

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, August 1, 2018 at 1:30 p.m. at Baytree National Golf Links, 8207 National Drive, Melbourne, Florida.

Present and constituting a quorum were:

Carol Witcher	Chairman
Melvin Mills	Vice Chairman
Richard Bosseler	Assistant Secretary
Jerry Darby	Assistant Secretary
Richard Brown	Assistant Secretary

Also present were:

Jason Showe	District Manager
Michael Pawelczyk	District Counsel
Mary Ellen Samitas	District Engineer
Alan Scheerer	Field Operations Manager
William Viasalyers	Field Manager
William McLeod	DSI Security
Valerie Scott	DSI Security
Numerous 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. All Supervisors were present.

Mr. Showe: We have a public hearing on the budget later in the meeting. Anyone who wants to speak on the budget, can fill out a form, so we can orderly manage that process. We will take them in the order in which they are received. During the public hearing, we will try to keep everyone to three minutes. Please don't duplicate points that other people are making, to help try to move the process along.

SECOND ORDER OF BUSINESS

Community Updates

A. Security

Mr. McLeod: Bill McLeod, Operations Manager for DSI Security Services (DSI). We took over the account on July 1. I received a few emails stating how the transition went. We had a few emails afterwards from residents stating how they were concerned because of the lines that were being formed at the guardhouse, from us checking IDs. If you have any questions concerning our transition or what's going on with security, I would be happy to answer them.

Ms. Wagner: Joanne Wagner, Isles of Baytree (IOB). I was under the understanding during the presentation, that there would be some training for us.

Mr. McLeod: Yes. I'm going to let Val speak. She is our Regional Sales Manager for DSI. She is in touch with Tech Solutions who is in charge of that program.

Ms. Scott: I have some forms on the table, but they are also on the website. It's going to be mentioned in the newsletter that Mr. Darby is putting out. Your Visitor Management System (VMS) is not going live until October 1st. That was a decision that was made to let us get our feet wet, initially. Anyone who takes these initial steps by Saturday, August 25th, the following week, they will receive an email inviting them to go online and do everything that they need to do on the system. It gives you the opportunity to explore the system, put in your personal information, your permanent visitors, etc. It still will not be live. You cannot enter your day-to-day guests until October 1st. If you were to go in tomorrow and get started, you are not going to get that email, inviting you access to the system, until after the August 25 deadline. In the days following the 25th, you are more than welcome to do it as soon as you would like, but just don't expect to get anything back, until after August 25th. The second deadline is September 22nd. You have training scheduled. I believe that those dates are Friday, September 14th and Sunday, September 16th, but that could possibly change to Saturday, September 15th. There would be two sessions to allow those who work, who can't get here on Friday, to come back in either on Saturday or Sunday. I think Jerry's newsletter is going to speak to that as well. We will firm up those dates, depending on the availability of this room. I will be back for that. We will have Tech Solutions on board on Friday. I will stick around and help anyone. We are offering to work with those of you who aren't computer savvy or comfortable with it. Is there anything else?

Ms. Wagner: I have vendors constantly coming to see me, which is fine. All they have to do is to say that they are going to the pool and they get a day pass. Is that correct?

Ms. Scott: Jason brought it to our attention, but I think Bill made a concerted decision to leave the voicemail, because it sounded so good, but I think he is changing that.

Mr. McLeod: I will change the voicemail today before I leave. Nothing about the message is going to change, just the voice. If you call and leave a message, we are going to make sure that your vendor can come through.

Ms. Wagner: They are not checking for anybody right now. I just received two complaints from my residents, and I observed this myself. They are all doing something different.

Mr. McLeod: I had to come out here personally and collect a lot of data from a lot of different places, because there was no way that my officers could've gotten to the information, because it was in so many different places. We simply didn't have phone numbers. What happened was that you had a different program being used by another security company called Safeguard. We were using that to call people. That shut down on us unexpectedly. We had no idea that it was going to shut down on that particular day, so at that point, because this is a soft gated community, we can't deny anybody access to the community, so we had to let them through. Of course, we want vendors to be able to get to their customers, so the decision was made by me, to let them through, until I could get all of the phone numbers consolidated onto one sheet. I've done a pretty good job of it. It took me six hours one day, sitting in the gatehouse, to get those numbers. Right now, I'm in the process of typing those into the form that I sent to Jerry and Jason. I put everybody in alphabetical order, because its more efficient that way. I'm manually putting in the telephone numbers that I have. I'm not even sure if they are correct or not.

Ms. Scott: We have names and addresses and he's trying to match them.

Mr. McLeod: I'm trying to match up any and all telephone numbers associated with an address. That way, the phone calls can start happening again.

Mr. Darby: Joanne, your list of your residents is in a PDF format. Do you happen to have that in an Excel spreadsheet?

Ms. Wagner: No.

Mr. McLeod: I have it all in Excel and its ready to go. I'm just manually having to put in the telephone numbers.

Ms. Wagner: I know that there is new staff up there, but IOB is separate from Baytree. Our vendors come in and say that the guards are sending them to this Baytree. Could they just ask them to go into IOB?

Mr. McLeod: I will adjust that. I had a lot of turnover the first couple of weeks with my officers. I guess some of them thought that it was going to be a much easier post with a lot less activity. Now we have educated people and pretty good staff up there now. That's my fault, which I apologize for. I simply forgot to tell them that there are two Baytrees. I will make sure that they know that.

Ms. Wagner: I appreciate your time.

Mr. Mills: Make sure that they ask for photo IDs. It doesn't have to be a Driver's License. I had a party come in, that said the address and they let them right in. They didn't take her license plate number.

Mr. McLeod: I addressed that with all of my officers. I don't know how long ago that happened.

Mr. Mills: Two weeks ago on a Sunday.

Mr. McLeod: They have been counseled on that before, but I'm going to be honest with you. A lot of times, I have gotten emails from residents and even a couple of Board Members that were concerned, because of what appeared to look like they were just letting people in. They allowed residents through that had already been identified, that the officer knew personally.

Mr. Mills: I understand.

Mr. McLeod: Quite frankly, I'm getting some nasty pushback from some people for having to present their IDs. They are not coming from vendors or guests. They are coming from residents themselves. I've gone through this issue with two Site Supervisors. One resident is an ex-police officer. You are not going to get him to move. He's fine, but that's part of the issue too. They simply don't want a confrontation, so they just let them through. We had an incident last night where the guard felt like, if he didn't hit that gate switch fast enough, you would've lost a gate arm, because the driver was going very fast. It was a resident that lives on Baytree Drive. We are trying to work as best as we can, with what the HOA has asked of us, but we also live in the reality of some people are simply going to give us a lot of pushback and not adhere to these rules.

Mr. Darby: We talked about, issuing those residents a permanent pass, so they could just use the pass to go through. Have you done that?

Mr. McLeod: We can't because they are angry that they even have to slow down. When our officers try to approach them about that, they are already in a confrontational manner. I don't want to turn a bad situation worse, by even saying, "*Sir, just give me your photo ID, so I can issue you a permanent pass and let you through the next time that I see you.*" They don't even want to hear that. Like I said, this is not a widespread issue, but it's enough where its four or five per shift. So, with three shifts a day, we are getting anywhere between 12 to 13 residents who don't want to present their IDs. It does create a concern for the officer, because the officer doesn't want to get into a confrontation. I'm hoping for the sign, "*All Guests Need to Present ID*" stops them, but a statement made last night was, "*I live here and I pay my bills, so I don't see why I have to stop.*"

Mr. Mills: You may want to suggest to that resident that there are transponders available that they can use.

Mr. McLeod: They are so mad, by having to stop, that they don't listen to the guard. Maybe if Jerry could put something in the newsletter, saying that any resident not wanting to slow down for the guard, might want to consider getting a transponder. We are simply doing what the CDD asked of us and no more.

Ms. Scott: Technically, not a lot of the process has changed and there won't be a huge change. The issue is that the processes that were in place, were not being done and now we are getting resistance. It happens often. People resist change. Even though it's been in the rules and the scope of work, we are getting some pushback. It's not unusual.

Mr. McLeod: This is not new to me. I am working with my officers to try to find that balance.

Mr. Rusnak: George Rusnak, 8030 Kingswood Way. During the month of July, I had two guests that were asked by the guards if they wanted to be put on the permanent list.

Mr. McLeod: This is something that I re-trained the officers on. I spent a lot of time out here with the officers, observing them, to ensure that they are doing what the Post Orders are asking. I caught that, not too long ago, and put a stop to it. One officer is no longer here. The officers are learning. It's a lot of information to take in and I'm doing the best I can in training

and re-training. As the emails come in, I'm addressing them with those officers and with my Site Supervisor, in order to mitigate those occurrences from happening.

Mr. John Sims: John Sims, 319 Sandhurst Drive. The CDD exists without any credentials and was established by the developer to limit taxes and restrict people from coming in.

Ms. Witcher: Excuse me. We are currently discussing security.

Mr. John Sims: This is greater than security.

Ms. Witcher: You have three minutes.

Mr. John Sims: These things are happening and exist within the community. There are 451 homes. The conversations that I had about the security and the existence of Baytree, goes back to the \$10 million that has been drained out of this community. Part of that goes to maintaining the security, but when you come through the gate out there, you are only checked if you are in a car. I see people taking their afternoon walk to the community, so it's far more extensive than just security. I think it's time that we reassess the existence of the CDD, because the functions that they perform that we are taxed on, are also taxed by the County for the same functions. So, we are paying a double tax for the same services. There are a lot more issues here than just security. It frustrates me, because like other people, I don't want to stop every time I come through the gate, and I don't care to see someone on a bicycle riding through the community or riding down a golf course trail, having access to the backs of all our homes. Those things are far deeper than just the security. I believe that its time that we validated the existence of the CDD. There is no Charter. It's simply an assumption of what was established by the developer and realtors when the community was first developed. I certainly don't need a tax increase, which I just received, to pay for something that I already pay the County for. It's frustrating, and not just to me, but my neighbors are frustrated too. Let's get rid of this and get an attorney to sue the CDD to recover the money that residents have paid over the past years. Not just the CDD, but the administration and lawyers that have put these things in place that have no validity.

Ms. Witcher: Thank you.

Mr. Mills: I have a suggestion, but I don't know if that will work or not. If they get residents license tag numbers and give it to Jason, we could send that resident a letter.

Mr. Showe: Names would be more helpful.

Mr. Mills: They don't have time to get a name.

Mr. McLeod: You are absolutely right, but unfortunately when I'm trying to open the gate to protect you from loss, I'm not getting a name.

Mr. Showe: If they don't have a transponder, I won't have their license plate.

