

MINUTES OF MEETING
BAYTREE
COMMUNITY DEVELOPMENT DISTRICT

The regular meeting of the Board of Supervisors of the Baytree Community Development District was held on Tuesday, December 4, 2018 at 6:00 p.m. at Isles of Baytree Clubhouse, 456 Glen Abbey Way, Melbourne, Florida.

Present and constituting a quorum were:

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

Also present were:

Jason Showe	District Manager
Michael Pawelczyk	District Counsel
Maryelen Samitas	District Engineer
William Viasalyers	Field Manager
William McLeod	DSI Security
Valerie Scott	DSI Security
Joann Wagner	Isles of Baytree
Wayne Wilkerson	BCA
Residents	

FIRST ORDER OF BUSINESS

Roll Call

Mr. Mills called the meeting to order at 6:00 p.m. Mr. Showe called the roll and the Pledge of Allegiance was recited. Four Supervisors were present with Ms. Witcher being absent.

SECOND ORDER OF BUSINESS

Community Updates

A. Security

Mr. McLeod: We addressed the concerns that a lot of residents had. I have been out here eight times over the last month, which is about twice a week. We had a transition of the Site Supervisor and the one we now have in place, we have complete faith in. He worked with us before on another account and knows the way we do things, what we do and how we represent our clients. I have a lot of confidence in him; however, I was told that he wasn't checking IDs. This was due to some gaps in training. I was under the impression that our outgoing Site

Supervisor had trained properly, but that wasn't the case. I have been assured that proper training has been put in place. Regarding the computer system, a lot of residents have not yet registered, which are causing backups at the gate because we have to sign them in and write in the notes section the address that they are going to. This is reflected on the report I generated. The other issue is we still get kickback from some residents that fight us at the gate because they don't like being stopped or for their guests to be stopped. So, there are certain things that hold people up, which we addressed with the officers. Hopefully things will get better from here. Are there any questions?

Mr. Bosseler: Yes. Is there anything that we can do as a Board about recalcitrant homeowners?

Mr. McLeod: That's up to the Board. I suggested in the past that if a resident wants to come through the guest side and are upset about being stopped, we immediately pass on the information to Jason for them to get a transponder. It's up to them whether they want one or not. Sometimes it just seems like some people like to be upset at the gate, but if they don't get the transponder there's nothing we can do about that.

Ms. Scott: I don't think there's a way to get around the idea of change. Many of us are all in when it comes to change. This Visitor Management System (VMS) has been a change for the community. As Bill just alluded to, we've had some operational issues of our own since it was implemented that I believe now are being properly addressed and we are going to get that under control from an administrative side. We only have about 200 properties within the 565 total, on board with the system. I'm making no excuses whatsoever, but you can imagine that our officers are getting a little bit of pushback, dealing with people that are challenging and questioning the change.

Mr. Bosseler: That's not fair.

Ms. Scott: It's to be expected. To answer the question, "*What can you do?*" I'm not quite sure. We tried the best we could to put everything on the website and had three VMS resident training sessions. I am willing to do as many as it takes. We were thinking when the snowbirds came back that there might be another big influx, which is why we scheduled the last one.

Resident: I went on the portal, but couldn't sign up.

Ms. Scott: We went live on October 1st and you had a deadline prior to that to self-register.

Resident: I went after that.

Ms. Scott: If you went after the deadline, the procedure changed. Again, all of the information was published on the website, but the procedure changed. I brought forms with me. If you are still not live and do not have an account, I will set that up for you. I will give you a form and get that done for you and you will receive an email to be able to get on, but the process changed because we had two uploads. After that, it becomes a process of filling out a form to get an account. You can fill out as little or as much of the form, but there are certain things you must fill out. Then I will upload it and send you an email saying you have access and can go in and change your password, add visitors and anything that you didn't already do. I will give you that form, but it is also on the website.

Mr. McLeod: To follow with what Val said, it's been difficult for our officers as well because our officers have to adjust to those changes too. When we started here, we had one set of procedures. Security officers are no different from anybody else. They are creatures of habit so they get used to the system, but when we turn around and say, okay we are done with that and now you have to do it this way, it takes the officers awhile to get accustomed to it so I appreciate your patience with that. We are doing everything we can. Like I said, I've been out here at least twice a week for the last month, training the officers so they understand what the expectations are for guests, residents, vendors, the whole nine yards.

Mr. Darby: Rick, to address your question, interestingly enough at the last training session, one of the residents brought up the fact that although she read about the system in *Baytree Living*, by the time it was published and an actual event occurred was almost eight weeks apart.

Mr. Bosseler: Right.

Mr. Darby: Therefore, we tried to put out as much information as we could into the community newsletter about the process. A lot of people were confused about what the training was about. They asked if there was a better way to communicate. That is a question we should ask ourselves. Should we engage in a mailing to all Isles of Baytree (IOB) and Baytree proper residents stating what's going to happen and provide a training session on the automated system to assist and speed the access of your visitors into our community? I know it's expensive to do a mailing, but I think that's the only way we can get people to participate in a timely manner and explain what is going on.

Mr. Brown: Jerry, I agree with you. I do the ARC updates for *Baytree Living*, which I have to submit by tomorrow for February's issue.

Mr. Showe: Yes.

Mr. Mills: So if we wanted to have extra training sessions, the next issue that we can notify residents about it would be the March issue.

Mr. Darby: Which you would have to submit by January.

Mr. Mills: Right.

Mr. Darby: Which loses its emphasis because in two months people forget about it.

Ms. Scott: There are a number of things we can do to help the communication, such as sending out a mass email to change from the manual system to this system. I thought all of the residents or the vast majority of the residents were on board with this and have been creating a database that has the phone numbers and emails of every head of household so a massive list could then be created. However, the fact is that there are 565 homes and only 200 homes registered.

Mr. Darby: So we need the other 400 to register.

Ms. Scott: Yes. You can't force residents to go onto the website, but everything is there. To add to what Jerry alluded to, at the last meeting residents said, you know what, I really didn't understand that the training was for VMS, because the message boards in front and back of the community used initials, so if we have another one in the future, we need to be much more descriptive so it catches on.

Mr. Mills: Maybe we can give the registration sheet to the guards so when a resident comes in and asks about it, the guard can give them the form and all they have to do is fill it out, give it back to the guards and they will take care of it.

Mr. Showe: Even if it's a little postcard.

Mr. Mills: Exactly.

Ms. Scott: The forms that I have tonight are on the website in case they run out of forms before they can make more copies.

Mr. Mills: Are the guards passing out forms?

Ms. Scott: The guards have to be asked.

Mr. Darby: Be careful here because the guards are going to have to distinguish between a resident and a guest.

Mr. Mills: Exactly. They can't be handing out cards to everybody coming through.

Ms. Scott: They are not cards, Jerry.

Mr. Darby: I know, but I'm just saying.

Ms. Scott: They are forms that residents fill out with their address. Do you know what I'm saying?

Mr. Darby: Yes.

Ms. Scott: I'm the one that's uploading this information, so when I go in and see that there's already a duplicate to a particular address, I'm going to question it.

Mr. Bosseler: Wayne, on the email blast that you set up, approximately how many email addresses do you have?

Wayne Wilkerson (8002 Old Tramway Drive): About 300.

Mr. Bosseler: Potentially that's 100 more than what we have now.

Ms. Scott: Except there could be 200 or 300 of the same ones.

Mr. Bosseler: There could be, but that's 100 more than what you currently have.

Ms. Scott: Exactly.

Mr. Wilkerson: There is more than one member of a family.

Ms. Scott: The database that I am building, regardless of how many family members and/or visitors are on each form, I'm only loading the head of household information into the database to make sure we have the actual homes and not five people in one home.

Mr. Darby: At the last training session one individual suggested we maintain a Facebook page for the BCA. When I discussed that possibility, I was told that not everybody uses Facebook and somebody would have to police it and have to monitor it, so it wouldn't work in our opinion. I think Wayne agrees with that.

Ms. Scott: I don't live here, but my concern is a resident that isn't actively looking at the Baytree website.

Mr. Bosseler: Wayne, have you asked all Voting Members (VMs) to send it out to all of their homeowners?

Mr. Wilkerson: I would be happy to do that.

Mr. Bosseler: We might only pick up a few more.

Mr. Wilkerson: Half of them are here tonight.

Ms. Scott: I would be happy to draft something that you can use for a mailing, if you choose to do that.

Mr. Showe: I think we should try sending out an email first.

Mr. Darby: As the VM for Balmoral, I probably have 40% of all residents' emails and they are the same ones you have. They are the active ones. It's the ones you don't have that are hard to get. That's why I'm not fond of emails, but in this case, a one-time effort to try to achieve at least 90% compliance on the system, would be ideal since other means failed.

Ms. Scott: That would be your last recourse.

Mr. Mills: It's surprising that the transponders have been in use now for close to 10 years.

Mr. Showe: It's more than that.

Mr. Mills: We have residents that have lived here for that length of time that refuse to get them.

Mr. McLeod: A good number of residents have come through as guests.

Mr. Mills: It's crazy.

Mr. McLeod: I couldn't believe how many residents I noticed, in the short time I visited the gatehouse, come through the guest side because they don't have a transponder. I don't understand it.

Mr. Pawelczyk: It sounds like a number of these issues are communication issues, such as putting the information out by emails or on the website. Since a low percentage of emails are known, don't isolate the communication to email to register for this device.

Ms. Scott: So you are going to do one mailing?

Mr. Pawelczyk: One mailing and maybe an annual one. Residents may not know who to send their email address to so maybe send some kind of periodic annual one saying, if you want information provide your email address.

Mr. Wilkerson: Using our VMs is a good idea.

Mr. Showe: I think Valerie would be the best one to prepare a quick blast that we can send out.

Ms. Scott: If you are going to do one mailing, if there are other things you would like to include, I can certainly draft up something on one sheet regarding the VMS. I will tell you that as I receive the forms, I make sure that I get delivery receipts in case someone's handwriting was illegible and it popped back to me so that I can call them to get their correct email. I also received forms without an area code for their phone number and I sent them an email that said, I was unable to put your phone number on your account because I don't have an area code and if you would like to provide it to me, I would be happy to add it. We really tried to accommodate.

Mr. Lynn Craig (501 Royston Lane): What about the people who are not computer savvy?

Ms. Scott: That's why we offered an alternative.

Mr. Craig: There are a lot of older people that do not own a computer. You are going to have to go to their house and talk to them.

