

MINUTES OF MEETING
BAYTREE
COMMUNITY DEVELOPMENT DISTRICT

The regular meeting of the Board of Supervisors of the Baytree Community Development District was held on Wednesday, February 5, 2020 at 1:30 p.m. at Baytree National Golf Links, 8207 National Drive, Melbourne, Florida.

Present and constituting a quorum were:

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

Also present were:

Jason Showe	District Manager
Michael Pawelczyk	District Counsel
Maryelen Samitas	District Engineer
Katie Sweetman	Atkins
William Viasalyers	Field Manager
William McLeod	DSI Security Services
Residents	

FIRST ORDER OF BUSINESS

Roll Call

Mr. Mills called the meeting to order at 1:30 p.m. Mr. Showe called the roll and the Pledge of Allegiance was recited. Mr. Mills, Mr. Darby, Mr. Bosseler and Ms. Witcher were present in person and Mr. Brown was present by phone.

• **Chairman's Comments** *(Added)*

Mr. Mills: We had a resident who had a lung transplant back in December, so I would like for all of us to take a moment of silence to pray in our own way for his speedy recovery. He is also a Board Member of the Baytree Community Association (BCA). Thank you. Wayne, have you had contact with Richard, recently?

Mr. Wayne Wilkerson (BCA): Yes. Richard is doing well. He has good and bad days. His doctor says in maybe six weeks, he will be able to come home.

Mr. Mills: Good.

SECOND ORDER OF BUSINESS**Community Updates****A. Security**

Mr. McLeod: The first thing that I wanted to report on is about the Visitor Management System (VMS). Valerie Scott sent an email to a bunch of people, but I wanted to make sure that the community understood we have 611 total accounts in the system; 295 with emails and/or phone numbers associated with them. Of the 611, 316 were generated by DSI administration via the original resident log. I just wanted to let you know that we are down to our last box of cards, so there will be no interruptions. We ordered new ones and should have another year-and-a-half supply by Friday. As far as training for our officers, in December, Matt conducted training on active shooters. In January, he conducted training on fire procedures. Right now we have a full staff. We lost Frank and Marco, who were replaced by Tom and Rebecca, but we are about to lose Rebecca. We are still actively looking for her replacement, but there will be no break in coverage.

Mr. Darby: Excuse me. Did she give a reason for leaving? Was there higher pay or working hours?

Mr. McLeod: Rebecca was very highly qualified, so I knew we weren't going to keep her for very long. She is a very rare case. Typically, we get a lot of turnover because people get bored working at a gate. Matt would like to move the, "BE PREPARED TO SHOW ID" sign from the resident side, because there is no need for it to be there, to be right by the gatehouse. That way, someone pulling in can see it.

Mr. Darby: I have no problem with that.

Mr. McLeod: Other than that, everything is fine. Since our last meeting, administration including myself, has been looking at the different shifts and different people so we have different officers. Thirteen times, we performed surprise visits. That's it.

Mr. Mills: Are there any comments from the audience?

Mr. Mike Sherbin (478 Birchington Lane): Yes. I heard two people say that the gates were left open and the guardhouse was empty. The guards were probably taking a bathroom break or something.

Mr. McLeod: It may appear that the guardhouse is empty, but it's not. Before I come out here and report to you about this again, I assure you when you see that, we don't have an officer that's missing. I would know about that. Hopefully, in the next week or so, I'm going to get two

signs, one for that front angle window that you pull up to and one for the door itself that says, "Officer Using Restroom" or "Away From the Desk at this Moment." That way, you know that the guard is still there, but he's on a break.

Mr. Sherbin: The gate was open though.

Mr. McLeod: Yes sir.

Ms. Witcher: Could you tell me the procedure for when a person gets a text message that a visitor is coming in? Is it when he scans their pass?

Mr. McLeod: The minute it's scanned, a notification is sent by the system.

Ms. Witcher: Okay, because I have residents saying that they are not getting the text messages any longer. That's why I wanted to know the procedure.

Mr. McLeod: As soon as they scan the barcode, they should be getting the text message.

Ms. Witcher: Alright. That's probably what's happening.

Mr. McLeod: Sometimes it will beep, but doesn't scan and by the time it does, it's too late, they're already gone.

Ms. Witcher: Thank you.

Mr. Mills: Please convey to Rebecca that we appreciate her services and she's done an excellent job. Are there any other comments from the audience?