Mr. Mills: If can get the license plate number, we can check to see who that resident is. Correct?

Mr. Showe: No. We have no access to Sheriff's records to verify license plates.

Mr. Darby: Only driver's licenses.

A Resident: When we first moved in here, if someone came to the gate, they used to call us to let us know that someone was at the gate. Are they going to still do that?

Mr. McLeod: Yes ma'am. I hate to say this, but we are taking a temporary hiatus from that, just because of the fact that I don't have a list that consolidates everybody's name with a telephone number. I just obtained that the other day by manually entering, on a spreadsheet, everyone's telephone numbers. I don't know if they are good or not. Some of them go back three years and some go back six years. I'm using whatever I have. So, we will see if we have good numbers or not when my officers get that spreadsheet back, which will be this week.

Ms. Scott: We are band-aiding a little bit until the VMS is up. To answer your question, when you are registering a visitor, you will have the ability to get a text message to advise you that someone was just scanned through. That will be an automatic notification that you can set up when you are registering a visitor.

A Resident: How do we get the correct numbers to you?

Mr. McLeod: Just call the gatehouse. The officer may not answer all the time, because a lot of traffic goes through, but if you leave a message saying, "*I'm so and so and I live at this address, please update my telephone number,*" they will write that down. Please give it two days before you do that, because they still don't have that updated list yet from me. When they do that, they will be able to change the numbers.

Ms. Scott: Referencing the address is probably the easiest way to identify yourself when you call to associate a phone number with the address.

Mr. Tucker: Duane Tucker, 7984 Kessington Court. I would like to express an opinion. I think it's highly inappropriate that our CDD Board and your company uses Barb's voicemail, due to the nature of her departure.

Mr. Showe: We already addressed that. It was changed.

Mr. Tucker: I'm just expressing my opinion.

Mr. Showe: I understand.

A Resident: Are the people on our permanent roster still on it, or do we have to redo it?

Mr. McLeod: We have to redo it, because when we lost that original system, that was a proprietary system to Allied Universal. We were using it for a week or two, until they turned it off and we can't use it anymore. When we lost that, we lost the permanent guest list.

Mr. Decker: Scott Decker, 612 Deerhurst Drive. I filled out paperwork that had all of the people that I wanted to be able to visit me. When Barb was there, she would flip through the list and find the name.

Mr. McLeod: I understand that, but we have so many lists in the guard shack and don't know what's accurate and what isn't. We don't know how far back these permanent guest lists go. We don't even have consistencies between the forms that were used to obtain those lists.

Mr. Decker: So I have to redo my list?

Mr. McLeod: Yes.

Mr. Showe: You will be able to do that online. Jerry and I talked about this.

Mr. Decker: I had to take a day off today to go before the Board, because you hold your meetings in the middle of the week when people work. All of the other HOAs that I have been part of, hold their meetings in the evening when everybody can attend. Now I have to do more work to redo my list. That's time that I have to take away from my family and my job, just so I can redo things, because you guys aren't accommodating me.

Mr. Mills: I've been on the Board for 10 years. We had meetings in the evening, but only 6 to 10 people attended, not like today. It was the wishes of the Board, not to continue meeting at night. I agree with you 100%.

Mr. Decker: What time of night?

Mr. Mills: Each meeting was held at 7:00 p.m.

Mr. Decker: I've only been here for two years, and don't care about the previous eight years. The point is that I had to take some time off from work in order to talk to the Board to make sure that you hear what I have to say, because you represent me.

Mr. Mills: I understand.

Mr. Showe: Is there anything else for security?

A Resident: How different can you be? Baytree Drive is a public road. Anyone can come in, whether or not they have identification. You cannot stop them, so I don't understand why homeowners have to pay to get a new system, that is absolutely unnecessary, and cannot safeguard us anymore. I've been living here since 1999 and I've never had a problem with any of the security systems. I'm amazed to see what's going on now. Can you tell me how safer I would be with your system?

Mr. Showe: That's not a question for the security team, but if the Board chooses to answer, they can. We had a lot of discussion about that, at the Board meeting when this firm was selected and I think that the minutes refer to that.

Mr. Darby: DSI was the lowest bidder, including everything that they provided. They were lower than our prior security firm. Going with the prior firm, would've cost you more. DSI was the lowest bidder and that's why we chose them.

The Resident: Not based on the report that I've seen.

Mr. Darby: You didn't see all of the competitive bids. They were the lowest bidder. If you look through prior minutes, you will find that.

Ms. Witcher: Please come to the meetings. Don't just come for the aftermath of what we had to go through.

The Resident: We don't have to come to the meetings. You should be sending us an explanation, because we are paying for your fees. We don't have time to come to the meetings. People have jobs to do.

Ms. Witcher: The minutes for every meeting are online. We do not do anything in the shadow. It's a State of Florida entity.

Mr. Showe: Is there anything else for security? Hearing none, we will proceed to the BCA update.

B. BCA

Ms. Hill: Jan Hill, 1103 Balmoral Way. I am the Treasurer of the BCA. The CDD and the BCA formed a committee to address speeding, and determined that the problem was on National Drive, Old Tramway Drive, Kingswood Way, Baytree Drive and Balmoral Way. They identified the problem with the police not writing enough tickets and not present at the hours when there were the most problems, which is when school was in session, evenings and weekends. They suggested that we approve speed bumps, flashing radar signs, more signage

about slowing down and stop signs at all intersections. They went through a lot of discussion and the final recommendation was to get Sheriff Ivy to allocate us more people at the proper times and instruct them to issue tickets, not just warning tickets, but actual tickets. They felt that would solve the problem. If that doesn't work, flashing radar signs should be placed strategically along Baytree Drive, and speed humps and flashing radar signs should be placed on Kingswood Way, Old Tramway Drive, National Drive and Balmoral Way.

Mr. Darby: Ms. Hill, as a point of clarification, do you mean speed humps?

Ms. Hill: Speed humps, not speed bumps. Apparently, everyone in the group said that the residents really don't want speed bumps, because it causes people to screech to a halt in front of them, so the people that live near those bumps, hear squealing all night long and that would not be acceptable. As far as the pavilion, we are still waiting for the Planning and Zoning approvals, so we can break ground. In the meantime, Jason and I ordered eight tables for the pavilion, one of which is ADA compliant. Those are already here and in storage, ready to go whenever we have a pavilion. We were worried that the pavilion would be up before we had tables. We wanted to have a celebration once we get it up and going. We also had been discussing how that's going to be managed. Fairway Management said that they would charge the BCA an additional \$100 per month to take care of the rental fees, deposits and the calendar. If we want the inspections after each use and cleanup, then it would be \$40 an hour. We will get together and work that out, to be an exact amount, so we know how much the BCA needs to retain that fee and how much would be passed along to the CDD. They were concerned, because they thought that they had to take the trash away. I said, "*No, trash was already picked up from the swimming pool and tennis courts and we didn't need to duplicate those services.*" That's all that I have for the BCA.

Mr. Darby: Just as a point of order, the BCA had a list of recommendations.

Mr. Showe: I don't know that I've seen those recommendations. It might be best if somebody has them so we can distribute them to the Board. I don't know that all of the Board Members have seen those.

Mr. Darby: I have them.

Mr. Showe: I can distribute them to the Board and at the next meeting, you can take them under consideration.

THIRD ORDER OF BUSINESS

Approval of Minutes of the June 6, 2018 Meeting

Mr. Showe: The minutes from the June 6, 2018 meeting were included in your agenda package. We received some comments, prior to the meeting and those will be incorporated into the final version. We can take any other changes or updates to the minutes, at this time.

Mr. Darby: On Page 17, halfway down, I said, “one year’s assessment,” not “one month’s assessment.” Further down where Mr. Mills is speaking, “when the guards come in” should be “when the guests come in.”

Mr. Showe: If there are no other changes, a motion to approve the minutes, as amended, would be in order.

On MOTION by Mr. Mills, seconded by Ms. Witcher, with all in favor, the minutes of the June 6, 2018 meeting, as amended, were approved.

FOURTH ORDER OF BUSINESS

New Business

A. Review and Acceptance of Fiscal Year 2017 Audit Report

Mr. Showe: The last page is your Report to Management, which has a note this year. We typically provide an amended budget at your December meeting, but the meeting was cancelled. There is a statutory guideline to have an amended budget. Essentially, all that budget does is recognize Fund Balance, which is carried into your General Fund to cover any expenses that may go over. This happens with a lot of our Districts, especially if a project doesn’t get completed in that fiscal year, so we may spend the money the next year. You just have to recognize the revenue, but that did not get gone in time. We notified our staff and we will keep up with that Fund Balance. Other than that, it’s a clean audit. The financials are good. We can take any corrections, changes or questions or a motion to approve and accept the audit.

On MOTION by Mr. Darby seconded by Mr. Bosseler with all in favor, the Fiscal Year 2018 Audit Report was accepted.

B. Public Hearing

On MOTION by Mr. Mills, seconded by Mr. Bosseler, with all in favor, the public hearing was opened.

i. Consideration of Resolution 2018-06 Adopting the Fiscal Year 2019 Budget and Relating to the Annual Appropriations