Ms. Scott: That's where a hard mailing might come in handy, due to the lack of descriptive terms on the signs. If someone does not have a computer or doesn't want to get on the computer, they can continue to call the gatehouse instead of setting up an account. I don't mind doing that or they can continue to have all of their 10 permanent residents think, I'm set for life because this is everyone that comes to see me and if there's anyone else, I don't mind receiving a call. That's fine too. I also created an add/change/delete form so it's all available. We made it as available as we can.

Mr. Darby: I suggest that we initiate a VM email blast advising residents about the system, how to register and include whatever information you receive from Valerie. If you do not see a substantial increase in registrations, then I suggest sending out a hard copy written distribution.

Mr. Mills: I agree.

A Resident: I think that assumes the VMs have the emails. We are all complaining that we don't have everybody's emails.

Mike Sherbin (478 Birchington Lane): I am the VM for Windsor, which has 143 people. I started out with 12 emails and since I went door-to-door, I'm up to 50.

Mr. Darby: Way to go, Mike.

Mr. Showe: We've done several mailings before and I think the results have been mixed at best.

Mr. Bosseler: I think we need to do an email.

(Many residents and Board Members speaking simultaneously)

Mr. Mills: Let's have some order please. Thank you.

Mr. Showe: I don't disagree with you, but I think a stepped approach is good.

Mr. Bosseler: How much would a first-class mailing cost?

Mr. Showe: You are looking at approximately \$1 per letter.

Ms. Scott: so that's \$640?

Mr. Showe: Approximately. It depends on how many pages you include. Residents are well aware of how to get transponders.

Mr. Mills: I suggest that we have Wayne send out an e-blast and at the February meeting, we come back with a tally of how many residents were added. If that isn't sufficient, then we will do a hard mailing.

Mr. McLeod: I think everyone here pointed out that the system does not capture the emails, so it's placating the situation to say, let's hope things change a month from now.

Mr. Bosseler: In some neighborhoods it does catch. I would venture to say in Kingswood, we probably have 95% to 98% of emails from everyone that lives there.

Mr. Mills: In Chatsworth it's the same way.

Ms. Scott: The VMS will absolutely 100% capture emails as long as residents register for an account. At this time, only 200 homes are registered.

Mr. Craig: Is there a place on the website where people can enter all of their contact information?

Mr. Mills: Yes.

Mr. Showe: You can go to the website and get contact information, but the CDD does not keep email addresses or phone numbers because those become public records. If anyone asks for contact information, we have to provide it so we try not to keep a lot of resident personal information.

Mr. Craig: Let me rephrase that. Is there a place that I can go on the website to voluntarily provide my contact information?

Mr. Mills: Whatever neighborhood you live in, you need to go to VM[yourneighborhood]@baytreeca.org, so if you live in the Hamlet, you enter VMhamlet@baytreeca.org to send your contact information to your voting member. Then they will have your email address and can keep you advised. They are supposed to keep you advised of what happens at every BCA Board Meeting and CDD Board Meeting.

Mr. Showe: The CDD has a website that has links to all of the forms.

Ms. Scott: If you can't attend these meetings, the minutes are posted later on so you can certainly go back and see what was discussed at these meetings, but as far as VMS, all of the forms that I have here today are on the www.Baytreecdd.org website where you can print as many as you need.

Mr. Showe: The “*News*” tab has everything for the CDD including the VMS forms, user guide to the VMS and the resident training schedule.

Mr. Darby: It’s under the “*Security*” tab.

Ms. Scott: Yes. When you log onto www.Baytreecdd.org, it’s under “*Security*.”

Mr. Showe: You’re right.

Mr. Craig: Most of us just want to get through the main gate.

Mr. Mills: Get a transponder.

Ms. Scott: It all goes back to being able to communicate with the residents.

Joann Wagner (721 Glen Abbey Way): Does it include IOB or just Baytree?

Mr. Showe: Everyone is in the system.

Mr. Mills: We have a lot to cover tonight and need to move on, so if you have personal issues with the system, you can talk with Valerie after the meeting.

Mr. Showe: Is there anything else under security, Jerry?

Mr. Darby: Yes. A resident complained about the brightness of lights on the gate arms. We put the lights on the gate arm to make them more visible, so obviously it did what it was intended to do, but it is annoying some people. I discussed this with Jason and asked if he could assemble information that the lighted arms were more effective than the dim gate arms. Jason, can you please elaborate?

Mr. Showe: Sure. In our experience, I think both types of arms have been hit approximately the same amount of times, but the lighted arms are more visible, especially at night. It’s not necessarily that the gate arms changed. It’s that the cost for new gate arms are over \$800 a piece because of the LED strip. We also switched from metal to nylon nuts, so while you may see the gate arm down more often, you won’t see a bent gate arm as much. We have not had to replace the gate arms since we switched to the LEDs.

Mr. Darby: Unlike the old system.

Mr. Showe: Unlike the old system where we used metal nuts. The gate would be bent because the metal nuts would not separate from the arm and we would have to pay for someone to come out and you would be several days without a gate arm. With the nylon nuts, we could replace them versus having to call the company because they just pop right back on. We haven’t replaced any arms yet so I think it’s been a lot more effective. It’s more an issue of whether you like the LEDs or not. We could turn the LEDs off or unplug them, but you already paid for them so we can’t return them at this point.

Mr. Darby: I suggest that we continue to use them.

Mr. Mills: Yes.

Mr. Showe: Okay. At this time, we will proceed to the BCA update, unless there's anything else Jerry?

Mr. Darby: No.

B. BCA

Mr. Wilkerson: I just have a couple of items. We have a petition signed by 21 residents of Saddleworth. I received a subsequent letter from their attorney saying that they would not pursue.

Mr. Mills: Would you mind starting a brief discussion of what happened from the beginning because we have some new residents who don't know what happened?

Mr. Wilkerson: The BCA has reserves from developers who did not pick up their deposits because they went out of business or whatever. These funds were not taken from the residents of Baytree. We used it as a gift to the CDD to build the pavilion. Our thinking was that we would be able to share that pavilion with everyone, including the people that had left here. We were informed by Harry Bowman that 21 residents were given misinformation about what we had done and where the funds came from. He told residents that they deserve to vote on this and was confused about our covenants and our bylaws so he got an attorney to write a letter telling us to cease and desist. Our attorney replied and said that if there were any damages, it would bring a suit against the petitioners as well as Harry Bowman. After that, we received a third letter saying that they were not going to pursue this.

Mr. Mills: Thank you, Wayne.

Mr. Wilkerson: I would like to thank Michael for his help in this matter. We completed our budget and after this is voted on this week, I will share it with the CDD Board. We have new Christmas lights, thanks to the CDD Board and to Rick. I would also like to thank Geoff Studds, the son of Tony Studds for doing the wreaths for the monuments. I took a look around and I think we got our \$3,000 worth. I hope everyone feels the same way.

Mr. Bosseler: I would like to thank Wayne and the BCA for their contribution. It looks 100% better than it did last year.

Mr. Mills: You may have noticed that some nights the lights are off and some nights it's on. We are having an issue with water getting into it, which is tripping the Ground Fault

Interrupters (GFIs). I went out the other night and it was all lit up. It was absolutely stunning. I don't think anybody in this area has a display like we had and I'm very proud of what we have, but I just wanted to let you know that we are working on that issue, which I will cover later in some of the discussions that we are going to have.

Mr. Showe: If anyone wants to volunteer, when you see the lights off, push the GFI button on the outlet in the back to reset. Pushing the GFI button to reset it is all it takes and will fix 90% of the issues. Unfortunately, the issue we are dealing with here is the same one we deal with every year when we put up the Christmas lights out here. You have Christmas lights right next to where you are irrigating your plants. Obviously electric and water is a bad mix. The GFIs are functioning as intended. They are designed to save you from starting an electrical fire so every time we are out here onsite, we are going to make sure they are working. We turned them off and on before we came in tonight and will do it again before we leave.

Mr. Wilkerson: Where is that switch, Jason? Is it behind the main wall?

Mr. Showe: The main wall is a little different, but all of the plugs are in an outlet that has a GFI so if the entire circuit is out, that's probably an indication of a bigger problem. If just a strand is out that's typically a GFI issue. I think we had an issue with Saddleworth where the lights didn't turn on. We had the electrician, Eau Gallie Electric come out and it was resolved; however, there are issues here and there. We had the electrician go through and check everything prior to Christmas, but you can't solve everything. We are doing the best we can.

Mr. Wilkerson: I didn't see the pavilion on your list. Do you have an update?

Mr. Darby: Yes. You will notice the pavilion is moving at a glacial pace. Additional materials are due tomorrow. The cedar is going to clad all of the exposed portions. It will be stained opaque white. The carpenters are supposed to begin installation on the 6th and then the electrical will be hooked up to the panel off of the tennis court, which is nice because we didn't have to buy a new panel. We have a plaque that we will attach to a large rock that can be delivered whenever we want. The completion date, however, is not firm. We are hoping by the end of this month, like every month, to have it completed. The problem quite frankly is resources. Bella Custom Builders is also co-owned by Armadillo Roofing who decided to take some assignments in the Panhandle as a result of the hurricane so we are resource constrained. We are on our fourth Project Manager, but we are endeavoring to get the pavilion completed as soon as possible.

Mr. Showe: Is there anything else?

Mr. Wilkerson: That's it for me. Thank you.

Mr. Mills: Thanks Wayne.

THIRD ORDER OF BUSINESS

Organizational Matters

A. Administration of Oaths of Office to Newly Elected Board Members

Mr. Showe: Three Board Members were recently elected unopposed through the Supervisor of Elections. Mr. Darby and Mr. Brown are here, but Carolyn is not so we will give her the Oath before the next meeting.

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

B. Election of Officers

C. Consideration of Resolution 2019-01 Electing Officers

Mr. Showe: You are required by Florida Statutes after every election to hold an election of officers. We typically have a nomination for the position of Chair and Vice Chair. We request that Ariel Lovera in our office be appointed Treasurer, George Flint as Secretary and myself as Assistant Secretary. Other than the Chair and Vice Chair, which will be appointed by the Board, the remaining Board Members would serve as Assistant Secretaries.

Mr. Darby: I would like to nominate Mel as Chair.

Mr. Brown: I second the nomination.

Mr. Showe: If there are no other nominations, I will read the slate of officers into the record and the Board can approve it as read. Are there any nominations for Vice Chair?

Mr. Mills: I nominate Jerry.

Mr. Showe: Are there any other nominations? Hearing none, the officers of the District are:

- *Chairman:* Melvin Mills
- *Vice Chairman:* Jerry Darby
- *Assistant Secretaries:* Rick Brown, Richard Bosseler, Carolyn Witcher and Jason Showe
- *Secretary:* George Flint
- *Treasurer:* Ariel Lovera

On MOTION by Mr. Mills seconded by Mr. Brown with all in favor Resolution 2019-01 Electing Officers as stated above, was approved.