Mr. Sherbin: When the guard uses the bathroom, the gate stays closed. Is that correct?

Mr. McLeod: No.

Mr. Sherbin: You don't have that luxury and I'll tell you why.

Mr. McLeod: Why don't we have that luxury?

Mr. Sherbin: How long does it take the guard to go to the bathroom?

Mr. Darby: It depends. This is a soft gate property, not a hard gate.

Mr. McLeod: It's actually illegal for me to impede anybody from entering.

Mr. Sherbin: So why are other communities doing that?

Mr. McLeod: Because those are private roads. Ours are not private roads. They are public roads, paid for by public taxpayers.

Mr. Sherbin: There are cameras that can film when a vehicle comes to the gate.

Mr. McLeod: Absolutely.

Mr. Mills: Are there any other comments? Hearing none, thank you very much.

B. BCA

Mr. Wilkerson: Our minutes are posted on the website. We are still working on our Windsor re-division. Mike Sherbin is in charge of that. This was discussed at our November meeting. At our upcoming meeting this week, we will hopefully have a plan to re-divide Windsor. We had discussions about having residents clean their own gutter between the sidewalk and the street. We had 100% no from our voting members (VMs) and that was resolved. We had several discussions on having an Arborist come in because our tree problem is horrible. The trees are now getting to the point where they are tearing down a lot of things, so we are going to have an Arborist on a per diem basis, advising us so we are not guessing on whether trees can be cut or whether they are sick or whatever. I wanted to introduce Sue Fontera. She agreed to work as our Community Relations and Social Chair. We will vote on her position at our upcoming meeting. I would like for her to stay for the meeting and provide suggestions for different kinds of events we can have. We budgeted \$6,000. Last year, if you recall, we had the cookout and beer and it was a lot of fun. Sue has some ideas of her own that she may want to share.

Ms. Fontera: I was asked to join by Wayne. I love to organize events. I thought about having a Victory casino cruise, for anyone who would like to join us on March 31st, which I believe is a Tuesday. I think you have to be there at 10:00 a.m. and it ends at 4:00 p.m. Some people on our committee suggested having another BBQ at the pavilion sometime in May. We are open to any other suggestions. Let me know. I will get more details on the Victory cruise for the next meeting.

Mr. Wilkerson: That's it.

Mr. Mills: Thanks Wayne.

THIRD ORDER OF BUSINESS**Approval of Minutes of the December 4, 2019 Meeting**

Mr. Showe: We received comments from several Board Members, which will be incorporated into the finalized version. So if there are no other comments, we need a motion to approve the minutes as amended.

On MOTION by Mr. Darby seconded by Mr. Bosseler with all in favor the Minutes of the December 4, 2019 Meeting were approved, as amended.

SIXTH ORDER OF BUSINESS**New Business****A. Discussion Items****i. Recreational Facilities Survey Results**

Mr. Mills: We sent out a survey in your BCA annual assessment and had a great response. Thirty-two percent responded, which is exceptional. If you get 10% you are lucky. I'm going to allow Jerry to go over those.

Mr. Darby: First of all, I want to thank everybody, particularly the BCA, for helping to distribute the surveys. Some complained that they did not receive one. I confirmed with Fairway Management that in fact every letter that went out with the BCA budget had the survey in it. It may not have been noticed, but nevertheless, 149 homes out of 461 or 32% responded. Wayne has a copy of the survey, which he will present. If you want a copy of the survey results, we can arrange to distribute through GMS.

Mr. Showe: If you look at the agenda for today's meeting, they are included as part of the agenda or if you email me, I will send them.

Mr. Darby: Okay. Out of those that responded, two-thirds were in favor of some development in the former playground area, such as the pavilion, and one-third was not. We listed about 10 items that we suggested to be done with that area. I ranked them in order of preference, so of those that responded to this particular question, 42% wanted the playground equipment re-installed. Thirty-nine percent wanted the tennis courts modified to accommodate pickleball, which I'm told is one of fastest growing sports in the country. Thirty-six percent wanted a half-court basketball court. Thirty percent wanted the bocce ball court to be removed. Thirty percent wanted additional grills and picnic tables. Another 30% also wanted swimming, lifesaving or scuba lessons to be held at the pool. Twenty percent said they wanted a water slide at the pool. Sixteen percent said that they would like to see cornhole equipment where the bocce court is. Another 16% wanted to remove the bocce ball court and replace it with a shuffleball court and 14% wanted permanent handicapped access to the pool. Other items that residents wanted was to install a tennis hitting wall, (which Will has done) a dog park in the undeveloped area, put up tennis wind screens, in addition to awnings and installing a horseshoe pit. Two people said that they wanted to upgrade the bocce ball court. Some people wanted a handball court. A couple of people would like to see first aid and CPR courses. Other people wanted an outdoor fitness trail. One person suggested direct access to the Brevard Zoo linear trail, two more