Mr. Showe: This Board reviewed this budget several times, so I would just like to give a general overview. This shows you the revenues for Fiscal Year 2018-2019. Obviously, 2019 is higher with the projected assessment increase. Because of “*Roadway Projects*” and other items, the IOB contribution increases. “*Miscellaneous*” is for transponder fees and revenues from “*Water Aerobics*.” We budgeted \$4,000, but those costs offset the expenses that we have on the other side. Under “*Operating*,” “*Total Projected 9/30/18*” is what we expect to spend for the full year. “*Proposed Budget FY 2019*” is what we have budgeted, so there’s very little change on the administration and operations side. The Fiscal Year 2019 operations include the new security contract, which is considerably higher than the one we had before. We also have reserves. This is where a lot of the assessment allocation is going for the new assessments. The reserve total last year was \$133,000, and this year its \$266,000 for 2019. For your proposed assessments, \$1,884.67 was projected for 2019, per home, which is an increase of \$347 annually. I will note that the original budget that the Board was presented with, when they started this process, had an increase of \$406. They made several reductions both to the lake bank project and *Roadway Pavement Management Fund*, as well as reducing some additional capital projects that were scheduled to bring that down to \$347. The history of your assessments, also includes debt service, which the Board has not increased assessments since 2014. There is a \$100 increase in 2014 and adding in the debt, which is no longer assessed, you will see that the total assessment that you saw in your tax bill was higher in 2008, 2009 and 2010. This information was included in the letter each resident received. The new security contract that we talked about, increased \$24,000 over the previous contractor. They were the lowest bidder of the three bidders, which included your current vendor. The vendor we had previously, bid much higher than we were paying, so we awarded that to the lowest bidder. In 2014, the District Engineer recommended increasing your *Roadway Pavement Management Fund*, which used to be \$60,000 per year, but the recommendation, at that point, was to get it up to \$100,000 per year, so we have been slowly increasing that by 8% ever since. That increased from \$60,000 to \$88,000, which is in the new budget, or \$28,000 that the Board absorbed into the assessments, without increasing it prior to

this meeting. We also had over \$35,000 for storm debris cleanup from the hurricanes that came through. The District also needed to look at replenishing their *First Quarter Operating Reserve*, which is important, because even though our fiscal year starts in October, we don't get assessments in until January, so the District has to have enough funds in the bank to cover October, November and December, so we can continue operations. There were some additional increased costs. Previously, the Board budgeted \$15,000 per year for lake bank restoration. Last year, the District Engineer stated that wasn't enough and we needed to increase that amount. The original recommendation was \$27,000 in the current year, \$61,000 in 2019 and almost \$100,000 in 2020. The Board asked the engineer to go back and re-analyze that program, to see if a lower amount could be budgeted. We can stretch the time of restoration out. For Fiscal Year 2019, tennis court refurbishment is planned, which will include new fences, new benches and court resurfacing. There is currently no way for a vendor to get around the court to get that tennis court light back up, so we plan to accomplish that at the same time. We've budgeted more money for pool furniture and looked at a camera system for the rear gate, which is in the budget for Fiscal Year 2019, but the Board is going to look at that now. The proposal is \$4,000, but the District's actual cost will be about \$1,800. The Board is also going to consider re-paving the recreation parking lot area. The proposal was to split that cost with the BCA. We handed out revised costs and we will have the District Engineer go over those with you, before any decisions are made. The Board continues to do sidewalk repairs, tree removals for trees damaging the sidewalks and drainage repairs. Obviously, if there are issues with the drainage that are the responsibility of the CDD, we want to be able to make sure that we can clean those up. These are some additional things that the Board is looking at, not for 2019, but in the future. It depends on what funds and projects they approve. I know that specifically they want to look at landscaping improvements at the front entrance, rear entrance and all the monuments could use some refreshing. Mel and I are coordinating ways that may be done. The gate operators were put into operation in 2007/2008. Right now, based on your Reserve Study, we've programmed those in for 2021. That's part of the plan. Last year, the CDD Board committed to cleaning all of the common area sidewalks twice per year. That was a specific request of the BCA and we have now accomplished that. We do speed enforcement with the Sheriff and hire off-duty officers to control speed enforcement throughout the community. We added benches along Baytree Drive and Balmoral Park. We added LED light arms to the gates. We already added a

better camera system at the front gate, which allows us remote access. We can check those 24 hours a day, even if we are not onsite. We've done the Kingswood Way landscaping and lighting improvements, at both entrances and at the monuments. As the lights go down, we are now replacing them with LEDs to save on long-term costs. That's an overview. I will take any Request to Speak forms from residents, at this time. This is a public comment period and not necessarily a question and answer session. You will have three minutes and then we will move on to the next person. The Board will have an opportunity to respond to any and all questions that they choose to, at the end of the public comment period. The first form is from Bruce Lindsay. Please stand up and state your name and address for the record.

Mr. Lindsay: Good afternoon. I'm Bruce Lindsay, 425 Birchington Lane. This is my first meeting here. I've been in Baytree for a year. It would be helpful, when you go through the budget to have some percentage differences in here, because we can flag things a lot easier. What really got me was the 22.6% increase. That's a lot. That's more than a lot. That's huge. I run facilities and I do more with less every single year. I cut stuff off left, right and sideways, because we don't have the money to do it. I'm looking at the budget, and there are things in your three-year plan that could be deferred. I don't see why we need to have new patio furniture. That seems to be something that's discretionary. I don't know anything about the situation. I don't support the gate cameras. I really support removing the tree and having funds to take care of drainage. I have to say in all fairness, that I've been waiting for a year-and-a-half to have my sidewalk replaced. My recommendation is real simple. Defer a lot of the special capital projects that we have for the next three or four years. I would like to see a five-year plan. Thank you.

Mr. John Sims: Ask the County to assess the non-ad valorem tax that didn't get imposed that they already collect on other County taxes. Fourteen years is a long time to have a CDD. In real terms of a CDD, you have no right to exist. You don't do anything that the community can't do for itself. If you drive into other communities, they have the same security that we have. We have a guy at the gate saying, "*So and so came through.*" When so and so comes through, I find them in my neighborhood banging on the door. This is ridiculous. You are not doing your job or not doing what you proposed to do. It just isn't working. We need to re-assess what the Baytree community needs, not what the Baytree CDD needs. I don't think you are guys are doing anything that really adds value. My taxes have gone up. There's nothing there that doesn't happen naturally in the County. You should dissolve and remove the Baytree golf course

from the community. I just paid a \$22,000 bill to have my roof replaced because golf balls are banging on it. Three or four of my neighbors have the same problem. We have dents on our roof. You guys don't do anything to stop this and you gave up your rights. I think you need to assess your management and just simply get out of the business, because it's not working. My neighbors are telling me the same things.

Mr. Showe: That's three minutes.

Ms. Witcher: Thank you very much.

Mr. Showe: Next is Scott Decker.

Mr. Decker: I want to echo points of Mr. Lindsay, because you heard more than once, that a 22.6% increase is ridiculous. Every major organization that I have ever been part of has a five-year plan. You guys don't have one. If you didn't plan for an emergency repair because hurricanes come through, news flash, we live in Florida. You forecast it and say, "*Hey, this could happen,*" assess the risk and make a plan based on that. That would not cause to have a 22.6% raise in one year. As far as deferring, the pool equipment is fine. The tennis court could be deferred. Do we really need more parking? Folks park on the side of the street. What projects have to be done? I teach my 13-year-old all the time, what does a person need? It's an adult concept that you as Board Members representing me, should understand and use for strategic planning, versus sending out a letter saying, "*We are only increasing 1.9%,*" which is deceitful in my view, because it's actually 22.6%. Shame on you for not being able to strategically plan, because if you had a contingency plan, you could incrementally raise assessments as necessary. All I heard on the speeding was more money coming out of my wallet for every single one of those ideas. I don't want to keep giving you more money. We are doing fine. News flash, for all the folks in here, if you could tell the speed of a vehicle with your eyes, all of the radar companies would be out of business and the police industry would not have radar devices. Just because you think a car is speeding, doesn't mean that it is. Thank you.

Mr. Showe: The next speaker form is from Wally Sims.

Mr. Wally Sims: 630 Deerhurst Drive. My issue of course is the massive increase. You guys want to build another parking lot, but think about the maintenance. Here we are broke and you want an additional \$165 from all homeowners. You guys have already bought furniture for the pavilion and you haven't even built it. Who uses the bocce ball courts? I've never seen anyone on it. Who is going to use that pavilion? People are not going to bring small kids out

there when its 91 degrees. I think you guys need a lot more accountability. You are taking our financial interest and it needs to stop. Next year, you will increase again, because you are going to have a problem with maintenance of the pavilion. That's it.

Mr. Showe: Next is Dolly Matadial.

Ms. Matadial: 7994 Bradwick Way. I have a suggestion for the Board. This subdivision has homes ranging from \$300,000 to \$1 million. You should increase by a percentage on the value of the home, not a flat rate. It is unfair to those people and the older generation that's living here, to pay \$300,000 a year in taxes. Secondly, regarding the landscaping, when you are outside coming in, you wouldn't believe that this subdivision has homes as valuable as \$1 million. Instead of having to change annuals every three months, put in permanent plants that would be much more appealing. We should know what's going on. It is not difficult for the CDD to send out letters to residents to get the opinion of homeowners about whether they want to do this or not. The BCA had been trying to build that pavilion for such a long time and we objected to it. Voting members should be sending out letters, instead of going around to the homeowners. The by-laws say that they must not do that. In the interest of my fellow residents, I think we can all be united in the interest of all of us, because lot of people would not be able to qualify for homes if we keep increasing. It's so unnecessary. That's all I have to say.

Ms. Witcher: Thank you, Dolly.

Mr. Showe: Next is Joy Morgan.

Ms. Morgan: Joy Morgan, 663 Deerhurst Drive. Regarding Mr. Decker's remarks about evening meetings, I think that the Board needs to reconsider that. Even though most of us are retired, demographics are changing and those of us who are retired, were involved in other things that keep us away from meetings during the middle of the day. The few meetings that I attended during the day, only a handful of people attended. The only time that I have seen a crowd like this, was a year ago when we were all locking arms about Barb's departure and the way that it was handled. I think it's unconscionable, when I looked at the budgets and how things have gone through the years. There are a couple of contracts that have not been re-competed in over 10 years. I think that you are doing due diligence, if you are not re-competing those contracts. With all due respect, GMS is located in Orlando. When I brought things to the Board and the Board asked GMS to take care of it, I don't see anything happening until two days before the next CDD meeting. So that tells me that they don't review the minutes until right before they are

coming to the next meeting, handling issues that should've been handled four weeks prior. I want the Board to reconsider the contracts that have not been re-competed in the last 10 years. Like you did for the security contract, you should do a three or six-month extension, so you have time to do a re-compete, to make sure that we are making the best decision for the community. Thank you.

Mr. Showe: Next is Vince Curry.

Mr. Curry: I think that you are making some major mistakes as a management group. You do not have goals set and a very short-term version. You need to start dividing the projects into emergency maintenance, long-term maintenance and wants. By taking the projects and piecemealing it, you are overpaying significantly. The biggest one is wetland maintenance. They are in beautiful shape. We had no complaints about the status of the permits. By the way that you are doing it, you are paying a lot of money, by piecemealing it. Take a look at it and do it on a regular cycle, versus all at once. You will save a lot of money that way. Secondly, you should allow the County to provide services. For us to pay the Sheriff to come in here and monitor all roads, even though we have speeding problems, versus paying the County to do that, is ridiculous. If you want to tell me why you think that's okay, I would love to hear it. That's just one service that we should be getting from the County. I live across from the lake on Balmoral. Regarding maintenance of that lake, I'm the original owner of the house, and I can't recall one time that I have seen some maintenance on that lake, of any significance. I have no idea what's being done in our fiscal year, but I can tell you that it's not adding up to whatever dollars were spent on that. You guys have a major maintenance problem and the management of it. I'm in the process of selling my house. I had it on the market for the last six months and it did not sell. I moved away and I had to move back because it did not sell. The main complaint is that our fees are too high, compared to anywhere in the area.