D. Discussion of Board Member Responsibilities

Mr. Showe: We typically have the discussion of Board Member responsibilities at the same time, if there is any interest in any Board Member switching responsibilities.

Mr. Mills: I would like for Rick Brown to take over the landscaping responsibilities

Mr. Brown: I decline. You are doing such a great job.

Mr. Showe: We can change those at any time.

FOURTH ORDER OF BUSINESS

Approval of Minutes of the September 26, 2018 Meeting

Mr. Showe: The minutes of the September 26, 2018 meeting were provided as part of your agenda package and we can take any corrections or changes at this time. I know Mel had a few changes that he was going to provide to me.

Mr. Mills: I do.

Mr. Darby: I had a couple of changes. On Page 9, the motion says that the First Amendment to Small Project Agreement with Bella Custom Builders, Inc. in the amount of \$3,400 was approved, but no monetary amount was stated.

Mr. Showe: I will verify that.

Mr. Darby: It was strictly a warranty issue. There were two typos. On Page 14, Michael stated *“I never said and this Board never said that they have the right to a view. You can put a law out there if you can get the permits.”* Was *“law”* the right word?

Mr. Pawelczyk: I don’t recall.

Mr. Showe: We can listen to the recording again.

Mr. Darby: Halfway down on Page 15. The word *“evasive”* should be *“invasive.”*

Mr. Showe: If there are no other changes, I will entertain a motion to approve the minutes as amended.

On MOTION by Mr. Mills seconded by Mr. Darby with all in favor the minutes of the September 26, 2018 meeting, were approved, as amended.

FIFTH ORDER OF BUSINESS

New Business

A. Ratification of Resolution 2019-02 Amending the Fiscal Year 2018 Budget

Mr. Showe: We had Carolyn sign the resolution to amend the Fiscal Year 2018 budget. This is a form document that we provide once a year just to true up the budget. You are required to do this before December, which is why we had Carolyn sign it in advance. This is essentially moving money on paper, designed to true up the General Fund as well as the other funds. As an example, for the Capital Projects Fund, we moved some items from the 2018 budget to the 2019 budget. There were no budgetary funds for that so this just recognizes the initial revenue and expense and is basically a cleanup of the budget for auditing purposes. Since Carolyn signed it to be in compliance with this year’s audit, we need the Board to ratify it.

On MOTION by Mr. Darby seconded by Mr. Brown with all in favor Resolution 2019-02 Amending the Fiscal Year 2018 Budget was ratified.

B. Discussion of Suntree Bank

Mr. Showe: We were asked to bring this back to the Board. The District Engineer provided two quotes for a survey; one for \$2,400 and the other for \$1,630. We spoke to our landscaper and he offered to go back to his original proposal, which was \$32,750; however, prices increased since then, but that would at least give you a scope and there is no irrigation so any plantings would be planted with no warranty. I think the Board wanted to have that discussion again. If you wanted to go with the Wax Myrtles you currently have, the cost is now approximately \$220 each.

Mr. Mills: Wow.

Mr. Darby: How many will they need?

Mr. Showe: His original proposal priced 495 plants.

Mr. Darby: That’s \$20,000.

Mr. Showe: If you wanted to leave what was there you could, but some Wax Myrtles need to be removed.

Mr. Mills: His price included removal of the Wax Myrtles.

Mr. Showe: You would pay \$20,000 for new ones and \$9,500 to remove them, but again, there’s no warranty.

Mr. Mills: Are there any comments from the Board? My concern is not with the planting, but with the ongoing legal issues that we may have with the Suntree residents cutting them down. If we spend \$20,000 to put the trees in and some resident cuts them down, when we

call the police and they investigate, the resident will say, no I didn't cut it down. The issue that I have is that we will have an ongoing expense for any legal costs, not maintenance costs. I appreciate where all of those residents have a concern and I think I asked you before, but does this Board have the legal right to deed off any parcels that belong to residents along that bank if we keep 5 feet beyond the high-water mark of that lake?

Mr. Pawelczyk: Deed off what?

Mr. Mills: Either sell it or give it to the residents for \$1.

Mr. Darby: That really doesn't solve the problem. The problem is our residents complaining about it.

Mr. Pawelczyk: If you declare that the problem is surplus, your Engineer would have to determine you don't need that property. Usually there's a buffer on the lake to account for possible erosion along the banks. To add to what Mel said, when the police investigates, they are not going to bring anything to the State Attorney unless the residents are prosecuted for removing the buffer line. Criminal standards are different from civil standards, but face the same problem. It's cheaper to put another \$220 Wax Myrtle back into the ground than continue to fight it. I'm not going to go to court unless I find out who did it so we would need to have some evidence to show that the resident actually removed the tree.

Mr. Darby: That would be virtually impossible.

Mr. Brown: Have we ever met with Suntree management about this?

Mr. Showe: We sent multiple letters to residents that removed trees with pictures, but I don't think it had much effect. If anything, it may have driven them to remove the trees at night.

Mr. Brown: At the last meeting we said that we would look at this and over time, replace some of the landscaping that was on that lake. I don't have a problem doing that, but I don't want to sit here 10 years from now and talk about the same thing and spend another \$30,000 over a three or four-year period. Every time we ask for an increased assessment, the community goes ballistic. I don't have a problem with that, but my concern is whether we are just throwing money down the drain because this issue just seems to keep coming back. I don't know whether we should sit down face-to-face with somebody and say, hey, you have to tell your residents that this is our property, when we are about to put some landscaping in so they don't take it down. I would rather meet with them face-to-face versus sending a letter because a letter ends up in the circular file, but until we get to a point in time where we are putting a stake in the ground we should tell them, it's our property and we have the right to do what we want to do with it, this is

what we are going to do with it and you have a responsibility for managing your property to keep your residents from cutting that down.

Mr. Showe: Right. I think that's the challenge they have. It's an individual resident's property, so the HOA has no responsibility, but residents are coming onto our property without our authority so it's kind of a challenge. When we first took over, we replaced dead trees and I think they are disappearing as quickly as the other ones. The issue is the age of those trees, not necessarily the maintenance, because those trees have been there 25 to 30 years. There is a life to every plant, so it's just a matter of how much the Board wants to spend trying to address the issue. To Rick's point, the intent was if we were to ever consider putting plants in there, we would sit down and send letters and try to do everything we can. We will tell you that it is a hornet's nest over there and Mel heard from our landscapers that they have to access it another way because they were threatened by the residents for cutting through their yard.

Mr. Brown: So they can't access it?

Mr. Mills: No. Because of the high-water level of the lake, due to the large amount of rain, they have to go across residents' property at the lower end.

Mr. Brown: That's a scheduling issue.

Mr. Darby: Jason, has there ever been discussion about a fence?

Mr. Showe: Not by this Board.

Mr. Brown: Let's build a wall.

Mr. Showe: I can bring proposals back, but I'm fairly confident the proposals are going to be double to triple what you just looked at.

Mr. Darby: First of all, you don't have to maintain it if it's a vinyl fence. Secondly, we should set it in concrete so it's not easily knocked down, but residents would complain if they have to look at a fence as opposed to chopped down trees.

Mr. Showe: We would probably need the District Engineer to take a look at it because the lake bank is used for drainage so whatever you constructed would have to allow for drainage.

Mr. Darby: Vegetation is something that could easily be disposed of but fence is more obvious and would take a little more effort to dispose of.

Mr. Pawelczyk: You can put landscaping in around the fence or through the fence, but the larger issue is maintenance. It's not like you can put a Ficus Hedge in there because you have no way to maintain it.

Mr. Bowman: How many homes would be affected in Suntree?

Mr. Bosseler: 10.

Mr. Mills: 10 to 12. I think you are talking about the Suntree bank. Right?

Mr. Bowman: The side where people are complaining. Are we opposed to having a meeting to speak to the residents?

Mr. Mills: We already had one.

Mr. Brown: What did they say?

Mr. Mills: At the time there was agreement to put in plants that don't need maintenance or attention.

Mr. Brown: Are you talking about the residents that live on the Suntree side or the Baytree side?

Mr. Mills: The Suntree side. There are probably around 12 residents.

Mr. Bowman: Have we ever met with or talked to them?

Mr. Mills: The initial idea was to send out letters to the residents and to the Master HOA about our intentions and then to have a meeting. We haven't done that and won't until we get this resolved.

Mr. Showe: The Board hasn't provided direction.

Mr. Bowman: If I had a tree and was afraid some guy was going to cut it down, I would talk to them.

Mr. Brown: Exactly.

Mr. Showe: Right. The direction from the Board was whether they should proceed with plantings or something else because we hadn't planted anything over there in eight years.

Mr. Mills: Jason, the proposal was for Red Cedar and Bald Cypress trees.

Mr. Showe: That was in the initial quote they gave to us. I asked them for prices on the Wax Myrtles as well, so you would have an alternative and he said it's about \$220 per tree.

Mr. Mills: A Red Cedar tree is \$250.

Mr. Showe: Correct.

Mr. Mills: For 54 plants. The price for a Bald Cypress tree is \$39. Red Cedar and Bald Cypress trees will definitely provide a screen, no question about it, versus Crepe Myrtles, which take a long time to grow. These are 30-gallon trees, which grow about 5 feet.

Mr. Showe: I will have to get the exact measurements; however, this quote is from over a year ago so the pricing has changed. We will get some specific direction from the Board in

order to have him provide a more accurate quote, but he wanted a commitment from the Board on whether or not to proceed.

Mr. Brown: If we are going to move forward, I recommend we do the survey to find out exactly where our property line is and how much land we have to play around with. Since we already decided or talked about doing this over an extended period of time, we have to define, extended period of time, which I assume is three years at a minimum. You have \$30,000 budgeted, so you are talking about \$10,000 a year over the next three years, but once we have the survey, we can decide if we want to have a fence. If we don't the fence, we can decide where to put the landscaping and then sit down with Suntree representatives and tell them what we are doing.

Mr. Bowman: We have 12 lot owners in Suntree and 10 on our side.

Mr. Showe: The proposal says there are 19 lot and tract owners in Suntree.

Mr. Bowman: So we are trying to appease 10 homeowners.

Mr. Darby: 10 very vocal homeowners. So, if we put the trees over there with shrubbery and residents cut it down or something happens that means the rest of the Baytree homeowners were given a bad deal because past behavior is a good indicator of the future.