tennis courts, a croquet badminton area and a cover for the playground equipment. That was very interesting. Now I want to emphasize that we did this survey to solicit the opinions of residents because of the change in the demographics of Baytree. We did not really understand whether replacing the playground equipment was what residents wanted to do. Although that was number one, there are a number of different options that were also offered and had a great deal of interest. The CDD is not obligated to do anything of these things. I want to make that perfectly clear, but it does give us for further discussion for our workshop next month.

Mr. Showe: Yes, we will discuss that.

Mr. Darby: The other part of this was also very interesting. Some residents alleged that non-residents were using the tennis court. The first question was, "Do you as a resident feel this is a problem?" Sixty-two percent said, "Yes, this is a problem" and 38% said no. Additionally we asked, "If you found that this was a problem, would you be in favor of restricting access to the tennis courts?" Of the people that answered this question, 62% again said that they wanted restricted access and 37% said no, which is interesting. We are putting in a new system in the pool. We will talk about further whether or not we want to extend the system onto the tennis courts, but nearly two-thirds of those responders said they would favor restricted access. If you want to see some verbatim comments that individuals made, which are a number of them, go onto the website and take a look at them. They are interesting, but we felt that this survey was particularly helpful in providing the Board with some direction of what the residents feel. I would to thank all that participated.

Mr. Mills: Do any Board Members have questions or comments? Hearing none, thank you so much Jerry.

Mr. Darby: Jason, you might want to just enter this into the minutes for the transcriptionist.

Mr. Showe: Sure. They will transcribe your verbatim comments, but the whole thing is part of the Record of Proceedings.

Ms. Witcher: Some of the things that people suggested would be covered by the BCA, so maybe they can look at this list too, especially the social items.

Mr. Darby: Absolutely. I provided a copy to Wayne. I'm not able to make the BCA meeting, but I'm sure he will discuss it at that time.

Mr. Mills: When is the BCA meeting?

Mr. Darby: On the 14th.

Mr. Mills: I should be there.

ii. Engineering Services

Mr. Mills: I placed this item on the agenda. We discussed this item several times. We have not issued a Request for Qualifications (RFQ) for engineering services. Ever since I have been on the Board, it's every 10 years. So, I had wanted to consider us actually doing that. Jason, do you have any comments?

Mr. Showe: I think we got direction from prior discussions. So, if the Board is in favor of us going out for an RFQ, we can certainly do so and bring you back proposals as soon as they are received. There are bidding requirements, such as having to be on the street for 30 days. As soon as we can bring those back, we will.

Ms. Witcher: Does it have to be at a regular meeting or at a workshop?

Mr. Showe: You can discuss it at a workshop, but you wouldn't be able to make any decisions. I doubt that they would be available for the March meeting, by the time we were able to get the advertisement published and wait 30 days. You could discuss it at the workshop, but not make any decisions.

Mr. Mills: What are the wishes of the Board?

Mr. Darby: Since it hasn't been done in a long time, it's probably prudent for us to undertake an RFQ to see what services are out there.

On MOTION by Mr. Darby seconded by Mr. Bosseler with all in favor authorization for Staff to advertise a Request for Qualifications for District engineering services was approved.

Mr. Showe: We will coordinate it and bring you the results as soon as we have them.

iii. Golf Cart Crossings Right of Way

Mr. Mills: There has been some discussion in the community regarding who has the right-of-way (ROW) at golf crossings. We looked at this in-depth. Our engineering firm went out and asked the County Engineer.

Mr. Brown joined the meeting via phone.

Mr. Mills: Welcome to the meeting, Rick.

Mr. Brown: Thank you.

Mr. Mills: Maryelen, would you like to report on those findings?