Mr. Mills: That's not true.

Mr. Curry: Not only that, they are going to go up. That's not going to make the situation better, it's going to make it worse. That happens because of mis-management. That's assuming that you guys even have the legal right to be here. We have a lawyer that's going to tell us, that's the case, because he's supposed to be working for us, but he's working for them. The last thing that I want to say is that anytime...

Mr. Showe: That's three minutes.

Mr. Curry: Thank you very much.

Mr. Showe: Next is Bob Eksten.

Mr. Eksten: Bob Eksten, 8053 Old Tramway Drive. Nobody likes to see that kind of increase; however, I think the Board has done their due diligence and having been on the Board in the past, I know that they have long-range plans. I know that the District Engineer mapped our road maintenance over at least an eight-year period, so there is some long-term planning going on that you may not be aware of. I think the Board has a fiduciary responsibility to us to maintain our property values. If you sell your house, you can get a reasonable price for it. To do that, you need to have constant attention paid to maintenance of the roads, common areas, recreational facilities and what not. Even if you don't go by the tennis court area, a prospective buyer of a home in Baytree will look at the pool and tennis courts, to see what kind of condition they are in. The fact that the parking lot is not paved, sends the message saying, "*Maybe this community doesn't really have the wherewithal to properly maintain its facilities.*" I guess I'm saying that I am in favor of the increase. I hate to see it, and I blame it on the fact, that in the letter sent out by the Management Company where it talked about the Board of Supervisors working harder to keep assessments level over the past several years, was totally wrong. As a few people recommended, we should've laddered these increases on a gradual basis over a period of years, because we knew that capital reserves were not adequate. We knew that a long time ago. I think now that we are just paying the piper. We should've done something earlier, but to protect property values, I look at it this way. There is a 22% plus increase in fees, which is \$347. If your property, your home, declines in value by just 2%, say a \$500,000 home, you've lost \$10,000, or if you have a \$250,000 house, you've lost \$8,000. It's a bigger issue than just a one-time or yearly amount that we are going to have to pay. I want to protect my property values, because we will all sell our homes at some point. I want my price for that home to be up where it should be. This is a premiere community. We have a lot of competition from Viera.

Mr. Showe: Your three minutes are up.

Mr. Eksten: Thank you.

Mr. Showe: Next is Ann Peterson.

Ms. Peterson: I came to say what Bobby said. I agree with him. I have lived in Baytree four-and-a-half years and I like it here. I moved here, because I lived in a different community where the fees were a whole lot higher. I don't know where people that were looking at your

house were looking, but they weren't looking at a gated community like this one. I've served on boards, especially ones where you don't get paid anything, and I just want to say thank you to the current and prior Board Members. I appreciate your time and service and the fact that you are trying to maintain the value of our community.

Mr. Mills: Thank you.

Mr. Showe: Next is Matt Canina.

Mr. Canina: I just want to echo a few things. I appreciate the Board's work. I think that the 22.6% increase is excessive. I think you guys should re-examine some of your priorities. The pavilion doesn't do anything for me. You will be maintaining it for the rest of your lives here in Baytree. I played on the tennis courts. They are fine for the next few years. I don't know how much it costs, whether its \$50,000. How much is it?

Mr. Showe: \$16,000.

Mr. Canina: Can we split that up over two years to reduce what we are going to have to increase our dues to? You want to pay \$4,000 for a camera system. I monitor my house and office for \$80 a year. The cameras are \$100 each. You can essentially buy 10 cameras for \$1,000 and monitor them for \$80 a year, yet you want to pay \$4,000. That's ridiculous. There is a sidewalk in front of Mr. Lindsay's house that has mountains that will literally cause someone to break a leg or an ankle. Jason told me a year-and-a-half ago that we were getting quotes on that. Where are the quotes?

Mr. Showe: We have them and are getting them updated from the vendor right now. The Board didn't take any action on it at that time and we are still looking at them.

Mr. Canina: We are paying to store furniture for a pavilion that might not ever exist.

Mr. Scheerer: There's no cost for storage.

Mr. Canina: But you bought furniture.

Ms. Witcher: We didn't buy them.

Mr. Scheerer: The BCA bought it.

Ms. Hill: The CDD did not spend a penny.

Mr. Canina: It kind of pushes us towards either building a pavilion or sell the furniture.

Ms. Hill: No. The pavilion is funded by the BCA. That money was already spent. Tables were already purchased, which cost you nothing.

Mr. Canina: Alright, but it's going to cost us \$100 more for someone to manage a list.

Ms. Hill: No. That's coming from the BCA.

Mr. Canina: Its \$80 per Sheriff, every time they come into our neighborhood to shoot radar. It's silly. That's \$160 a week. Again, I just think that everyone needs to look at the numbers and consider priorities for the work. You just write checks. Please fix the sidewalks.

Mr. Show: Next is Jan Hill.

Ms. Hill: The pavilion is not costing the CDD anything. The only thing that they might end up spending is for the parking lot. That was their choice. The BCA offered to share that cost. That is their choice. We just said, "*As long as you are doing the street out in front, it makes sense to do the little parking lot,*" whether they decided to do it or not.

Mr. Canina: The piecemeal paving is another issue.

Ms. Hill: The deal is that as long as they are paving the street, they should pave that little parking lot.

Mr. Canina: I agree with you.

Ms. Hill: The idea was that they would save money. You are not talking about a big parcel of land, anyway. It's not that lush. It adjoins the tennis courts and the swimming pool and it will eventually join the pavilion. Just so that everyone knows, your increase did not come from this pavilion. Beyond that, I disagree with Bob. My house gets some refurbishing every year. Appliances wear out and things need repainting, but so does our community. I think it should've been done incrementally over the years. I've been here 15 years and we've never had an increase. \$350 over 15 years is reasonable. I wish I could keep up my house for that. That's my two cents.

Mr. Showe: Next is Carol Fox.

Ms. Fox: Carol Fox, 8041Daventry Drive. I heard you talk about the money expended for the Sheriff. I don't think we are getting our monies worth, paying 8 tickets for \$10,800. If we hired them, why aren't they doing what we request, which is write tickets to slow them down? If they are not doing what we asked them to do, let's take that \$10,000 and put it towards speed bumps.

Mr. Showe: That was the last of the forms that I have. Is there anyone that would like to make a public comment at this time?

Mr. Harden: Mike Harden, 982 Balmoral Way. I have been part of this community for close to 15 years. I think that we should see an increase. My point of view has been about 10

years of having any kind of increase. Most of what I hear coming from the audience, relates to issues that have been going on at CDD meetings or HOA meetings, in the past that have been discussed in great detail many times and no one comes to the meetings. The only time that people come to the meetings is when all of a sudden, we have an increase. A lot of the suggestions that you make are really good suggestions, but those suggestions were discussed by the Board and the Management Company. I'm a licensed realtor and have been for about 15 years. I'm also the Vice President of a large corporation for almost 30 years. During that period of time, I learned some things about budgeting. I was also a member of the CDD for four or five years. In that period of time, in each of those years, increases were discussed by the CDD. In each of those years, they were voted down. Always, the goal has been to try to do what we needed to do in the community with the funds that we had. If you look at the things that we are doing over those 10 years and how the budget was balanced, you will see that the CDD took a hard look at those areas before they did anything. For instance, the parking lot issue for repaving and the tennis courts were discussed, for at least, at the time that I was on the CDD and five years beyond. So, we discussed that for almost 10 years and have not done anything, due to the lack of funds. Quite frankly, I would like to say to all of you on the CDD, I really appreciate what you've done. Most importantly, as a real estate person, that has deals in this community, as well in all of the other communities around here, Baytree is viewed by most people as a senior community. They wondered many times, how it is that we can maintain this community, when all of these other communities can't. The reason that we can do that is because the CDD does all of the work.

Mr. Showe: Sorry Mike, that's three minutes. Is there anyone else?

Ms. Martin: Yes. I'm Linda Martin. I want to address the speeding issue. It's really critical that you get in touch with the Sheriff's Office. If the Sheriff is too busy to deal with it, there are Sergeants of traffic, Commanders and Lieutenants on the Traffic Unit. That's who you need to speak to and voice your concerns about tickets not being given. The only other thing that I have a question about on the budget, is the \$11,000 for cleaning sidewalks and curbs in the public area. I have a hard time understanding why it's that expensive. I want to know if we can do it cheaper.

Mr. Kane: Jack Kane. I've been going to these meetings for 18 years now and read the minutes on the website. I don't like people calling members of the Board at their home and

cursing them out. That has happened in the past. Please don't do that. The other thing is, most people say, "*Well if you can't afford it, don't live here.*" That's a rotten thing to say. Please remember those two things. Most importantly, let's wrap this up before martini time.

Mr. Showe: Are there any other comments?

Ms. Pinkerton: Nancy Pinkerton, 674 Deerhurst Drive. We have lived here for 22 years. We love Baytree. We love the way it looks and that people that come to visit can't get over how beautiful it is. I don't plan to sell my house. They will have to carry me out. My children will be selling the house, so anything that we can do to keep Baytree beautiful, we are all for it.

Mr. Showe: Is there anyone else? Seeing no other hands, we will return it back to the Board for discussion.

Mr. Mills: I would like to address the group if I may. I have been on this Board now for 10 years. I owned my own business in Maryland. At one time, I had 35 employees. So, when someone says to you that you can't manage money or can't budget money, I take that very defensively. When I left the company a year ago, we had sales of over \$3 to \$4 million, which for a small company is a lot of money. We made profits every year. I would like to address some of the issues. Number one, is the Sheriff. We pay Sheriff Deputies on the side. When the Sheriff sends Deputies into the community, we do not pay that bill. The County is paying that bill. I emailed Sheriff Ivey. I got a response from him, which the Board received, that he is sending more troops in here. I think we should look at paying those officers and we will discuss it. With regards to a plan, the street plans have always been on hold, since I have been on this Board for 10 years, because we don't have the money. That has been an issue, as Mike said, earlier, ever since I have been on this Board. In 2014, I suggested that we raise assessments by \$200. You thought that I would've killed somebody in the community. It was in an uproar. If we implemented the \$200 in 2014, we wouldn't see the \$340 increase today. All of us are residents in this community, and every one of us, are going to pay that increase. I want to be in a beautiful community. Someone mentioned mailers. Mailers cost us money. Postage is not free. The internet is free. You can go on the internet and read the minutes. We are going to ask if we can get in the magazine that the BCA is doing. We will have a column in there. It is important that you know what is going on. To sit and critique the Board for not doing their job, is unfair. You need to come to the meetings. A lot of these issues have been discussed. They have been talked about. The flags have been raised. We have to keep the community looking pristine. I

was on the internet on Friday. There are 28 homes in Baytree for sale. I want those people to maximize the benefit of their home. It's the appreciation in value that all of us want. If we let the County take this community over, can you imagine them coming in every week and mowing the grass? Can you imagine them coming in twice a year and cleaning the sidewalks? I don't think so. The CDD does serve a purpose and the CDD was chartered. I think that the attorney can address that issue and I hope that he does. The CDD is here to represent all of you and we are doing the best job that we possibly can do, with the money that we have. We have run out of money. I said that in 2014 and here it is 2018 and we are discussing the same issues.