Mr. Mills: Geoff, since you are one of the property owners, if we did this in segments, would you want a segment here and a segment there or would you want them planted far enough apart and do the work in phases?

Geoff Studds, (Chatham Court): I think you have to do it in phases. My concern is to first establish where the property line is so we can mark it and let the residents know because ownership changes over time and a homeowner could get angry. We should do this to remind them this isn't their property. I think the goal should not be to completely block their view because that's going to cause a war. We could place vegetation in clumps as well as provide some privacy. People fish on our property so there is a privacy issue. If you put some plantings on the property line to cause a natural looking separation, but not block views that would be a compromise to please both sides. That's my opinion.

Mr. Mills: So we can actually cut some of these plantings down.

Mr. Studds: Yes.

Mr. Mills: Because the Red Cedars get pretty tall. We could probably reduce the number of trees.

Mr. Showe: If you are even considering doing that, maybe the Board could have the survey completed right now and for the District Engineer to come up with fence options.

Mr. Mills: I told Harry that we would be doing something by spring.

Mr. Studds: We should have something to appease Harry, something that would look natural.

Mr. Darby: I think the idea of doing the survey now makes sense and I also think the idea of not planting everything is a good test to see whether the residents like it. If they cut them down then we know not to invest in the balance of it.

Mr. Mills: If the Board is amenable, I will contact Dave at Tropic-Care and follow what Geoff just said to see if we can sparsely space them. In the meantime, we can schedule a meeting with the HOA and the residents on the lake.

Mr. Showe: I think having the survey completed is the first step and the Board should authorize it now. Mel and I can then meet with Dave and Will to get a scaled down plan to see where we are at and can bring that back when the survey is completed. That will give us the information to proceed.

Mr. Mills: So we should have all of that by February.

Mr. Craig: I just want to add that I don't understand the issue of no access. We have to plan for access to trim the trees.

Mr. Showe: The challenge is they have to come around the end of Bradwick Way when the water level is high and they have to bring the giant mower through there. There's no way to go. They can't not go through there and then get yelled at because they are not maintaining that side of the lake.

Mr. Mills: What is the opinion of the Board?

Mr. Darby: I think we should proceed with the survey. There are two proposals. Is R.M. Packard worse than Kane Surveying, Maryelen?

Ms. Samitas: No. They were asked to provide quotes at the same time and Kane responded quicker than R.M.

Mr. Darby: One is \$2,400 versus \$1,600.

Ms. Samitas: I don't think we are going to go wrong either way.

Mr. Showe: A survey is a survey.

Mr. Darby: As long as they meet all standards of practice.

Mr. Brown: I would go with the \$1,600 proposal.

Mr. Mills: Me too.

On MOTION by Mr. Brown seconded by Mr. Darby with all in favor the proposal from R.M. Packard for surveying the East property line of Baytree Lake 5 and the West property line of Suntime in the amount of \$1,600 was approved.

C. Consideration of Proposal for Tennis Court Refurbishment

Mr. Showe: One of the budget items we had this year was the tennis court refurbishment. We provided a proposal from Varsity Courts for Board approval. This is the same resurfacing we have done every couple of years when it's needed and it's getting to that point. They remove the old surface, fill the cracks as much as they can and place a nice new surface on top. In addition, we want to peel the fencing. It's getting old and is deteriorating and could use fresh fencing. In conjunction with that, Eau Gallie is anxiously waiting to repair the lights. He can't do it right now, but while the fence is down, we will bring him in and have him fix the lights at the same time. They will still be able to access it without the fence. We also replaced the benches, which are old and two tennis nets for a total of \$15,785. We budgeted \$16,000 for tennis court refurbishment.

Mr. Darby: What about the awnings that are torn?

Mr. Bosseler: They need to be replaced.

Mr. Showe: We can order new ones, but I think we have one in the closet.

Mr. Bosseler: It's a real flimsy bid. The number you spoke of, over \$15,000, has different alternates.

Mr. Showe: The final number is on the bottom page, which is \$7,137. That's for the resurfacing without any of the additional options.

Mr. Bosseler: Okay.

Mr. Showe: They gave us the options in segments so you could pick and choose if you wanted to. We haven't touched anything but the surface since we have been here, which is why there are prices for the fence, benches and nets.

Mr. Mills: How bad are the fences?

Mr. Showe: They are in bad shape.

Mr. Bosseler: I looked at the fences today and some of them are really bad, but others aren't too bad. I don't know if we want to look at maybe replacing half of the fences. Some are

peeled at the bottom, causing tennis balls to run right off of the court, but the fences at the ends of the courts and on the pond side are actually in good shape. I would like for someone to take a look at the fences again with the vendor to see if we can reduce the overall price.

Mr. Showe: We can take whatever direction the Board wants to give.

Mr. Bosseler: The fencing is \$7,000. Right?

Mr. Showe: Right.

Mr. Brown: That's a lot of money.

Mr. Mills: It is and in five years we may be replacing them again.

Mr. Bosseler: We might, but the proposal is for a metal fence.

Mr. Mills: I thought it was vinyl coated?

Mr. Showe: It is.

Mr. Bosseler: Those are the original fences, aren't they?

Mr. Mills: Yes.

Mr. Bosseler: I want to proceed with the refurbishment because this company offered us a good deal, but they aren't going to do the fencing, right? A separate company is installing the fences?

Mr. Showe: They haven't said if they were, but they replaced other fences for us.

Mr. Mills: They probably have subcontractors.

Mr. Showe: Maybe. If you want an alternative I can reach out to another fence vendor.

Mr. Darby: I think that's probably wise because it's a significant expense.

Mr. Bosseler: Three quarters of the way down on Page 1 says "*The outside perimeter of asphalt outside of fence will receive one coat of latex.*" What is the outside of the perimeter because the fence goes right to the perimeter of the asphalt?

Mr. Showe: This is their standard resurfacing quote and that may not apply to us. If the foundation were to extend beyond the court, they would apply some slip resistant paint.

Mr. Bosseler: If there is a price for it we need to get it removed.

Mr. Showe: I will check on that.

Mr. Darby: Jason, who is going to reinstall the lights?

Mr. Showe: The lights were ordered and are on the way. They tried three times to come out there. One time I pushed them and they actually got their vehicles stuck back there so they cannot come back until we have a better way of providing them access.

Mr. Mills: They came down during the hurricane.

Mr. Darby: I just want to make sure this wasn't part of the scope.

Mr. Bosseler: I would like to request pickleball stripes.

Mr. Showe: I can ask them for a price.

Mr. Brown: Is pickleball like bocce?

Mr. Showe: No. They can put those stripes in, but tennis players typically do not like them because it cuts the tennis court in half.

Mr. Bosseler: Does anyone here use our facility for pickleball?

Mr. Studds: I do and request that the lights be turned off after using them. With all respect to pickleball players, the two don't mix very well, but I will defer to the majority. If more people are playing pickleball than tennis, that's great.

Mr. Mills: Can we take action on this?

Mr. Showe: We have \$16,200 in the budget so if the Board approves a not-to-exceed amount, I will work with Richard and Jerry can delegate the authority to Richard to execute the contract when it's ready. District Counsel will also draft up a front-end document because of the price so there will be a little more formality to the agreement. If the Board agrees, I ask for a motion to approve a not-to-exceed amount of \$16,200.

Mr. Darby: If you are going to proceed with the pickleball stripes, I suggest we only have them do one court.

On MOTION by Mr. Bosseler seconded by Mr. Darby with all in favor the proposal from Varsity Courts for tennis court resurfacing in a not-to-exceed amount of \$16,200 and authorization for Mr. Bosseler to work with the District Manager and execute the contract, was approved.

Mr. Studds: For clarification, I think you mentioned the lights, but one pole doesn't have working lights. Is that related to all of this work?

Mr. Showe: Yes, but they can't get to it right now. We will have them repair the lights when the fences are down.

SIXTH ORDER OF BUSINESS

CDD Action Items/Staff Reports

A. CDD Action Items

Mr. Showe: We talked about the LED fountain light replacement. I know that the motor was delivered, but the contractor has to come back and install it.

Mr. Wilkerson: He finally received it and is supposed to be out this week. I will keep hounding him.

Mr. Mills: We had a motor break down on the fountain and the contractor was trying to get it covered under the warranty. I suggest that next time we have a motor go out, we put a new fountain in and be done with it.

Mr. Showe: We have a company that we have been using for a property in Satellite Beach that we had a lot of success with so I think we will reach out to them going forward, but I didn't want to do that until the fountain was running again. Other than that, we have the discussion of the ADA proposal, which was not on the agenda. We received comments from the Board and staff is working with this company. We recommend you only do the first year of the agreement, which would be the conversion of what we currently have to make it ADA compliant. They said we don't need to have the phone support, but recommend we keep it because the software can have glitches in it and that phone support would give us the ability to make adjustments within the first year that we would need.

Mr. Darby: Is that price for the annual maintenance?

Mr. Showe: No, just the support. All we would ask the Board to approve are Pages 7 of 12 since GMS has the software to convert all future documents on the website so that we would be ADA compliant, but it's a lot more time and cost efficient for them to do the conversion and then we can continue to maintain it under your current agreement.

Mr. Mills: A question was brought up at the last meeting with regard to the \$600 annual cost. Is that going to be under our agreement with you, if you are going to maintain it?

Mr. Showe: We are only asking you to pay the \$2,500 one-time fee.

Mr. Mills: Period?

Mr. Showe: No. You will still have to pay \$50 a month so that we can maintain the website to keep it compliant with Florida Statutes.

Mr. Mills: That's \$600 a year.

Mr. Showe: Correct.

Mr. Mills: We pay that every year.

Mr. Showe: To GMS. That's for us to continue posting the documents and keep it compliant with Florida Statutes.

Mr. Brown: I haven't had a chance to go through this, but one of the problems I had with the last agreement was that they were charging us a certain amount of money, but were not guaranteeing that what they were doing was going to be ADA compliant.

Mr. Showe: That's correct.

Mr. Brown: So what's different about this agreement?

Mr. Showe: They are going to make it compliant with the rule that was used in the lawsuit we were involved in, but the problem is that the rule has not been put into effect yet, so they can't guarantee that they can make the website compliant with a rule that's not in effect right now.

Mr. Brown: How can they be held non-compliant with a rule that isn't in effect?

Mr. Showe: Because this District already agreed to settle the case, which requires within 18 months that we will be in compliance with those guidelines.

Mr. Brown: If the guidelines change then we are not in compliance.

Mr. Mills: This is nuts. What is the reason that we cannot wait until all of this settles down? We have 18 months.