Ms. Samitas: Yes. The golf cart crossings are similar to a driveway. If you are leaving your driveway, you have to yield to the traffic on the ROW in the road. So, after we consulted with County Traffic Engineering Services, they basically confirmed that golf carts should be required to stop at the road. Of course, if you have a golf cart that is already in the middle of a crosswalk, the vehicle needs to yield, but golf carts are supposed to stop at the road. So, there are some suggestions for next steps if that continues to be an issue, or proactively you could install some stop signs for those golf carts, simply to remind people for safety reasons that they need to stop and make sure there is no traffic coming.

Mr. Mills: Is it in our purview to install stop signs or would it be the golf course's responsibility?

Mr. Darby: Well it's on golf course property, I believe, and I believe the golf course ordered signs. They are just waiting to install them.

Mr. Showe: Correct. We spoke to the General Manager and sent him all of this information. They committed to put up the stop signs on their side of the crosswalks.

Ms. Samitas: The signs should probably be placed at the ROW, which would be somewhere around the back of sidewalk area, as that's the division between golf course property and CDD property. So it could go either way.

Mr. Mills: Wayne refresh my memory. When you are crossing at Old Tramway Drive, wouldn't that stop sign be basically on a person's front yard?

Ms. Samitas: There should be an easement where the path comes between the houses.

Mr. Mills: I looked there the other night and was thinking about the sign being in someone's front yard.

Mr. Darby: I would think that one place the stop sign should be is behind the sidewalk as it crosses, because we had an incident at Isles of Baytree (IOB) where a woman was struck and killed by a golf cart. So not only do we want them to watch for cars, but we also want them to watch for pedestrians as well.

Mr. Mills: It almost happened again.

Mr. Wilkerson: We had our stop sign there for years until a speeding car knocked it down.

Mr. Sherbin: Instead of having signs, can you paint the word, "STOP" at the crosswalk? It wouldn't be quite as unsightly for people that might be looking at signs on their property line. I don't know if that would work, but painting the word, "STOP," might serve the same purpose.

Ms. Witcher: On the sidewalk as well?

Mr. Sherbin: No, on the cart path.

Ms. Witcher: We could stripe it or do something to it, so they notice.

Mr. Sherbin: It depends on where it is.

Resident (Sandy Schoonmaker, 403 Berwick Way): Did we have a discussion with Tom Boyer regarding the legality and what it takes to make a legal stop sign, which would preclude doing what he's talking about? If you are going to put a stop sign, you might want to look into what legalities we have.

Mr. Pawelczyk: The golf course is putting the stop sign in, not the CDD. The legality of the stop sign is a law enforcement officer can enforce the law.

Ms. Samitas: Correct.

Mr. Pawelczyk: That's why the stop sign needs to be where it is.

Ms. Schoonmaker: This would not be a problem?

Mr. Pawelczyk: I have no idea.

Ms. Schoonmaker: That's what I was suggesting.

Mr. Pawelczyk: The golf course would be responsible for its property. If it was me, I would want to make sure, without looking at the law, that the designation to stop is conspicuous enough so someone in a golf cart can see it.

Ms. Witcher: Right, and not the tiny things they have out there in a couple of places.

Mr. Sherbin: They need to be on both sides because quite often I see people going backwards on the golf course. We don't want to just put it in the direction that the golfers go. A lot of people go backwards, including the beverage cart.

Ms. Witcher: That's what killed the lady.

Mr. Mills: Unfortunately, two weeks ago, a lady almost got hit on her bicycle from a speeding golf cart coming out on the same road the woman was killed on. So there is an issue. The signs that we have along the roads that warn of a golf cart crossing ahead, are triangular, which would incline that you are to yield.

Mr. Mills: Right.

Mr. Rick Schoonmaker (Kingswood Way): I think people that live here may get the impression that we are driving golf carts and go across. I suggest that those signs be changed to a square or rectangular sign, not the triangular signs that they currently have.

Mr. Mills: What about if we just took them out completely?

Mr. Darby: I think you must have a warning that you are coming up to a golf cart crossing because it's not obvious just by the striping of the road. I think that's important.

Ms. Witcher: The ones with the reflective paint are prominent at night, but during the day, you don't see the paint at all.

Mr. Pawelczyk: The engineer can tell us what kind of sign you need. The exact type of signage is reflected in the Manual on Uniform Traffic Control Devices (MUTCD).

Mr. Mills: You might want to explain that for the audience's benefit.