Mr. Brown: I am the new person on the Board. As it relates to speeding, I think spending \$10,000 for 8 tickets is a waste of money, so I did a little digging. You have to remember that the Police Officers that are in here on our dime, are off duty officers, so when they write a ticket, they have to go to court, when that ticket goes to court. They do that on their time, not their paid time. So, if I was a cop, do you think that I would write you a ticket? I think the results of the committee that was set up by the BCA and the CDD to look at other options, recommended speed humps. I have no problem saying, "*Maybe we should find out how much it costs to put in a speed hump along Baytree Drive.*" I live on a speedway called Old Tramway Drive, and I want to tell all of the people that live in the back, "*Thank you for living back there, but when you come down Old Tramway Drive, can you drive 25 mph, please.*" The other thing is the sidewalks. I am the one who caused that. The reason that I caused that is because I am the Chairman of the ARC Committee for the BCA. The By-Laws say that you as a homeowner are responsible for your sidewalks. The new Board at the BCA started to issue fine letters to residents who weren't cleaning their sidewalks. I came before this Board before I became a member of this Board and said, "*How can you have a dual standard in this community, where the BCA can fine homeowners for not keeping their sidewalks clean, but we can't fine the CDD for keeping their common area sidewalks clean?*" The result of that was the \$11,000 to keep the sidewalks clean in the common areas.

Mr. Darby: I just want to make a couple of comments and I'm probably going to echo what everyone else had said. This was a painful decision, being relatively new to the Board. A 22.6% increase is definitely a huge increase. There's no question about it. It's a huge amount of money, relatively speaking, but when you think about it, it's only \$34 a year for the last 10 years. Nothing has been done for a lot of different reasons and frankly this community is getting older.

Just like your house, we have to invest in it. It's unfortunate when you have to put a new roof on it, or you have to do siding or windows, but that's a fact of life. When you look at the increase, it's 95 cents a day. Who here, cannot afford 95 cents a day? Administrative costs only went up 3%, while operating expenses only went up 2%. It's the reserves that we really need that went up 97%. Our capital spending last year was \$8,200. The average over the last 10 years was \$46,000, so why is it that we only allocated \$8,200 in capital? This year, it's more like \$120,000. Yes, some of these items are discretionary expenses, but that's in keeping look with the premiere look and aesthetics of this community. They could be cut out, no question about it, or we can take on debt to pay for some of these things, but all you are doing is kicking that down the road. At some point in time, you are going to pay the piper. We discussed amongst the Board, many times, whether it is better now to pay now or pay later, but something is going to come up. The one thing that concerns me is the lake bank project. Were the original figures \$40,000, \$60,000 and \$90,000?

Mr. Showe: There was about \$30,000 in 2018 and we only budgeted \$15,000. There was \$60,000 in 2019 and \$96,000 in 2020.

Mr. Darby: So we cut that back arbitrarily to \$30,000; more than \$15,000 but way less than \$19,000. Now if we have a good storm, that means it is probably even bigger than that. It's a concern, because this is going to affect people's foundations. It's affecting their houses, if it's not addressed, and those are areas where I think we can be more diligent and need to be going down the road. My point is, we may have increased this year, but we may have an increase the following year for other reasons. I think this is just a fact of life of an aging community that we have to address before it slips off into the void.

Mr. Mills: I had one other comment that I forgot to mention. There's been a lot of discussion about the landscaping and not going out for bid. For the purpose of this meeting, I got a proposal from another contractor. That contractor was \$45,000 higher than we are currently paying today. Are the services the same, we don't know. The quality of service that we are getting now, I'm not happy with. Jason knows that I'm not happy and so does Alan. We are going to be meeting with the owners of Tropic-Care again, to try to get this rectified. If you go down the sidewalks at the front gate, you see garbage laying along the side. They don't pick it up when they mow or when they are edging. That's got to stop. I just want you to know that we did get a bid from someone else for landscaping, and that's what it came back at.

Mr. Showe: Are there any other comments from the Board?

Ms. Witcher: No.

Mr. Showe: At this point, Resolution 2018-06 is up for Board consideration.

On MOTION by Mr. Darby, seconded by Mr. Bosseler, with all in favor, Resolution 2018-06 Adopting the Fiscal Year 2019 Budget and Relating to the Annual Appropriations, was adopted.

ii. Consideration of Resolution 2018-07 Imposing Special Assessments and Certifying an Assessment Roll

Mr. Showe: The second part of that budget process is Resolution 2018-07. Attached to this resolution is the adopted budget that you just approved, as well as the Assessment Roll for the entire community. It is a large Excel spreadsheet that has the assessments levied on every property in the community on it. We can take public comment on this, but this is strictly just for levying the assessments.

On MOTION by Mr. Mills, seconded by Mr. Bosseler, with all in favor, Resolution 2018-07 Imposing Special Assessments and Certifying an Assessment Roll, was adopted.

On MOTION by Mr. Darby, seconded by Ms. Witcher, with all in favor, the public hearing was closed.

C. Discussion of Fiscal Year 2019 Contracts

Mr. Showe: We intend to bring back the renewal of the contracts for maintenance services at your October meeting. The contracts that we are looking at are for the pool, lakes, landscaping and pool cleaner. We can open this up for discussion, if there are any that you want us to look at other vendors for, or we can take those individually under each Board Member's responsibility, but I just wanted you to start thinking about that. You can get in touch with me if you want to make a change. The pool contract started at the end of 2016. The lake provider is ECOR, the landscaper is Tropic-Care and then there's a guy that cleans the pool and empties the trash. If you can let me know your feelings on those before the next contract, we will bring those extensions back for you.

Mr. Pawelczyk: Just remember, you have 30 day terminations in all of those contracts, at a minimum.

Mr. Showe: Correct.

Mr. Pawelczyk: Regardless, you can extend it. I think there was a suggestion in the audience to extend it and exercise your right to terminate at any time, should you choose to either bid it out later, bid it out now or towards the end of next year.

Mr. Showe: We intend to bring all of those back at the next meeting, so that will give us time to do that.

Mr. Mills: Based on what I heard today, I would like to work out all of the issues that we have with them, currently, and get them to perform better. I can't see spending \$40,000 more if we don't have to.

D. Approval of Fiscal Year 2019 Meeting Schedule

Mr. Showe: Each year, we bring back the schedule of meetings. The draft schedule is in your agenda package. Meetings are at 1:30 p.m. here, following the same schedule that you have now. You have the flexibility as a Board to alter that or change it as you like. It is important to note that you can change that throughout the year. That doesn't lock you in to only those meetings. However, the Board wants to proceed with that, but we are required by law to advertise the annual meeting schedule, pursuant to Florida Statutes.

Mr. Brown: Based on some of the feedback, should we have some of those meetings in the evening?

Mr. Showe: That's up to the Board.

Mr. Bosseler: I won't be at the next meeting.

Ms. Witcher: Why don't we approve what we have and then we can discuss times.

Mr. Showe: You have to approve a time and a date.

Ms. Witcher: But we can change it.

Mr. Showe: You can change it later.

Mr. Mills: Why don't we keep the schedule that we have. I agree with the gentleman. I would like to go back again and try another evening meeting.

Mr. Showe: You can always add a meeting.

Mr. Darby: I suggest that the October meeting be held in the evening and see how that works.

Mr. Mills: I won't be at the October meeting.

Mr. Bosseler: Neither will I.

Mr. Pawelczyk: For the October 3rd meeting, we have two Board Members not attending. You can change the date right now to a new date, to make sure that you know that you are going to be here, or have the meeting at the end of September. It's up to you. This is the time that you can make that change. That way, we won't be scrambling for three people. If something happens, you are going to have to cancel the meeting.

Mr. Mills: Meeting at the end of September would suit me better. Will it suit you better?

Mr. Bosseler: Yes.

Mr. Showe: Wouldn't we have to advertise that specially, because it's in September and it's not a regular meeting?

Mr. Pawelczyk: No, you can advertise it as part of your meeting schedule.

Mr. Mills: How about the last Wednesday in September?

Mr. Pawelczyk: The 26th.

Mr. Bosseler: Go with the 26th.

Mr. Showe: What time? I have a conflict that day at 2:00 p.m.

Ms. Witcher: Maybe a morning meeting.

Mr. Showe: Evening should be fine.

Mr. Mills: Let's do 7:00 p.m.

Mr. Showe: We are going to have to verify if this room is available. We had that challenge with booking it for the training, if you recall.

Mr. Darby: That is correct.

Mr. Mills: How about the library?

Mr. Showe: There is going to be a fee to book it, and with voting and everything else going on, most of our libraries end up being booked up during that time period.

Mr. Brown: What about the IOB Clubhouse?

Mr. Showe: We would have to get with them.

A Resident: This might have been brought up, but it needs to be brought out there again. Did we completely discard the option of trying a Saturday meeting? Most people are off on weekends. That's a middle of the road compromise.

Mr. Showe: I think we may have issues with staff coverages on that day. I'm not saying it's not possible, but I don't know that I could commit to that.

Mr. Mills: The Fairfield Inn in Viera have meeting rooms. They just advertised it in the newspaper. Maybe we can have it over there.

Mr. Pawelczyk: Just so you know, sometimes hotel meeting rooms cost you up to \$300.

Mr. Mills: That's true, but we can check it out.

Mr. Pawelczyk: You could just direct Jason to advertise one meeting and then bring back the meeting schedule again for consideration. It's really up to you. Or you can adopt this, "as is," with a note to Jason. You might have to pay for two advertisements, so you can address those and give Jason time to find a place.

Mr. Mills: Let's adopt it "as is."

Mr. Darby: October is no good, so we need to change it to September 26.

Mr. Brown: Why don't we make it September 26 at the same time, but between now and then, check out what might be available.

Mr. Showe: That will work.

Mr. Pawelczyk: Why don't you just add September 26 and leave October 3. That way you can figure out which date you are going to have the meeting.

Mr. Showe: Like I said, I will find coverage for the meeting that I have that day.

Ms. Witcher: What are we voting on?