Mr. Showe: Absolutely.

Mr. Mills: Why don't we just let the dust settle and if there's a lull, then we can approve it?

Mr. Pawelczyk: You have to bring it into compliance.

Mr. Mills: I understand, but we have 18 months to do that.

Mr. Pawelczyk: The same exact thing happened with another District with the access to their website. The way that ADA is set up, it's separate from lawyers' information so lawyers find a client and then file a lawsuit. Believe me, there were 25 or so CDDs that were named in the lawsuit as well as many, many others throughout the country. It's ironic that some of the government websites you go to for guidance as to what is ADA compliant or not, are not ADA compliant.

Mr. Brown: The government doesn't have to be ADA compliant.

Mr. Pawelczyk: Yes, they do, but they haven't been sued. You are right, it is a new area of law, but that was one of the reasons it was recommended by the attorney for your insurance company when you settled. You are kind of stuck and have to do it. You can't afford to fight it because it's costly.

Mr. Mills: I agree.

Mr. Pawelczyk: The secondary reason was that this compliance or greater compliance with ADA, was going to be required in the statute and that's what everybody is being required to follow. I guess that's the predicament you are in. I think you can probably wait awhile, but we need to make sure whatever we do, Jason or whoever the District hires to bring the site into compliance, satisfies that 18-month period. You can wait until after the matter was settled to see what happens and if something comes out of it.

Mr. Brown: As long as we can show that we are in compliance.

Mr. Showe: The settlement you agreed to was that you will have your website compliant to the standard within 18 months.

Mr. Brown: But the standard hasn't been approved.

Mr. Showe: The standard was in the Settlement Agreement.

Mr. Pawelczyk: We received a letter last week that is attorney/client privileged. If you want to see it, you can, but it is basically a reminder that the 18 months is running and to make sure that you are moving forward to bringing your website into compliance.

Mr. Mills: I suggest that we hold off until the next budget cycle, which should give us plenty of time.

Mr. Brown: Do we know how long it's going to take this company to make the website compliant?

Mr. Showe: I can find out.

Mr. Pawelczyk: I suggest tabling until the next meeting.

Mr. Mills: Okay.

Mr. Showe: I will flag my calendar to follow up so that we will have information for the next meeting.

Mr. Mills: Are you doing this for your other Districts?

Mr. Showe: Yes. If we weren't working with this company on other Districts, you would likely have to also do the ongoing maintenance, but because we are working with them, they are going to provide us the software internally so we can do the future updates and you don't have to pay for that service.

Mr. Mills: Okay.

Mr. Pawelczyk: Other management firms are doing the same exact thing to try to take advantage of economies of scale, even Jason's Districts that were not sued.

Mr. Showe: They are all doing it. It's become a statewide issue whether you are in that lawsuit or not.

Mr. Mills: Let's table this until February and you find out more information.

Mr. Showe: It's on the table.

Mr. Darby: When does the 18-month period end?

Mr. Pawelczyk: I don't know.

Mr. Showe: I will double check the exact date.

Mr. Pawelczyk: Since this is going to be on the agenda for the next meeting, we can put it on the agenda when the 18-month period expires.

Mr. Darby: Yes, please.

B. Additional Staff Reports

i. Attorney

Mr. Showe: I passed out the revised Pavilion Agreement.

Mr. Pawelczyk: It gives management the authority to direct the pavilion rentals to the BCA. So, the BCA will maintain the calendar, organize rentals and make sure if someone rents it, they post the required security deposit. I think we already determined in the rules that people who rent it pay a security deposit, check the facility after the rental to make sure it's cleaned up and determine whether or not the security deposit needs to be returned. One of the things that we were waiting for was for the BCA to decide how they were going to be charged by their management company, Fairway Management because we don't have an agreement with Fairway Management. We could do that, but I think the BCA should have that oversight as well because I'm speaking for them and speculating and then we don't have to enter into a contract with Fairway Management. Basically, what Fairway Management told them is that they will charge \$40 an hour to address each rental, which could be for them to drive from their office to the facility, get out of the car, take some pictures and get back into their car or maybe send a letter to the renter. I think they are confident that they can get it done in an hour and I think the BCA is going to try to hold them to that because of the way we set this rate structure. The CDD charges \$100 per rental in the last iteration of the rules you adopted either at the last meeting or the meeting before.

Mr. Mills: It was the meeting before.

Mr. Pawelczyk: \$40 of that cost will come out for the BCA to maintain it or we would just pay the BCA. It's vague in the agreement, so I guess we will see how the accounting works. It doesn't matter to me or Jason, as long as there's an accounting that we can show our auditor that this is what happened because we all realize this isn't a money maker. It's not something you are going to make a lot of money on because of the cost to maintain it. The more it's used obviously, the more you are going to have to maintain it. That's what the agreement does. I also wanted to point out one of the concerns that Jan of the BCA addressed, which is if the cost increased, so I included a provision that the parties can amend this agreement. If the BCA comes back and says, it's taking two hours to clean the pavilion, they need to come to the Board and you need to decide whether or not to allow them to increase the maintenance cost to \$60. Since it may increase your rate from \$100 to \$120, you may decide to keep it the same. The agreement contemplates that the parties work together. If they are not going to work together, the CDD can terminate the agreement if the BCA says, this is too much of a hustle, and take it over. At that time, we will have to figure out what we are going to do in terms of the management, but I think this is the way the Board decided the best way to handle this, at least for the next several years. I think the term of the agreement is five years, unless it's terminated sooner, but then the parties would just extend the agreement on an annual basis.

Mr. Brown: Is the BCA okay with this?

Mr. Pawelczyk: They haven't responded back to my changes, which are shown here in redline, but some of the changes are actually the BCA's attorney changes that he either made himself or received from his client. The only difference was to add the \$40.

Mr. Brown: Which makes sense.

Mr. Pawelczyk: I think Jan was under the impression that we are charging \$75 per rental and the Board already decided on the \$100 amount. That is the only difference, so I think the Board can approve the Pavilion Management Agreement in substantially final form, and if there are minor tweaks before it's signed, which is why it's in redline, we can make those changes. As Jerry indicated, he's hoping to have the pavilion completed next month.

Mr. Brown: Or the month after.

Mr. Pawelczyk: Assuming that happens, this agreement will be in place. Does anyone have any questions or Wayne, do you have anything to add?

Mr. Wilkerson: No. It's a good summary.

On MOTION by Mr. Darby seconded by Mr. Brown with all in favor the Pavilion Management Agreement with the BCA was approved, as presented in substantially final form.

Mr. Mills: Mike, do you have anything else?

Mr. Pawelczyk: That's all I have.

Mr. Mills: For the audience's benefit, liability was discussed many times. Each organization has to carry their own \$1 million in insurance coverage at their own expense.

Mr. Pawelczyk: Yes, each party is insured and each party is responsible for its negligence so by having the BCA manage this, doesn't absolve the CDD from maintenance responsibilities.

Mr. Showe: Right. We would only insure the physical structure.

Mr. Pawelczyk: I just wanted to clarify that statement.

Mr. Mills: Which is already under our insurance coverage.

Mr. Showe: Not yet because it hasn't been completed, but when it is, we will add it to our insurance.

ii. Engineer

1. Roadway Work

Ms. Samitas: Did the Board make a decision on engaging Goodson Paving for the mill and overlay? It's within budget for 2018. They included sketches.

Mr. Darby: Just a quick question, Maryelen. Did you include any other firms like the contractor for the pavilion parking lot so we had competitive bids for this project?

Ms. Samitas: No, not for the paving.

Mr. Darby: Is there a reason why we don't have a competitive bid?

Ms. Samitas: I think you used Goodson in the past. I personally prefer to stick with Goodson because I know their quality of work is up to County standards. Rick Chiarullo blacktopped my church parking lot a couple of weeks ago and it looks good, but I don't know if it's to the County standard. We can bump this into 2019 if you want to get competitive bids.

Mr. Darby: One of the things we wanted to do, was to combine the pavilion parking lot with this paving since it's all in the same area to minimize mobilization costs.

Ms. Samitas: I spoke to him about that. Even if there were separate mobilizations, he said it was not going to make a huge difference in price. I asked him about speed humps, roadway paving and the pavilion parking lot.

Mr. Brown: He wants \$56,000 just to do the parking lot.

Ms. Samitas: It's just for the roadway paving.

Mr. Wilkerson: What is mobilization?

Ms. Samitas: The cost to bring the crew, trucks and equipment.

Mr. Showe: Getting everything here that they need to do the work.

Mr. Darby: How do we access the golf course when this is being paved?

Ms. Samitas: They will have a Maintenance of Traffic (MOT) Plan, allowing for one lane at a time.

Mr. Showe: They normally just block off one lane and they will have a guy on each side to flag the traffic through.

Mr. Darby: So we will need some coordination with the golf club to make them aware of what's going to happen.

Ms. Samitas: Yes absolutely.

Mr. Mills: I'm sort of leaning towards what Jerry said with regards to getting a quote from the pavilion parking lot contractor.

Ms. Samitas: I can reach out to them. I was waiting on a revised quote for the pavilion parking lot. If you want us to get a second quote, we can get one and compare the two.

Mr. Darby: I think it's prudent that we do that.

Mr. Mills: Before when we had some paving work done, it went out for bids and Goodson was the only one that bid on it.

Mr. Showe: I think that happened multiple times.

Ms. Samitas: I'm not sure what size job he prefers, but I will ask them.

Mr. Mills: Ask him.

Mr. Darby: I just noticed that he bid on the pavilion parking lot so it just seemed logical that he gets a chance to bid.

Mr. Pawelczyk: In terms of Goodson, how are their prices now compared to last year? Are they about the same?

Ms. Samitas: There is some escalation.

Mr. Pawelczyk: I know there's an escalation based on the cost of curing. If that's standard in the industry, that's fine. Correct me if I'm wrong, but this is a small job.

Mr. Showe: For any asphalt company.

Ms. Samitas: Yes. That company does a lot of County work. For example, when I asked him about the speed humps, he said this was the standard price for asphalt. In other words, a job goes out for bid, the low bid comes back and he's required to match it if he's hired for the job.

Mr. Pawelczyk: I'm only asking because I was a Procurement Attorney for the City of Ft. Lauderdale and every time we went out for competitive bids, it was to save money, even though we had to go out for competitive bids. That's the one reason I'm asking. You already have a bid so you already know what that amount is, so if you look at other prices, you would also want to look at what Goodson is charging the County, for instance and whether it's comparable based on the size of the project and your Engineer's recommendation. Sometimes it's better to stay with them and next year competitively bid it. I'm just bringing that up for you to think about. That's up to you, but this isn't true competitive bidding.