Ms. Samitas: Florida Statutes define a golf cart as a motor vehicle designed for effective operation on a golf course for recreational purposes. It's not capable of exceeding speeds of 20 miles-per-hour. As it is a vehicle, the driver must follow the rules of the road. If the driver is on a path approaching an intersection, they are supposed to stop and wait until the road is clear, assuming there's no signage telling them otherwise. So, a vehicle exiting a driveway, as we mentioned earlier, has the ROW. She said the exception to this is if the road has yield to golf cart signage.

Mr. Darby: But the sign says, "Golf Cart crossing." It doesn't say, "Yield". Because it's triangular it applies a yield, but it doesn't say it.

Mr. Schoonmaker: It's confusing.

Mr. Darby: I agree.

Mr. Mills: We could just say, "Golf Cart Crossing."

Mr. Showe: We could have the same sign, just make it square or a rectangle. That's easy enough. We can have those made up.

Mr. Darby: Good.

Ms. Samitas: She suggested one of two options. We want the first option. The ROW is with the vehicle instead of the golf cart.

Mr. Darby: I agree.

Ms. Samitas: We can install golf cart yields to vehicle signage where the path intersects the road. I think she is saying that you could install that on your end as clarity to your residents, so there is no confusion that they need to stop.

Mr. Mills: Okay.

Mr. J.P. Heatherington (Southpointe): I've been here for nine years and have never been to one of these meetings.

Mr. Mills: Thank you for coming.

Mr. Heatherington: I'm somewhat emotional about this issue because on probably two or three occasions, I had to stop my car and have discussions with people in the golf carts about who has the ROW. The reason why I'm emotional about it is typically the guy is drunk. I had a drunk guy in a golf cart try to run me down. So, I appreciate everyone's ideas about what we should do, but I think what's important is that we should be watching all golf carts. So, when someone comes in here and gets a tee time and picks up their score card, when they are traversing the roads in the community, they must yield to traffic. Some don't even look. How could you possibly drive down a street in a vehicle and not know what you are supposed to be doing? That shocks me. What planet is this?

Mr. Mills: That may be something to discuss with the manager of the golf course.

Mr. Heatherington: If you don't, I will.

Mr. Showe: We have. We approached them already. I think if residents want to also do that, we can put some pressure on them.

Mr. Heatherington: It's ridiculous. Somebody is going to get hurt.

Mr. Mills: You're right. Moving along, do we have to take action on that, Jason?

Mr. Showe: No. We already took action to coordinate with the General Manager. We will keep an eye on it. If we need to take further action, we can certainly do that.

iv. Roadway Bonds/Future Roadway Projects

Mr. Showe: This is just a follow up. It's probably more of a workshop topic. I think there are two different issues here; one is to determine what type of roadway surfacing project you want to undertake. There's also a question about the quantity and the timing. Secondary to that, is what I just provided to you, which is one mechanism of financing. I know that the Board was interested in possibly looking at a large bond issue that would cover the entire project. So, we

requested some preliminary numbers from our bond folks. To issue \$1 million in bonds, which I think is approximately what they would need for the entire project, based on some figures presented at the last meeting, you would have to issue about \$1.3 million. Then you would pay it back over 15 years. The maximum annual debt service is about \$107,000, which is close to what you are putting in your roadway project now. They tried to match it up to as close as they could to the revenues that you are already allocating for that project. So, you wouldn't have to raise assessments specifically for this.

Mr. Mills: Let's make that point very clear. It is not the Board's intent to raise assessments to get this accomplished. We have the ability to borrow money without assessing or raising assessments for this particular purpose on the residents. So, let it be known that it's not the intent of the Board to raise assessments to accomplish the road project.

Ms. Witcher: That's because we have no other bonds outstanding. We paid them off, so we are in a cash situation.

Mr. Mills: We discussed bonding versus borrowing from a bank. I think we should wait until the March workshop to further discuss this issue.

Mr. Showe: I think the financing is the second part of the conversation, but this provides at least some scope of what you might be looking at in that regard. I'll note that no matter what mechanism you go through, even though it still becomes a special assessment, but are not increasing assessments, there is some language and maybe some education to residents, because they will receive a mailed notice. They will say, "The Baytree CDD is going out for bonds." Because of the size of the community, we can provide some education, but the bigger question is how much you need, the mechanism and how much do you want to look at. Then we will finance it secondarily. This will give you some idea of what ballpark you are in of what you want to do. The recommendation from the engineer is to cap it at \$100,000. It's been increasing 8% every year to get to \$100,000. That's why we are targeting that amount.