Mr. Showe: A motion to approve the schedule "as is," adding September 26 at 1:30 p.m. and I will look at options for moving the December meeting to an evening meeting. If that's the direction of the Board.

Mr. Mills: Are we crossing out October 3?

Mr. Showe: No, I think what Mike is saying is to leave that for now.

Mr. Pawelczyk: Just in case. Then you can decide on the time. Jason or GMS typically has that cancelled, so I think that the direction from the Board would be to get consensus as soon as possible, on which day. That way, you can fulfill your requirements.

Mr. Darby: That's reasonable.

<p>On MOTION by Mr. Darby, seconded by Mr. Mills, with all in favor, the Fiscal Year 2019 meeting schedule, as amended, was approved.</p>

E. Discussion of Security Camera Proposal

Mr. Showe: Jerry wanted us to bring back this proposal for the camera for the rear gate system. We allocated \$4,000 in the budget. That was a placeholder for the project. We had him re-bid it, and its \$1,644 for that camera system. If the Board wanted to, we could approve it.

Mr. Darby: When reviewing the security function up front, the new camera system that we put in, works very well. Its superior and gives Alan access via cell phone. They are totally blind when it comes to the back gate. There have been a number of issues with the back gate, with people tailgating and things going on, that we feel could be much better monitored by putting a new system in, this year, and not deferring until next year. I was pleasantly surprised that the cost came in way lower than what we thought it would be, relative to the budget, so my recommendation, is to give these guys as much capability as possible, to monitor both the back and the front gate, to proceed with this expenditure this year.

Mr. Mills: I agree.

On MOTION by Mr. Bosseler, seconded by Mr. Mills, with all in favor, the security camera proposal for the rear gate, in the amount of \$1,644, was approved.

FIFTH ORDER OF BUSINESS

CDD Action Items/Staff Reports

A. CDD Action Items

Mr. Showe: We just received the quote for replacing the fountain LED lights today. It is \$1,600. I know that the Board was looking at that for future expenses. We had an issue with the fountain timer. That was repaired, and then they noticed that the motor was bad as well, so we approved a motor repair.

Mr. Darby: Didn't we just repair that last year?

Mr. Mills: Yes. How many times did we repair this motor?

Mr. Showe: There are two separate components, there's a pump and a motor.

Mr. Scheerer: I don't know exactly what was replaced from last time, but I don't believe that it was the motor. I believe that it was the pump.

Mr. Mills: If the motor was repaired last time, I wouldn't repair it again. Get a new motor.

Mr. Showe: It is for a brand-new motor.

Mr. Scheerer: We are not rebuilding it. It will be a brand-new motor.

Ms. Witcher: Do we have to vote on that?

Mr. Showe: No. We went ahead and did that already to get it moving, but Alan and I looked at fountains in other communities. A brand-new fountain, is in the neighborhood of \$10,000 to \$15,000.

Mr. Darby: When will this be done?

Mr. Showe: I authorized it two days ago when I received the initial quote. They are doing it as quickly as they can.

Mr. Mills: What about the LED lighting?

Mr. Showe: I have not approved that yet. The Board was asking for that information. We have the quote.

Ms. Witcher: Why don't we hold off on that for a while.

Mr. Darby: Do we have funds for it?

Mr. Showe: I recommend at this stage, holding it for next year, when the additional revenues come in from the assessments. The lights are working and this would just be an upgrade. I would wait until some of those lights go out and we have a problem with the lights, to replace them with LEDs.

Mr. Mills: How long is this quote good for?

Mr. Showe: It's a typical 90-day warranty. They normally give you 90 or 30 days on the quote. I think it's a good estimate. Alan has done a full audit of all the lights, so we are working on repairing any lights that need to be repaired throughout the community.

B. Additional Staff Reports

i. Attorney

This item was discussed below.

ii. Engineer

1. Consideration of Roadway Paving Proposal

Ms. Samitas: You have a copy of the updated roadway paving proposal, for the 2018 road restoration, which we previously discussed. It included sections of Old Tramway Drive, Linford Court, up to National Drive. The proposal is keeping within the work that has been done before. We are just under \$60,000, which is under budget. Are there any questions?

Mr. Mills: Does it include the parking lot?

Ms. Samitas: It does not include the parking lot, which is the dirt lot at the pool.

Ms. Witcher: It has findings on it.

Mr. Showe: She did procure a revised parking lot quote.

Ms. Witcher: Does that have to go through St. Johns, because we are putting a solid surface on the ground?

Ms. Samitas: Yes it does, because its greater than the threshold of impervious area. There are two separate things that we are talking about. Even though we want to do a single mobilization, resurfacing does not require a permit. Obviously, it's just maintenance. Even putting pavement on top of dirt, does technically require a permit modification. Jason, what did you provide the Board?

Mr. Showe: I just handed them the revised proposal for the parking lot, as well as what order of magnitude it is.

Ms. Samitas: What you have in front of you is a proposal for \$56,000 from Goodson, just for the pool parking lot. There are a couple of questions that I'm still trying to get answers from Goodson. One of the things that I want to ask them is to make sure that it includes a reduction for a single mobilization. The other is about the 12-inch subgrade. I would like to see if we can reduce that by 50%, because in looking what's out there now, I don't think that you need to raise the grades too high. You already have dirt there. We may be able to go with a 6-inch base, which could have potential savings, but it's expensive to do this.

Mr. Mills: That parking lot is not going to have a lot of traffic, so we can go with the smaller base.

Ms. Samitas: I was thinking about the 6-inch base. I don't think that it will affect the overall design.

Ms. Witcher: Garbage trucks and recycling trucks go down that road to hit that part of National Drive, where they turn around. Are they turning around in our lot or in the street?

Mr. Mills: I think they turn around at the golf course.

Mr. Bosseler: They do.

Mr. Brown: I've seen them in the parking lot. They don't go all the way around. They go in half way and back out.

Ms. Witcher: So it might not be worth it to cut it down six inches. It will cause wear and tear.

Mr. Darby: So this is a parking lot, not a road?

Mr. Showe: Correct. Considering that the Board wants to look at a single mobilization, I think it might be best to let her see what the pricing would be. Just for your information, she presented a rough order of magnitude, which is what would be Atkins cost to oversee that project. There is some permitting, site design and all that needs to occur with it. That would be an additional cost on top of the construction.

Ms. Samitas: This is for Board consideration. If you haven't seen this before today, take some time to look through it and come up with some questions. The purpose of that is so we get it permitted and designed properly. I came across a couple of sketches that maybe Ed had done. If you are going to spend the money to do this, I didn't know if you wanted to take some time to put striping on it for parking and signage or just put asphalt on it.

Mr. Darby: Some things we are required to do.

Ms. Witcher: We have to do the ADA items.

Mr. Darby: I am struck by the fact that we have almost an \$80,000 expenditure here, which originally was \$40,000 to be split. In my opinion, it's a no go.

Mr. Mills: Exactly.

Mr. Showe: I think that we can let her go back and look at the numbers. She said that there are some options that she's going to try to work on, to see if that helps to reduce the price. We would look at doing the road paving at the same time, if we choose to go that way. We can hold that. I think the pricing is good for a little while.

Ms. Witcher: The roadway paving?

Mr. Showe: Yes.

Ms. Samitas: Yes.

Mr. Mills: Is there anyone else that we can get a quote from?

Ms. Samitas: For the pool parking lot or for the roadway maintenance?

Mr. Mills: The pool parking lot.

Ms. Samitas: I think it would be a good idea to get another bid.

Mr. Mills: That's a good idea.

Ms. Samitas: He did comment to me that their prices might seem a little high, because there was a small quantity. That's why I want to make sure that he's considering a single mobilization.

Mr. Mills: Probably not.

Mr. Darby: Just for a matter of clarification, the area that is projected to be paved in this proposal, is exactly where the gravel is now. Does that include graveling over that one area where the palm tree is?

Ms. Samitas: It does include part of that area, the area between the pool and the tennis courts.

Mr. Darby: There's an area right next to the pool where there's a big chunk of grass, where we just replaced that palm tree. Are we going to pave over that or leave it grass?

Mr. Mills: Leave it grass.

Ms. Witcher: It has to be striped to be in ADA compliance. It's going to take up that entire area.

Mr. Brown: That's an additional cost too.

Mr. Showe: The striping would be an additional cost.

Ms. Samitas: I don't think that there were any tree removals. When I received the quote from Goodson, we stuck with the general limits of what's dirt now, but it does include that finger that goes to the north, between the pool and the tennis courts. It will cost a little money to design it properly with grading and making sure that the water goes somewhere and doesn't just sit on your pavement and create potholes. Goodson could do a limited amount of grading when they are out there. They've done it before. They just can't sign and seal the plan or do a permit modification. You have an a la carte list of fees from us.

Ms. Witcher: If we don't do the parking lot, are we required to pave in order to meet the ADA requirements? Do we have to pave something or can they pour cement?

Ms. Samitas: The ADA should be required by code, because of the pavilion that's going up.

Ms. Witcher: That's fine. We are going to pave something there.

Ms. Samitas: You can. What I have seen in the past, is that you just put in a concrete pad with your striping and signage. It has to be connected by a sidewalk to the pavilion.

Mr. Showe: We can work that out in a multitude of ways, should you choose not to pave it.

Ms. Witcher: Okay.

Mr. Mills: We can just put a handicapped pad in.

Ms. Witcher: It's just a matter of how much we have to have.

Ms. Samitas: We've done that at Wickham Park before.

Ms. Witcher: How many do we have to have? Do you know?

Ms. Samitas: I don't know off hand.

Ms. Witcher: Could you find out for the next meeting?

Ms. Samitas: Yes.

Mr. Showe: We will bring those back again. I don't know if there's any rush on getting the roadway paving done until we are set and firm on those.

- **Attorney** (*this item was taken out of order*)

Mr. Showe: I skipped over Mike's report.

Mr. Pawelczyk: The only thing that I have is whether the Board wants to address the Charter issue. That's really up to the Board.

Mr. Mills: Yes.

Mr. Pawelczyk: The District was established by Ordinance in 1992. Bonds were validated shortly after, and the Judge determined that the District was established. There's a Final Judgement for that summary. That was done before we were District Counsel. The Charter for the District is Chapter 190 of the Florida Statutes. There's a link to Chapter 190 on the website. Nothing has been presented to our office, to indicate that this District was not otherwise established, in accordance with Florida Law. We would be happy to review anything that's presented.