Mr. Mills: It's an RFQ.

Mr. Pawelczyk: There are no prices and the competitors already know what Goodson is going to charge so they can lowball it.

Mr. Mills: Mike, I think you were probably on the Board when it was brought up about us trying to piggyback with the County to get their pricing and they wouldn't let us do it.

Mr. Pawelczyk: Yes, we weren't allowed to piggyback.

Mr. Studds: I did a lot of procurement for the government for some years and people always say that you should go with the low bid, but you don't have to.

Mr. Mills: You're right. You just have to go with the most qualifying bid.

Mr. Studds: I assume you do some evaluation, not just look at a piece of paper and say, that's what it is. Right?

Ms. Samitas: We look at a case study. Goodson is well known and they do good work. I'm not saying Rick does bad work, but I'm happy to see if he's responsive.

Mr. Showe: When we needed to fill in that playground area, Rick did that work because the bigger companies didn't want to touch it. We can always check with Rick. It's no biggie. I don't think your streets are falling apart to where you have to make a decision on this tonight.

Mr. Mills: You may want to ask Rick to provide a quote on the excavation, stabilized subgrade, lime rock base, pretty much follow Goodson's proposal so we can compare apples-to-apples. I want Rick to break it out like Goodson has.

Ms. Samitas: Are you talking about the pavilion parking lot?

Mr. Mills: Yes.

Ms. Samitas: The roadway work is just milling and overlay. Of course, for the new parking lot, which would be the full base, I asked him to provide a breakdown.

Mr. Mills: In the future, if you wouldn't mind, when we ask for something like that, have them price it out so that we can look at it line-by-line for the pricing. Okay?

Ms. Samitas: Sure.

Mr. Brown: Are there fees and permits associated with this work?

Ms. Samitas: Which work?

Mr. Brown: The paving of Old Tramway Drive and the parking lot.

Ms. Samitas: As far as I know it is not.

Mr. Brown: Because fees and permits are excluded from both contracts. What are we looking at for permit fees to do the pavilion?

Ms. Samitas: I don't think you pay permit fees.

Mr. Showe: When you are doing a repair, this type of work is pretty standard in the industry.

Mr. Darby: It is my understanding no permit is necessary.

Ms. Samitas: You don't need a permit.

2. Speed Humps

Ms. Samitas: I wanted to give a quick update on the speed humps. At the last meeting, Jerry asked about the cost of the striping and sign for the speed humps. I asked Goodson and he estimated about \$1,000 for two signs and pavement striping. You can do advance warning signs if you want to, but I just wanted to have the two signs and the striping on the pavement. I still owe you a sketch of the proposed locations. I would like to actually go out with him or whoever gets the job because he has done a lot more of these than I have. Obviously, he had some ideas about how to place them.

Mr. Mills: I have a question for you regarding the width of the speed hump. We have to allow for drainage and I would assume that the crown of the road will permit the drain off and

puddle in front, but you will have to leave enough room for the curbs and gutters to carry the water away so it doesn't go over to the grass.

Ms. Samitas: Yes. It will terminate at the inside of the Miami curb, half curb or whatever you have out there. They usually feather it or slope it down.

Mr. Mills: Yes. We don't want residents saying they have puddles in front of their house because of this speed hump.

Ms. Samitas: No. They might have puddles in front of their house, but it won't be from the speed hump.

Mr. Darby: It is entirely possible that when we put these in, we will have an uproar of people who don't want them. How easy is it to remove them?

Mr. Showe: These are asphalt ones and you can't just pick them up.

Ms. Samitas: We have to call him back and he would have to remove the speed hump and repair the asphalt.

Mr. Mills: I was on the west coast over the weekend and every community that I went in had those speed humps.

Ms. Samitas: Did you notice how they were signed?

Mr. Mills: They weren't signed, but they were painted yellow.

Mr. Studds: Did you not say that they would be designed so we could go at the speed limit?

Mr. Mills: They were designed for 25 miles-per-hour (mph). That's the purpose.

Mr. Darby: When they stripe the speed bumps, we should restripe the cart paths across our roads, which are faded.

Ms. Samitas: Okay. I brought up with him whether we should put them around the cart crossings and he said, in other neighborhoods we turned the cart crossing into a speed table. So that's something to consider.

Mr. Showe: I think a lot of those locations aren't near houses which might also be a benefit because the residents near those speed humps are going to hear brakes all night long.

Mr. Mills: There's a crossing right by Ed Rizzotti's house and two houses close together where the cart path is so we have to be careful.

Mr. Brown: If you do it on Old Tramway Drive, it will cross right by Sidney's house.

Ms. Samitas: The total price is around \$2,400.

Mr. Darby: \$4,800 for two.

Ms. Samitas: Yes.

Mr. Mills: Do we want to go ahead and approve that because we have been putting this off?

Mr. Brown: I would approve it, but I would like to know where they are going to go.

Mr. Showe: I think that's a better question for you to answer before you approve it.

Mr. Brown: Right.

Mr. Mills: At the last meeting, didn't we tell her to come back with a recommendation of where to put them?

Ms. Samitas: You tasked me to do that, but I didn't have time to do that before the meeting.

Mr. Wilkerson: She said Goodson was familiar with that.

Ms. Samitas: Do you want to wait until you have the diagram?

Mr. Mills: I would just as soon go ahead and approve it and let them decide where they go.

Mr. Darby: I think the concept of a speed hump is one that the Board agrees to and we should have one on a trial basis on Old Tramway Drive. Is that what we are saying?

Mr. Brown: No. We said to have one on Baytree Drive.

Mr. Mills: It was Baytree Drive.

Mr. Showe: As a precaution, I prefer that someone on the Board manage that. It falls under Carolyn's area of responsibility, but if it's not Carolyn, someone here should approve it when Maryelen comes up with the two locations.

Mr. Pawelczyk: Or you could task Maryelen to bring a recommendation at the next meeting.

Mr. Showe: Correct.

Mr. Mills: I don't want to wait until February.

Mr. Showe: Over the holidays you are probably not going to get anything done.

Ms. Samitas: I can get his schedule. I've been stringing him along for a few months now. I think the dry season is desirable for him.

Mr. Mills: That's true.

Ms. Samitas: I can't guarantee when he's going to be able to fit us in.

Mr. Mills: If need be, you let me know and as Chair, if the Board approves, I will go ahead and get it done.

Mr. Brown: Okay.

Ms. Samitas: I will not move forward with anything before I email Jason.

Mr. Mills: Okay, then the three of us will work on it.

Mr. Brown: Without breaking the Sunshine Law, when you get the diagram of the location for the speed humps can you send it out to the Board?

Mr. Pawelczyk: You can send it to the Board for information.

Mr. Showe: I will send out the map and a schedule of when we are doing it.

Mr. Brown: That's fine.

Mr. Showe: Do you want to approve a not-to-exceed of \$5,000 to give you some flexibility?

Mr. Brown: That's fine.

Mr. Showe: With Mel having the authority to make the final determination once the locations are selected.

Mr. Brown MOVED to approve the installation of speed humps at locations recommended by the District Engineer with final approval by the CDD Chairman in a not-to-exceed amount of \$5,000 and Mr. Darby seconded the motion.

Mr. Darby: Before you vote on that, you might want to put a little more money in there to restripe the cart crossings.

Mr. Showe: I think we can pay for that under operations.

On VOICE VOTE with all in favor the installation of speed humps at locations recommended by the District Engineer with final approval by the CDD Chairman in a not-to-exceed amount of \$5,000 was approved.

3. Pavilion Paving

Ms. Samitas: Do you want to discuss the pavilion paving now?

Mr. Bosseler: We can table that.

Mr. Showe: Yes, I think we are holding this item.

Mr. Bosseler: We don't even have the pavilion completed yet.

Mr. Mills: I agree with continuing it.

Mr. Darby: Just one question. In the parking proposal, do you have concept drawings?

Ms. Samitas: Yes. We did not price the lights, but we can design them.

Mr. Darby: I'm just wondering if we should have lights.

Ms. Samitas: How many lights do you have now?

Mr. Showe: None. The pool has lights and the tennis courts have lights that can be manually turned on, but there are no lights in that area.

Ms. Samitas: Do you have any street lights out there? I don't recall.

Mr. Showe: There is one street light that we had to install ourselves.

Ms. Samitas: Will the pavilion have lighting?

Mr. Darby: The pavilion will have lights on timer switches and security lights on motion detection. If nobody is around it will be dark.

Mr. Mills: It's dark now.

Mr. Darby: So the question from a safety standpoint, is whether we should at least get a couple of lights there.

Mr. Brown: If we do, they should be motion activated like the pavilion.

Mr. Darby: I think they should be on a timer.

Mr. Showe: If you have street lights, they probably just need to come on at night and stay on all night.

Mr. Bosseler: Yes.

Mr. Mills: The state just installed LED solar lights and we might want to look at the cost for doing that. There would be no electric and the bulbs will last forever. All of the interchanges have solar LED lights.

Mr. Darby: It would be a lot cheaper than pulling wires.

Ms. Samitas: If they are electric we would need a Lighting Plan.

Mr. Showe: You can incorporate it into the Parking Lot Plan.

Ms. Samitas: We would need to make sure that we have a power source. I don't know where the nearest transformer is.

Mr. Mills: I'm talking about the solar power lights like the kit the State is using.

Ms. Samitas: Okay. I will ask about that. I'm not familiar with how those operate and how long they need to be on.

Mr. Mills: On I-95 at Exit 191, all of the new lights they just put up are solar powered and LEDs.

Ms. Samitas: Is that a look you would consider for the parking lot?

Mr. Mills: Yes.

Mr. Darby: It's relatively inexpensive and would avoid a lot of electrical work and ditching. You want to put the lights up before you pave because there may need to be trenching. It should be part of the Parking Lot Plan.

Ms. Samitas: I will look on the DOT website for a price and we will find out how affordable they are.

Mr. Mills: Okay.

Mr. Darby: What about the damage at Balmoral?

Ms. Samitas: I spoke to Ken about that and he said it looks like the base is failing. I don't have a formal written quote from him, but we estimated \$8,000.

Mr. Mills: What's involved? If there's erosion, do you have to strip the asphalt down to redo the base?

Ms. Samitas: He would strip the asphalt down. I think he re-compacts the base, re-stabilizes it and then puts the asphalt back on. He would do a total width replacement. It doesn't appear as though it was caused by vehicular damage.

Mr. Darby: It's right in the middle of that street.