Mr. Mills: I understand, but conservatively, assuming that we continue to put \$88,000 into the reserve, we would have enough money in 2026 to self-fund the entire project as a mill and overlay, which gives you one surface. If you borrowed \$350,000, you could do it in 2022, two years from now, but you would incur about \$36,000 in interest. We should find out from the engineer is if our roads are in good enough shape that they don't need a significant repair until 2026, at which point you could self-fund it and it wouldn't be an issue.

Mr. Showe: There is a work study in there that you can do on the roads. Those are all questions. Some of your roads are better than others, so you have a question of whether you are taking away the lifespan to do the entire project at once. There are always going to be questions out there.

Mr. Mills: Yes, I think we need to discuss that at the workshop and not tie up this meeting.

Mr. Pawelczyk: Mr. Chairman, since you have so many residents here, one of the reasons you were looking at borrowing money is because the cost of borrowing is so low right now. That's why you were looking at it.

Mr. Darby: You save on mobilization costs.

Mr. Pawelczyk: Exactly, rather than doing it every year.

Mr. Mills: I spoke with the Vice President of Lending for Seacoast Bank, one of our local banks. He told us that the interest rate is 3.9%, which is a great interest rate.

Mr. Pawelczyk: The estimate on bonds would be 3%.

Mr. Mills: So you are right in the ballpark.

Mr. Showe: Oh yeah.

Mr. Mills: But then you have to think about the cost.

Mr. Pawelczyk: The cost of issuance (COI) is a little higher.

Mr. Darby: I agree that we should defer it.

Mr. Mills: Lets defer it.

B. Recreational Paving Budget vs. Actuals

Mr. Showe: We provided to you the final cost for the recreation area parking lot. I will note in the actual section, we moved from surveying to tree replacement, which increased the project to a total of \$93,000. We may still have some outstanding engineering invoices and some drainage work to do. I think we are still waiting on the figures so we can wrap up once we get the county permit, but it does give the Board a scope. I will resend this out to you tomorrow once I deleted those columns.

Mr. Darby: Maryelen, how are you and the county getting along these days?

Ms. Samitas: I have been in correspondence with them since Thanksgiving of last year, the latest of which I haven't had a chance to tell Sherry electronically, but last week we

submitted what I consider to be a final revised drainage report and calculations that were requested by county review staff in the Engineering Department. She was a bit wishy washy and non-committal. This was last week. On Friday I submitted it paper copy and then I spoke with her on Monday evening. So, I do not yet have approval in hand. At this point, we've done everything we can do to try to demonstrate to them that the pond is compliant and functional. I did ask about the components that we previously recommended to try to bring the pond into compliance, the end treatments and the control structure, which are all plastic. It's about \$1,400 worth of parts that I haven't felt comfortable telling you to procure, until we get some kind of commitment from the county. At this point, if we don't have that closure from the county and I can't even get them to move on closing out the permit, I don't feel comfortable spending additional money for those parts.

Mr. Mills: When had the torrential rains a couple of weeks ago, I rode over there. I did not see any runoff or water retention issues.

Ms. Samitas: Or flooding.

Mr. Mills: Or any flooding. Have they examined that when we had those major rains?

Ms. Samitas: No.

Mr. Mills: So, they are going strictly by number.

Ms. Samitas: Yes.

Mr. Darby: They are going to the 100-year level.

Ms. Samitas: Yes. Like I said, at this point, I don't feel like we need to put any more resources into this. I think we gave it a good effort. I almost recommend taking a do nothing approach right now. Let's wait and see if they come back with any type of enforcement issues, but I don't expect that to happen.

Mr. Mills: At the last meeting, I mentioned that we should speak with the County Commissioners on this issue. Do you feel now is the time to do that or do you feel that we should wait?

Ms. Samitas: I thought about that. We have to be careful what we ask for. If we have the opportunity to just let things be and continue enjoying the use of the parking lot, then that's significant.

Mr. Darby: What's the implication of not having an approved permit?

Ms. Samitas: The permit is approved, but they haven't issued any certifications. If you had a typical building, you have to wait for a Certificate of Occupancy, but not in this situation. This is a parking lot, so we just need an as-built approval. We submitted the as-builts and adjusted all of the calculations. I really think we are just at the mercy of the non-responsiveness of the county reviewing systems right now and I don't think there are any more resources through our labors.

