold the building.

Mr. Mills: I talked to a Manager at Eatz one day at lunch and said, "*Well, I guess all of your 600 employees moved up from Miami.*" He said "*No, we are not getting 600 people. All we are doing is moving the people that are cramped in the big building over to the new one.*"

Mr. Pawelczyk: That's what I heard.

Ms. Witcher: He is coming up for election soon.

Mr. Brown: Why couldn't we as taxpayers hold them to it?

Mr. Bosseler: If we send a letter to the County Commissioners, maybe they will make some inquiries.

Mr. Showe: He does read the minutes.

Mr. Bosseler: He's not getting my vote, if he doesn't stand by his own words.

Ms. Witcher: I don't know how many votes he will get from Baytree.

NINTH ORDER OF BUSINESS

Public Comment Period

Mr. Showe: At this time, we will take audience comments. Please state your name and address and try to keep your comments to three minutes.

A Resident: Who maintains the common areas?

Mr. Showe: Tropic-Care.

The Resident: Someone may want to inform them about multiple sprinkler heads that are blowing off on Baytree Drive, between Daventry Drive and Bradwick Way.

Mr. Kane: John Kane, 332 Sandhurst Drive. Regarding the lakes, I suggest that you review what the District Engineer proposed, such as sandbagging, something like that just to get people involved. People who are sitting out here, want to see what's going on. You know what's going on.

Mr. Mills: Rather than having a map, we could provide handouts.

Mr. Showe: The agenda is also posted online and has all backup documentation.

Mr. Pawelczyk: I think the Engineer's office could do something inexpensively, such as mounting an aerial of the property, outlining the boundaries of the District. That way, you can point out the roads.

Mr. Showe: I think we have those. We could send those to the printer.

Mr. Pawelczyk: I'm sure that the Clubhouse can find a place to store it. It's just an idea and it is helpful.

Mr. Brown: I have a foldout of the entire Baytree community. We use it on the ARC Committee showing all of the homes and roads. I will bring it to the meeting.

Mr. Showe: If you can email it to me, we can print it in a larger format.

Mr. Ossa: In my memorandum, the last page has a map.

Mr. Pawelczyk: It could be 3'x5'.

Mr. Showe: Are there any other audience comments? Not hearing any, we need a motion to adjourn.

TENTH ORDER OF BUSINESS

Adjournment

On MOTION by Ms. Witcher, seconded by Mr. Darby, with all in favor, the meeting was adjourned.



Secretary / Assistant Secretary



Chairman / Vice Chairman