Ms. Witcher: Thank you.

iii. District Manager's Report

1. Field Manager's Report

Mr. Scheerer: Good afternoon. Jason provided a copy of the Field Report. The swimming pool is operating properly. Staff inspects the restrooms and pool area when they are onsite. The main pool sign on the center of the turf area, collapsed the other day. We had that reinstalled yesterday. We also replaced the florescent light in the restroom with a new LED

light. The gates are all working properly. Staff is still installing transponders on resident vehicles. The gates are operating with minor repairs. We are having ongoing issues with tailgaters. It seems like every week, we are putting the gate back up. Just so everybody knows, these new gates were installed with nylon nuts. When somebody hits it, it allows the gate arm to fall freely. If we had regular bolts and nuts on there, you would probably rip a hole in your new gate arm. The cost to replace the arm is about \$800 or \$900 per arm, since they are LED gate arms. It's kind of an inconvenience, but having the nylon nuts on there, saves a lot of money on damage to the gates.

Mr. Showe: It allows staff to make those repairs without having to incur additional costs, so it saves the District and residents from paying additional fees.

Mr. Scheerer: We were out here one day and at the end of the day when we were getting ready to leave, we received a call about a broken gate arm. We had a storm blow through here. I received a call from security and checked it on the video. Sure enough, the gate arm went up, a gust of wind came through and just pulled the arm right off the operator. I think you saw me putting the gate arm back up. That's why. Nobody hit it.

Mr. Mills: What's the fee for putting it back up?

Mr. Showe: If someone damages it and we put it back up, we send them a bill for \$150.

Mr. Mills: You know Richard and I are owed \$150, because we put the front gate arm back up one day.

Mr. Scheerer: Thank you.

Mr. Showe: Just because you see the gate arm off, it's not always because somebody hit it. There are issues where those nylon nuts come loose.

Mr. Scheerer: With the new LEDs, there's a pigtail wire that comes down and joins together. I've seen where that pigtail wire got caught up in the operator, causing the gate arm to go up and down a little bit and then pop off. I think we have a lot of those kinks worked out, because we received positive feedback on those. ECOR does your lakes around here. They are doing a good job keeping the lakes and outfall structures clean. As was alluded to earlier, we have a meeting scheduled with the owners of Tropic-Care for Monday morning to review their contract and a list of concerns that we have. Mel, Jason and I met with Dave not too long ago. We continue to meet with that contractor every other week, to perform site inspections, which is per contract. Monthly irrigation inspections are performed by Blue H2O. We talked about the

fountain. Staff is testing the monument lights each week when we are onsite. We are converting them over from florescent to LEDs. A few of those are already installed. I had some good feedback on that. We will continue to do that. We do that at no charge to the District. You just pay for the light. Our staff does that labor at no cost to you while we are onsite. There was a request to install a solar light on the rear "Residents Only" gate. That was installed. Apparently, there was a problem with the solar panel. We came out here today and replaced that out and that light is working now. We received a request to add a "*Please Be Prepared and Show Your ID*" sign at the front gate. We were also asked to order additional, "*Gate Closes Each Vehicle*" signage. We ordered the signs and will install them in the requested locations. As discussed earlier, we received the new tables for the pavilion. They are being stored at no cost in our storage facility in Osceola County. When the pavilion is completed, we will have them assembled and brought onsite. With that, I can answer any questions you might have, with respect to the Field Report.

Mr. Brown: Can you change "*Gate Closes Each Vehicle*" to "*Gate Closes After Each Vehicle?*"

Mr. Scheerer: Sure. I want to introduce you to William Viasalyers, who is a new Field Manager with GMS. He is going to be your new Field Manager. After 10 years as your Field Manager here, it's been a blessing. I'm not going anywhere. I will continue to work with GMS. I can't tell you just how exciting it's been to be here. I will always be involved and will be out here from time to time, just not under the weekly portion of our contract. GMS field services requires that we are here once a week. There was a comment about things taking longer to get done. We try to do things at no cost to you, if we can. We have enough skill. Will is highly skilled, having 10 years experience in building maintenance and field operations for CDDs. We don't have to train him and he's doing a great job. He has been here each day for about a month. That's all I have.

Ms. Witcher: Alan, I would like to thank you for your service here.

Mr. Scheerer: I'm still going to be here. Thank you so much.

Mr. Mills: For those of you who don't come regularly, I must say that GMS does a lot of things behind the scenes and do not bill us, as well as Tropic-Care. I think we also have to bare that in mind, because sometimes when we have a storm and trees are down and the brush needs to be cleaned up, Tropic-Care comes and doesn't charge us at all.

A Resident: Does the new arm weigh enough to do some damage to cars?

Mr. Scheerer: Sure.

Mr. Showe: Oh yeah.

Mr. Scheerer: That arm weighs slightly more than the old one.

A Resident: I'm just wondering about the rubber pads near the gate.

Mr. Scheerer: The speed humps?

The Resident: Yes. One is out to the side. They seem to sit there four to six weeks.

Mr. Scheerer: It takes a little bit longer to come out and repair the speed tables. The Board allowed us to remove the two from the exit side. We had some challenges from a few residents and a few vendors, due to the fact that they did not have to slow down to go over that hump. Those speed humps are great temporarily. It's a GNR technology speed hump. They are very easy to install. We've had them in here for eight years, but they finally got to the point where we couldn't secure them. Angel, one of our maintenance guys came out last week and reinstalled those. I know that they were sitting there for a while.

Mr. Showe: That process requires some specialized equipment that we don't have all the time.

The Resident: Is GMS responsible for the storm sewers within Baytree? If they are, we are well into the hurricane season. Has anyone inspected the storm drains to make sure that they are free of debris?

Mr. Scheerer: That is a great question. To some degree, the CDD owns and manages the stormwater system throughout your community. Prior to hurricane season, GMS has a team of people that will come out and physically look inside each drain. If there's any debris, we will pop the grates. They are heavy, so it takes two people. We will pull debris out of there. Now, we don't go physically into that manhole or get into the pipe. We are not injecting anything. We go through the stormwater systems for our properties, prior to hurricane season, typically May and sometimes into June, which is the start of hurricane season. That's a function that we do at no cost to you.

The Resident: Could you review Saddleworth?

Mr. Scheerer: Sure.

Mr. Bosseler: The entire neighborhood needs it, especially after the winds that we had a few weeks ago.

Mr. Scheerer: Tropic-Care removes debris from the storm drains. We go over the inside of the storm drains.

Mr. Bosseler: They don't do it.

A Resident: They are all covered up with debris.

Mr. Scheerer: We will take care of it.

Mr. Showe: It's not really part of their contract. They do it as needed. That's not an area that they maintain, either. They try to help us out as much as they can.

Mr. Scheerer: If we need to do it, we will do it.

Mr. Showe: Is there anything else for the Field Manager? Hearing none,

SIXTH ORDER OF BUSINESS

Treasurer's Report

A. Consideration of Check Register

Mr. Showe: In your General Fund, we have checks 53153 through 53247 for \$90,610.53 and June payroll for \$738.80, for a total of \$91,349.33. Alan and I can answer any questions about those invoices, if you have any.

Mr. Darby: The repair on the license plate camera was \$1,270. Isn't that under warranty?

Mr. Showe: That was the one at the rear gate. After they replaced the one at the front gate, they installed the old camera at the rear gate. That was really just labor for them to pull the old camera off and recycle the one that we had at the front gate. It was not under warranty, but we were able to save some money by using the camera that we took from the front gate, and use it at the back gate, at least for now, until we authorized the new camera system.

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

B. Balance Sheet and Income Statement

Mr. Showe: No action is required by the Board. We collected all of your assessments.

Mr. Pawelczyk: Regarding the lawsuit that was filed against the Baytree CDD in Federal Court, Jason shared that summons and complaint with you. It was served on the District after your last meeting. We are not going to discuss the complaint. The plaintiff sued the Baytree CDD and 30 other CDDs in Federal Court. What they are alleging is that your website is not

accessible to the blind, in accordance with the ADA Law. So, it's an accommodation issue. This is news to everyone. You will recall that, a couple of years ago, there was a Statute that the State of Florida passed through the Legislature, that required all Special Districts to have a website, whether you are a CDD or not. It required you to put certain information on it and adhere to certain guidelines, according to Chapter 189, of the Florida Statutes. None of this was mentioned. We are on the second tier of this because cities have been hit with this as well. Unfortunately, Baytree is one of the named defendants. It's not a joint lawsuit, it's a single lawsuit. The good thing is that the District has certain protections. You have an insurance company that's defending you in this lawsuit. The insurance company makes decision on what goes on with respect to the lawsuit. It's similar to when you are in a car accident. We are at the point now where you have a couple of options. The plaintiff is negotiating a Settlement Agreement with your lawyers, Roper and Roper. They have been assigned all of these cases by the insurance provider, EGIS. All of these cases are being handled by this law firm. The settlement that's being proposed, requires the District to pay approximately a not-to-exceed amount of \$2,500. All Districts would be under the same settlement. The settlement is a joint settlement under the 30 different lawsuits. The second part of the settlement would require the District to, within 90 days, fix its website and make sure that the blind can access its site. When you first hear that, you think that's crazy, but apparently, there is software out there, that allows the blind to use their mouse and scroll over a document, like it's a PDF, and read it to them. They can scroll over a picture and it will say what the picture is. The only way that happens is if the document is properly created as a PDF. So, if I scan a PDF on my Xerox copier and send it to Jason, and he puts it on the website, it's not going to be real. You have to imbed something in the picture that says what it is, if there are pictures. I don't even know if we have pictures on our website.

Mr. Showe: Probably not.

Mr. Pawelczyk: The plaintiff, as you might expect, does not live in Baytree and doesn't have any use of the website, but that really doesn't matter. It's similar to ADA lawsuits. The one thing that you can do is to have a Shade Session. We would have to announce that Shade Session with a date and time of the next meeting and say who is going to be there. At a Shade Session, you would leave your regular meeting, the public would be dismissed, and you would talk about any litigation, litigation strategy, litigation expenses and how the District would

proceed. There would be a Court Reporter to transcribe the minutes of the Shade Session. The reason for that, is after the litigation is over, the transcript becomes public. The Shade Session requires an advertisement. You can do that, or you can move to approve the settlement, in an amount not-to-exceed \$2,500, with the understanding that the District is going to have to bring its website into compliance. GMS has other Districts involved in this litigation. It is my understanding that they have other Districts that are going to follow the actions taken by those Districts. Not all of my Districts have been sued, and not all of GMS Districts have been sued. Those are your choices. What we don't know is what it is going to cost to bring your website into compliance. The law firm that represents you is working with someone to gather that information, and would present it at a Shade Session, should we have one. That's up to the Board. Whether they present it or not, it's very likely that the insurance company may be requesting your blessing to move forward with the settlement. That's all I'm going to say, unless you have any questions, but I can't discuss the litigation. The way that I've approached this or lawyers in my office approached it or lawyers representing CDDs in other law firms approached this, is the question for the Board should not be that you have to have a Shade Session to discuss the \$2,500 settlement, it should be whether or not you just want to follow the insurance company's recommendation to go with the settlement and not have the Shade Session. That is the decision before you. The question is whether you want to move forward with the Shade Session settle the case under those terms.