Ms. Samitas: Yes, on the wrong side of the road. It could be from someone coming to a sudden stop or something. He would do when he does the other areas.

Mr. Darby: Okay.

Ms. Samitas: One quick note on the pavilion paving. I asked Rick to include the base because his \$26,916 quote does not include it, whereas Goodson's did include it. Of course, you have Goodson's revised quote of \$36,000.

Mr. Mills: So it's \$10,000 more to excavate and lay a new base?

Ms. Samitas: Yes. That's why I asked Rick to confirm that.

Mr. Mills: Have we measured the thickness of the base that's already there?

Ms. Samitas: I have not done any core samples.

Mr. Mills: I am under the belief that we may have enough base there.

Ms. Samitas: But it might not be the right elevation. We have to make sure that it's high enough so we can pitch it. I'm trying to avoid putting in lines and pipe to keep costs down for obvious reasons, but we have to get it over to that lake somehow. While we are on this topic, I revised Atkins fee for the design work, but I couldn't get it into the agenda before it was sent out. This is just a draft. I left my notes on it in red so you can see what I changed.

Mr. Mills: Okay.

Ms. Samitas: I think we should get a survey quote. I will reach out to the same companies we received quotes on for the Lake 5 boundary line and ask them to provide a price for a small topographical survey. They seem fairly reasonable. I also deleted the construction based services because as small as this is, I don't think we need it and it decreases the price.

Mr. Darby: By \$2,900.

Ms. Samitas: Just understand that if something comes up during construction, I'm going to fit it in with what we have left here and if worse comes to worst, I can tap into the monthly allowance that we have just so long as I manage that.

Mr. Mills: Alright.

Ms. Samitas: So that brings the cost down to around \$10,000, with the majority of the cost to develop the plans and permitting. I spoke with St. Johns County and it will require a permit modification. What that means is I have to dig into the original stormwater calculations and demonstrate that the condition for these areas is going to cost money, which sounds simple, but we may have to get creative and devise some swales and drainage ditches.

Mr. Darby: I have a couple of questions, Maryelen. In both the Atkins and Goodson quotes, striping and wheel stops were not included. Right?

Ms. Samitas: Yes. The quotes from the contractors do not include striping and concrete stops. I sent the plan to both contractors and asked them to include it.

Mr. Darby: Because we originally looked at a \$20,000 project or a \$40,000 in total and prices are coming in well above that, we need to know every contingency that we need to account for.

Mr. Mills: Absolutely.

Mr. Darby: Wheel stops, striping, signs.

Ms. Samitas: So you want everything itemized.

Mr. Darby: Yes. In addition, someone said that surface would not support the weight of medium sized trucks like food trucks. Is that true?

Ms. Samitas: No. If it's compacted properly we shouldn't have a problem.

Mr. Darby: So a medium size duty truck will not ruin the surface.

Ms. Samitas: Yes. It depends on how often the truck goes onto it. The turning action is actually what wears it down, but I don't think you have a problem with food trucks.

Mr. Darby: Of course as we discussed, we will have lights.

Ms. Samitas: I will make a note on that and get back to you.

Mr. Mills: I will also get with Jason and we will have our electric companies give us a quote on the solar ones as well.

Mr. Darby: I think that's a great idea.

Ms. Samitas: That's all I have.

Mr. Mills: Very good. Thank you.

4. Lake Bank Restoration

Mr. Mills: Do you want to discuss this item, Maryelen?

Ms. Samitas: Yes. I almost forgot to mention that the lake bank restoration on Lake 5 on Chatham Court was completed, but Lake 1 off of Kingswood Way and Baytree Drive has not been completed, due to a setback with a homeowner on Lake 1.

Mr. Bosseler: Was that off of Kingswood Way?

Ms. Samitas: That one too. We had issues with both locations. The Baytree Drive property owners came out and intercepted the contractor while his crew was out there working. They had just finished cutting the sod and the homeowners said they didn't want them to continue onto their property, so he ceased and desisted and called me. Jason was onsite as well. I visited with these homeowners several times. There was some confusion on their part. They presented me with their lot survey. I met with them a second time and came with a tape measure to show them where the property line ended. It was well up bank, but they still don't want this work to be completed. They have concerns because pipes from their side yard drain out. I assured them that the contractor knows about the pipes, has encountered them before and reassembles any pipes he cuts when he's doing his work. A lot of their pipes actually terminate uphill of the bank where his work area is. I spoke on the phone with the other property owners to try to set them at ease. One actually got a lawyer involved. By that time, we had lost so much time that the contractor was behind schedule so he moved to Lake 1, but the homeowner at the end of Lake 1, next to the preserve would not allow the contractor to put his boat into the lake because it's his property. The contractor looked for some alternatives trying to figure out where he could put his boat into the lake, but there weren't any without moving hedges. It's very tight. The lesson that I learned is I should have knocked on the door to discuss these issues with the property owners before the contractor showed up with the boat so we could've at least gotten ahead of the issue. I haven't come up with a solution for Lake 1 yet, but I think we should

proceed with the lake bank restoration for the Baytree properties. The contractor is hesitant about going back to Lake 1 because he doesn't want any confrontations with homeowners. He didn't charge us for any of those properties.

Mr. Showe: The funding is all available in the future when and if we want to move forward with it.

Resident: I live next door to the house on Chatham Way. They did a nice job.

Mr. Showe: I talked to the homeowners several times and explained to them that it's going to look better when the work is completed. I would try to let him do his work. It's not on your property.

Resident: He did a nice job and was very careful. It looks beautiful. He's a good guy.

Mr. Showe: We use him in several districts because of the quality of his work. We could not convince the homeowners to allow him access.

Ms. Samitas: He is a good guy. He's not going to push the matter. He said, I'm okay with just letting them sit for a while and move on with others and when the time comes, we can re-address those properties.

Mr. Mills: Certainly in the future, I think we need to express to the homeowners that this is what we are planning on doing and we would like for them to at least let us do what is in the best interest of them to begin with because they are going to be the first ones here saying, why haven't you restored the bank?

Mr. Showe: I can tell you that at least one person on this list is looking forward to the restoration.

Mr. Mills: I'm sure and everybody should be looking forward to it.

Mr. Showe: We never encountered this issue with a lake bank provider before. We typically just let them go out and do their job, but once we know the schedule we will immediately send a letter to all of these residents letting them know what we were doing. Please address any issues to myself, not the contractor. He's just out there trying to do his job.

Mr. Mills: Exactly.

Ms. Samitas: Like I said, I'm going to be much more careful the second time around and go door-to-door if I have to and get a verbal acknowledgement from the homeowners.

Mr. Mills: How many lakes do we have to do?

Ms. Samitas: A lot are still left, but they are on the list for 2019. One more was added that wasn't scheduled for next year that was having foundation problems. It doesn't include the lake banks we didn't do for 2018.

Mr. Mills: For the audiences' benefit, the cost for the lake bank restoration is \$30,225.

Mr. Showe: We allocated \$30,000 to the budget.

Mr. Bosseler: When can the vendor come back again?

Ms. Samitas: He mentioned January or February as his next available dates.

Mr. Bosseler: I think we need to do it.

Mr. Showe: If you want to approve this now, we can get them under contract and on their schedule. We will also send letters out informing homeowners that we are scheduling the work and once we have an exact date, we can place something on their door saying that the contractor is coming in the next week or so."

Mr. Bosseler: I agree.

Mr. Mills: Very good.

On MOTION by Mr. Darby seconded by Mr. Brown with all in favor proceeding with the lake bank restoration work on Lake 1 and sending notification letters to the homeowners was approved.

iii. District Manager's Report

1. Field Manager's Report

Mr. Viasalyers: The current aquatic contractor is performing their job and there are no current issues. We addressed the fountains earlier. Regarding the landscaping, staff continues to meet on a weekly basis with Tropic-Care for landscape inspections. Recently Tropic-Care installed Poinsettias and Dusty Millers at all of the monuments throughout the community and switched all of the annuals from the holiday season. Tropic-Care was successful in trimming all Palms throughout the community and did the annual mulching. Moving on to the pool, Rich brought up at the last meeting that lights were out around the pool and the cabana. We couldn't figure out what was wrong so we had to get an electrician out there to figure out what the issue was and they got the lights up and running. In preparation for the upcoming winter, we had our current pool vendor go out and assess the pool heaters to make sure everything was operating. They discovered one of the heaters was not functioning so we will need to replace that at some point. The current heater in place is adequate for your 55,000 to 60,000 gallon pool. I think it

has 400,000 BTUs, which is more than enough. We also had an issue with a recirculating motor that went out. That has since been replaced and there are no other issues. All of the common area sidewalks were pressure washed. Every time I come out on Monday, the back gate arms, for some reason are always off because someone hits them. As Jason mentioned, with the nylon nuts, the arms are easier to fix.

Mr. Showe: The torque going up and down 5,000 times a day pops those little nuts off.

Mr. Viasalyers: We keep a bag of nylon nuts in the back of the truck with some washers. Having us onsite will save the District a lot of money from having to place service calls. All of the Christmas lights and wreaths throughout the community have been installed. We had some issues as documented. We continue to service the GFIs and reset them each time we are out here. On some occasions, we are out here more than once a week and we did have to come out here several times to reset them two or three times. Other than that, we had issues with a couple of photocells at a couple of monuments. Those have been replaced. On one of the lights off of Balmoral, we replaced the standard CFL with an LED light.

Mr. Showe: We are doing that with all of the lights. When a light goes out, we replace it with an LED.

Mr. Mills: Was the broken light by the trimmers at Tropic-Care replaced?

Mr. Viasalyers: I met with Mike of Tropic-Care yesterday and it's on their list to get it replaced along with the damaged Palm. They added mulch where it was thin and are going to bring back the Palm by the CVS, a foot as we discussed as well as any other issues on his list.

Mr. Mills: Going back to his report. The landscaping at the front is not yet completed. The stone work is complete on the monument side as well as the painting. If you haven't noticed, the paint color was changed to gray, which looks nice and sets the stone. There will be lights illuminating the wall on both sides of the entrance and exit. Mulch was removed from the big monument and replaced with river rock so we won't have the mulch flowing over the monument anymore. Where annuals were planted in the center of those exit areas, a stone wall will be built to match the existing wall and annuals will be planted in there instead. At the big monument in front, there will be a stone wall going around there. When is that going to be started, Jason?

Mr. Showe: I'm still waiting on a quote. I will follow up with the vendor.

Mr. Mills: Okay.

Mr. Darby: Is there a plan for the back monument?

Mr. Mills: That's slated for 2025.