Mr. Darby: I think part of that decision is what the cost is of getting to compliance.

Mr. Brown: Are we going to be required to have accommodation done to our website? No matter what we do, we have to redo our website to accommodate the blind.

Mr. Mills: No matter what.

Mr. Showe: To answer the question, we are trying to figure out how we are going to do this, economically for all of our clients. That may mean, paring down some of the website, because that's one thing that we hear. We would take the pictures off and things that are not legally required to be on the website, to limit liability. I will note that, on all of our websites, we added, "*If you have problems accessing this, please contact the District Manager.*" We tried to do those things now. To simply answer your question, it's going to be all of the Districts, no matter what.

Mr. Pawelczyk: I have a District, where the Management Company already worked to negotiate a price to bring their website into compliance. It was not \$10,000. It was something considerably less. I can't recall what it was, but I think that the one thing that all of these Districts have, is the ability to negotiate a reasonable price, based on economies of scale. They will be doing multiple website adjustments. Should you choose to approve this settlement, the 90 days doesn't start.

Mr. Showe: I think its 18 months.

Mr. Mills: We don't have to make a decision today.

Mr. Pawelczyk: The defendant's lawyer is asking you to schedule a Shade Session to discuss those items, litigation expenses and strategy. This is not a lawsuit that my office is defending. The insurance company is going to handle this and you would be responsible for whatever they decide. Your cost is really going to be the upgrade. I don't think it's going to be that much.

Mr. Showe: It's not.

Mr. Pawelczyk: I don't know what it is.

Mr. Darby: A Shade Session would require a Court Reporter and an attorney.

Mr. Pawelczyk: That's why I wanted guidance from the Board. I discussed this with Jason and other Managers and they said, "*Why spend money and time if you know what direction you are going to take.*" It's really up to the Board to make a decision on this. If anything changes, in other words, if you were to move a not-to-exceed amount of \$2,500, we can always change that. Let's say that information is brought to us that is going to cost \$70,000 to fix your website, we are going to bring it back to you and say, "*Jason scheduled a special meeting to reconsider your motion.*" We are not signing anything. We are just trying to get direction and move forward under those limited terms.

Ms. Witcher: I think we should go ahead with this.

Mr. Pawelczyk: You would be authorizing the settlement of the Defeo versus Baytree CDD lawsuit, in an amount not-to-exceed \$2,500, with the understanding that the District would be responsible to bring its website into compliance, with the terms of the proposed Settlement Agreement within the timeframes set forth wherein. How is that?

Mr. Bosseler: That's good.

Mr. Darby MOVED to authorize the settlement of the Defeo versus Baytree CDD lawsuit, in an amount not-to-exceed \$2,500, with the understanding that the District would be responsible to bring its website into compliance, with the terms of the proposed Settlement Agreement within the timeframes set forth wherein, and Mr. Mills seconded the motion.

Mr. Brown: I am opposing this, because I've been through seven of these.

Mr. Pawelczyk: I understand why you are opposing.

Mr. Brown: It is called "*reasonable accommodation*" under Federal Law.

Mr. Pawelczyk: I fully understand that. I think that's the right move to make. If any members of the public want to see a copy of the complaint, Jason has it. No one is trying to hide anything. As information becomes available, we will disseminate it to the Board. Anyone who wants the information that's sent to the Board can request it.

On VOICE VOTE with all in favor, authorizing the settlement of the Defeo versus Baytree CDD lawsuit, in an amount not-to-exceed \$2,500, with the understanding that the District would be responsible to bring its website into compliance, with the terms of the proposed Settlement Agreement within the timeframes set forth wherein, was approved. (Motion Passed 4-1)

SEVENTH ORDER OF BUSINESS

Supervisor's Requests

Ms. Witcher: Did you find out anything about the rules on the money sitting in the bank that can't be over \$150,000?

Mr. Showe: If the Board is amenable, we don't have any objection to move that out of Wells Fargo. Actually, our Accountants prefer a different bank, not that we haven't noticed anything wrong with it. If the Board feels more comfortable, we can certainly make that change.

Ms. Witcher: I was just wondering about if the FDIC covers \$150,000.

Mr. Showe: I will have to double check. I think we have some additional coverages, because we are a Governmental agency.

Mr. Mills: Do we pledge our assets? If you pledge your assets then it is covered. I don't believe that we do.

Mr. Pawelczyk: No. I don't think so.

Mr. Showe: I will check that for you.

Ms. Witcher: It wasn't specifically to move it out of Wells Fargo. I just wanted to know what we covered, because we have \$300,000 in there.

Mr. Pawelczyk: She's just making sure that we have coverage if Wells Fargo fails, so we can get our money back from the Government.

Mr. Showe: I will double check.

Mr. Pawelczyk: Usually they have money spread into different accounts.

Mr. Showe: Correct.

Mr. Pawelczyk: That is a good question.

Mr. Darby: Jason, we talked at a meeting or two ago, about video surveillance at the pool. Have we received any further information?

Mr. Showe: We have a quote, but I don't think that the Board considered that yet. I can get that to you.

Mr. Darby: Thank you. Also, at the last meeting, we talked about the amended Amenities Rules. Will those be posted on the website?

Mr. Showe: Yes. We just finished those this week. We went through them and tightened them up. We wanted to have the minutes so that we could make sure that we capture everybody's changes. Mike reviewed them and we are wrapping those up as we speak and will post them to the website. A lake bank restoration schedule to 2025 was promised. Finally, we received some correspondence earlier today about the Suntree lake bank on Lake 5. Are we going to defer that to a future meeting? It's up to the Board. We discussed that multiple times.

Mr. Darby: Yes, I know that we have. I think we should take a look at it one more time.

Mr. Showe: If the Board's direction is to add that to the next agenda, we certainly can do that.

Mr. Darby: I would like to have Board discussion.

Mr. Mills: We also need to address the sidewalk issue in front of the gentleman's house.

Mr. Showe: I'm updating the quote. Dave contacted me earlier last month and we are updating those quotes. The quote that we had was about a year old. Before I authorize anything, I wanted to get with the vendor. We will work with Carolyn, because what we quoted was a replacement of all sidewalks. There may be some locations that we don't want to do. Once I receive the quote, I will take a look at it.

Ms. Witcher: There is one in the Windsor area.

Mr. Showe: There are a couple on Royston Lane that have a couple of loose panels. The one that is always a challenge is at the end of the Berwick cul-de-sac. I think we have to look at that one. I know that the residents wanted to keep that tree.

Ms. Witcher: The last I heard, he's happy with it.

Mr. Showe: I'm getting quotes for it and I will coordinate with you, once I receive them.

Mr. Darby: Jason, is it possible to provide the roadway paving proposal to all of the Supervisors?

Mr. Showe: If you send it to me, I will forward it to the Board.

Ms. Samitas: Do you have any questions about that?

Mr. Darby: I have to look at it.

Mr. Brown: Did we get a cost for a speed hump across Baytree Drive, just so we have an idea?

Mr. Showe: We can task the District Engineer to look at that, but I will tell you, if you are talking about one that looks like it's part of the road, that's far more expensive than the temporary ones that we would have put in. We will have the District Engineer price those out.

Mr. Pawelczyk: We just received a quote for Coral Bay. You also have to put up a sign.

Mr. Showe: And arrows on the ground.

Mr. Brown: Since we removed the speed bumps at the front gate exit, the area looks terrible. Can we clean it?

Mr. Scheerer: What you have there are a series of holes from every speed table that we had. We will see if we can get somebody to fill that in for us.

Ms. Witcher: The concrete around there is all chipped up.

Mr. Mills: I would like to suggest, if we are going to do speed humps, that we look at maybe doing a temporary one, and then when Goodson is paving, put in permanent ones. Let's try the temporary ones first on Baytree Drive, and then get a proposal from Goodson for four or five speed humps.

Mr. Brown: I have to go back and look at the BCA's recommendation. I know that there was one along Baytree Drive, one on Old Tramway Drive and one on National Drive.

Mr. Mills: There were two on Kingswood Way.

Ms. Witcher: Let's try to put them where there's not a house.

Mr. Darby: I suggested that you put them in one high traffic location and see if it has an effect.

Ms. Samitas: Meanwhile, I will get a price. It's probably a unit price.

Mr. Mills: Bring a per unit price, if you can.

Mr. Scheerer: Just something to think about, if you put a sign on Baytree Drive and you have high winds, those signs are going to blow into someone's front yard. You have to identify that there is a speed table ahead, and then have the descending markings leading up to the speed table in both directions. Just some food for thought.

Mr. Mills: I would like to thank everyone for coming today and sharing your concerns and input with us. We listened, but I want you to know that you can trust this group of people. We are here for you. We are not going to spend your money foolishly, because it's our money that we are spending as well. I just want to thank you again for coming. We appreciate it.

EIGHTH ORDER OF BUSINESS

Public Comment Period

Mr. Showe: At this time, we will take audience comments.

Ms. Fox: Are these meetings recorded?

Mr. Showe: Yes.

Ms. Fox: Why can't you burn a CD?

Mr. Showe: We can if we are asked to. We do it frequently.

Ms. Witcher: That doesn't comply, does it?

Mr. Pawelczyk: No. It's a public record, so anyone can request it. I don't know if you can email it, because it's too big.

Mr. Showe: We have software that we can use.

Ms. Witcher: Is that ADA compliant? Would that get us off the hook?

Mr. Showe: I'm not sure. We will have to find out.

A Resident: I'm on the Speeding Committee. Can you put up more stop signs on Baytree?

Ms. Witcher: You can make a four-way stop on Bradwick Way and Baytree Drive.

Mr. Showe: Is there anything else?

Mr. Bosseler: If September 26 doesn't work, maybe we can try for October 17 as an alternative.

Mr. Showe: We approved the schedule as it is now.

Mr. Bosseler: You were going to confirm the location.

Mr. Showe: The direction that I received was to look for a location for the December meeting and hold it at night. The plan is to hold the meeting in September, cancel the October meeting, but we are leaving it on the calendar for now, in case its needed. If something happens and that September meeting doesn't work, we will find an alternate date that works for the Board. Are there any other public comments? Hearing none, we need a motion to adjourn.

NINTH ORDER OF BUSINESS

Adjournment

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



Secretary / Assistant Secretary



Chairman / Vice Chairman