Mr. Showe: We put the order in. For some reason, every time there seems to be a couple days of holidays in a row when schools are out, letters seem to go missing.

Mr. Viasalyers: The same letters are missing.

Mr. Mills: Does everyone like the entrance now?

Audience Members replied affirmatively.

Mr. Mills: Good. We are getting there.

Resident: I give an A+++++ on the stone. I have lived in Suntree since 1978. It looks spectacular. We could not have done anything better. We stopped and looked at the stone. We love it, but we don't like the color. It's a green gray. I thought it looked great before the painting. The brownish beige set off the stone. I was in awe of it and then three days later it was painted green gray.

Mr. Mills: Quite a few people were asked for their advice before it was decided.

Mr. Showe: The painting wasn't that expensive. Most of the cost was for repair work on the monument and stucco work, which was costly. If the Board determines they want to make a change, they can change it. It's going to fade.

Mr. Mills: It is going to fade so just hang in there. Now we will be working on the second island as you come in and finally the third island.

Mr. Showe: Then maybe we will get to the back gate.

Mr. Mills: The Palms in the first island are to going to be lit. The lights will be installed in the next couple of weeks. We planted seven red Crepe Myrtles, which will be lit as well and that area will just pop.

Mike Windom: Is there a reason why yellow tape is around the Oaks?

Mr. Mills: Yes. They were going to be trimmed.

Mr. Viasalyers: I think that was in preparation of the outlets.

Mr. Showe: We marked them for the electricians. We will remove them tonight.

Mr. Viasalyers: I thought they were all removed. I will double check.

Mr. Showe: They were placed on the trees that the vendor needed to address.

Mr. Windom: As I drive in and out of the community, there are black light poles.

Mr. Mills: I'm going to address that.

Mr. Showe: We knew that question was coming.

Mr. Windom: Okay. Thank you.

A Resident: Let's wait until the speed humps are installed.

SEVENTH ORDER OF BUSINESS

Treasurer's Report

A. Consideration of Check Register

Mr. Showe: In your General Fund, we have Checks 53306 through 53354 in the amount of \$100,430.76, Checks 75 and 76 for the Capital Projects Fund in the amount of \$6,433, Checks 22 through 24 for the Community Beautification Fund in the amount of \$28,601, Checks 4 and 5 for the Pavilion – JPA Fund in the amount of \$39,974.79 and October payroll for \$554.10, for a grand total of \$175,993.65. We can take any questions or comments.

Mr. Mills: For the audience's benefit, so far, the beautification has only cost \$28,000. That is for the stone work and everything you see.

Mr. Brown: What amount do we owe Bella?

Mr. Darby: Bella has two outstanding payments of \$9,993.

Mr. Showe: Correct.

Mr. Darby: That will be paid upon completion.

On MOTION by Mr. Brown seconded by Mr. Darby with all in favor the Check Register for September 19, 2018 through November 28, 2018 was approved.

B. Balance Sheet and Income Statement

Mr. Showe: The Balance Sheet and Income Statement were provided for the Board's information. At the Board's request, I provided a list of the General Fund by areas of responsibility. We are only one month into the new fiscal year so it's hard to see any trends. I will provide this update at every meeting and will pull out any outstanding large expenses. No action is required by the Board.

EIGHTH ORDER OF BUSINESS

Supervisor's Requests

Mr. Mills: Are there any Supervisor requests? Richard?

Mr. Bosseler: No.

Mr. Mills: Rick?

Mr. Brown: No.

Mr. Mills: Jerry?

Mr. Darby: I will defer to you.

Mr. Mills: I have quite a few. Is there any way we can enhance the wreaths on the monuments for next year?

Mr. Studds: I would be willing to revisit those for next year.

Mr. Mills: You did a good job. I just think they need to be larger.

Mr. Brown: We didn't want to push it because we went over the budget on the lights.

Mr. Mills: I understand. Jason, I want to get a quote to clean and polish the tile on the monuments.

Mr. Showe: Okay.

Mr. Mills: I think it needs to be done. We also need to repaint the stop sign posts as they are peeling and need to be painted black. The posts for the "No Fishing" signs also need to be repainted.

Mr. Showe: So we need to repaint all street signs and sign posts?

Mr. Mills: I want to include the light posts going out the front.

Mr. Showe: We have a vendor that just completed a painting project for a property in Satellite Beach. They did a nice job so we will get them out here to do that. It wasn't that expensive for all of the work that they did.

Mr. Mills: Did they use a bucket?

Mr. Showe: Yes.

Mr. Mills: My suggestion would be to attach a roller to a long pole. That's how we did it the last time.

Mr. Showe: We could just have them paint CDD street light posts and make sure they know which ones are Florida, Power & Light's (FPL) and which ones are the CDD's. We will have them provide a price for re-painting all street lights in the community.

Mr. Mills: Okay. Since William is here most of the time, I would like for staff to be more attentive to what is needed in the community, instead of us telling him, we need these lampposts painted.

Mr. Viasalyers: Okay.

Mr. Mills: We have a responsibility to answer to the residents, but I think you have the responsibility to tell the Board what we need to do.

Mr. Viasalyers: Okay.

Mr. Mills: In the future, I think you need to go around the community and look at everything. If it's a landscaping issue, you need to tell us what needs to be done. The same way with Richard and the rest of the Board.

Mr. Viasalyers: Alright.

Mr. Mills: That's management's responsibility.

Mr. Viasalyers: We will take care of that.

Mr. Mills: I would like to see that happen in the future, if any way possible.

Mr. Viasalyers: It's very possible. We will get it done.

Mr. Mills: It will help us as Supervisors to get it under control and then when we look at our budget to see where we are cost-wise, we can say, go ahead and take care of that.

Mr. Viasalyers: We will take care of it. No worries.

Mr. Mills: The other item I wanted to mention is that we obtained a quote from Eau Gallie Electric to light up the front trees, which was \$5,400. I went to another electric company and they provided a quote of \$4,370.

Mr. Showe: I think that was for more lights because the quote from Eau Gallie was only to light for five trees.

Mr. Mills: This is for 12 trees and it's \$1,200 cheaper.

NINTH ORDER OF BUSINESS

Public Comment Period

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

Mr. Showe: Please state your name and address for the record and try to keep your comments to three minutes.

Mr. Craig: Who owns the trees between the sidewalk and the road?

Mr. Showe: The CDD owns the trees, but the residents are responsible per resolution to maintain the trees in front of their home.

Mr. Craig: I would like to thank the Board for validating my concerns and observations.

Mr. Showe: This Board is very receptive to all audience members who attends. We are happy to have you show up tonight and welcome.

Mr. Craig: Who do I send the bill to for repairing my sewer line when roots from your trees block my sewer pipe?

Mr. Pawelczyk: Don't send it to us.

Mr. Craig: Somebody has to pay for it.

Mr. Pawelczyk: You are responsible for the roots on your property.

Mr. Craig: I understand that, but roots from your tree are coming on my property.

Mr. Pawelczyk: Like I said, you are responsible for the repair. It is not the District's responsibility. If a tree branch overhangs from your neighbor's property onto your property, under the Brevard County Tree Ordinance, you can cut it off of your property. What I'm saying is that you are responsible for what's on your property. That doesn't mean you can't take action to prohibit those roots from entering your sewer line.

Mr. Craig: So I can't kill the tree.

Mr. Pawelczyk: You can't kill our tree.

Mr. Wilkerson: You can't cut it mechanically because it restricts the root.

Mr. Pawelczyk: I can't answer that question. I'm not an arborist.

Mr. Showe: Maintenance of those trees falls to the homeowner.

Mr. Craig: What about the sidewalks?

Mr. Showe: The sidewalks are owned by the CDD.

Mr. Craig: Tree roots are ruining the sidewalk.

Mr. Showe: William has on his task list a full inspection of all the CDD sidewalks in the community.

Mr. Brown: Are you at 501 Royston?

Mr. Craig: Yes.

Mr. Showe: It's on the list.

Mr. Brown: All of the sidewalks, trees and roots are on the list.

Mike Sherbin (478 Birchington Lane): I was told that two trees in front of my house were getting removed this fall or winter. Do you have a schedule?

Mr. Showe: William is going to do a full inspection of all the trees and we will mark the trees scheduled for removal. We will then have to get a permit from the County to do that. I think we have already received the permit for tree removal for 2018 so it's going to have to be in 2019. We can only get one permit per year for tree removal so we have to do it all at once.

Mr. Sherbin: Just out of curiosity, are you targeting trees that just got too big?

Mr. Showe: No. The Board policy is a sidewalk has been repaired more than twice, we will look at that tree and if it needs to be removed, we will ask the owner for approval to remove the tree. That will be part of William's evaluation.

Mr. Sherbin: The curbing is also being affected.

Mr. Showe: What is your address?

Mr. Sherbin: 478 Birchington Lane.

Mr. Mills: Is the gentleman here that requested a night meeting?

Mr. Showe: He's not here.

Mr. Studds: I want to thank you for having this meeting in the evening.

Mr. Mills: We are glad that you attended tonight and I'm glad everybody is here, but the point remains that it is very expensive to have a night meeting. I just want everybody to know that. We have to pay for this building and overtime for our attorney.

Mr. Pawelczyk: It doesn't cost you extra.

Mr. Mills: It costs extra for Jason and William to attend.

Mr. Showe: It does not cost you any extra money.

Mr. Mills: Do you want us to consider another night meeting?

Mr. Sherbin: I would think at least once a year.

Mr. Showe: That's fair.

Mr. Mills: How about having a night meeting every December?

Resident: You should have one for residents who are working.

Mr. Showe: If you have an issue that you need to get to the Board, even if you can't attend the meeting, send me an email on the item that you think the Board needs to see and I will forward it to the Board.

Mr. Mills: How about if we have a year-end report from each Supervisor on what happened over the year at the December meeting? That way, those who don't attend will be able to see what has transpired, but I like Jason's idea.

Mr. Pawelczyk: Can you have the other meetings closer to the lunchtime period?

Mr. Mills: We meet at 1:30 p.m.

Mr. Pawelczyk: I am just trying to appeal to the people that are working during the day that want to be involved.

Mr. Mills: I totally understand. We will seriously consider that. I want to thank everyone in the audience for coming tonight. We enjoyed your participation. Without you, some of these ideas would never happen. We greatly appreciate all of you being here. Merry Christmas for those who celebrate and Happy Holidays for those who celebrate Hanukkah.

TENTH ORDER OF BUSINESS

Adjournment

On MOTION by Mr. Darby seconded by Mr. Brown with all in favor the meeting was adjourned.


Secretary Assistant Secretary


Chairman/Vice Chairman