Mr. Mills: Very good.

Mr. Darby: That's fine. Can we take down that permit board?

Ms. Samitas: Yes.

Mr. Darby: Thanks.

Mr. Mills: Good.

Ms. Witcher: Keep it in hand.

C. Workshop Proposed Dates

i. March 4th or 10th

Mr. Mills: One workshop is proposed for March 4th at 10:00 a.m.

Mr. Showe: March 4th or March 10th.

Mr. Mills: I'm sorry. March 4th or 10th at 2:00 p.m. Does anyone have a conflict?

Mr. Darby: I can't do March 4th. I can do March 10th.

Mr. Mills: I can't do March 10th.

Mr. Brown: Is there a way anybody can do a Monday?

Mr. Darby: Sure.

Mr. Brown: Then I can rearrange my schedule.

Mr. Darby: Jason, is that okay with you?

Mr. Showe: If it's on March 9th, we would have to do it earlier in the day because I have a night meeting in Lake County.

Mr. Brown: How about March 23rd?

Mr. Showe: I can do the 23rd.

Mr. Darby: I'm good on the 23rd.

Mr. Showe: The challenge with the 23rd is that April 1st is your regular meeting. I tried to set the workshops in between so you would have sufficient time.

Mr. Mills: The 23rd works for me. We have two weeks.

Mr. Darby: Not really.

Mr. Showe: A week and a half.

Mr. Darby: I think that will work.

Mr. Showe: We typically send the agenda out two weeks in advance, so we could discuss it at that meeting.

Ms. Witcher: What time on the 23rd?

Mr. Mills: The same time; 10:00 a.m. to 2:00 p.m.

Mr. Darby: Rick, when do you need to leave?

Mr. Brown: I will make arrangements to leave on the 24th at the first light out of Orlando.

So that time would work fine.

Mr. Mills: Should we meet in the morning or in the afternoon?

Mr. Brown: Morning would be better.

Mr. Showe: Do you want to do it at 10:00 a.m.?

Mr. Brown: 10:00 a.m. to 2:00 p.m. is fine.

Mr. Mills: So, we will set the first workshop for March 23, 2020 at 10:00 a.m.

ii. July 9th

Mr. Mills: The other workshop is proposed for July 9th.

Mr. Darby: Do you want to look at a Monday as well?

Mr. Brown: I hope I'm done by then.

Mr. Darby: I'm free on the 9th.

Mr. Mills: Just have it tentatively set for July 9th and if we have to change it, we will.

Mr. Showe: I have it scheduled at 2:00 p.m. Do you want to change it to 10:00 a.m.?

Mr. Mills: Yes.

Mr. Darby: Yes.

Mr. Brown: Is that a Thursday?

Mr. Mills: That is a Thursday.

Mr. Showe: So, we have workshops tentative scheduled for March 23rd at 10:00 a.m. and July 9th at 10:00 a.m.

On MOTION by Mr. Darby seconded by Mr. Mills with all in favor scheduling workshops for March 23, 2020 at 10:00 a.m. and July 9, 2020 at 10:00 a.m. at this location was approved.

Mr. Mills: The reason we are having workshops, is according to the Sunshine Law, we can't talk to each other, unless it's at a public setting. We can have workshops in a public setting and talk to each other, but we can't take any action on any items being discussed. So, we decided to keep these meetings at a minimal time limit. We will have the workshop and then we will come to the meeting and take action on the items that we discussed at the workshop.

Mr. Showe: It's also important to note that because it is a workshop, you are not required to have public comments, like you do here. That is really your option. Obviously, just like these meetings, they are open to the public so anyone can attend, but it's up to the Board whether to open it up for public comment. Boards handle that differently. In the past, you guys have been receptive to anyone that wants to speak, so I wouldn't expect that to change. Again, it's important for residents to know that at the workshops, the Board cannot make any votes or any decisions. The intent is to queue up the next meeting so when they get to these meetings, they already have items to discuss to make these meetings a little shorter.

FIFTH ORDER OF BUSINESS

CDD Action Items/Staff Reports

A. CDD Action Items

Mr. Showe: We can go through these fairly quickly. The sidewalk/tree repair was completed. Right Will?

Mr. Viasalyers: No. We are still working on the sidewalk. The tree was repaired. Multiple sidewalks were damaged.

Ms. Witcher: Do you how many trees about the road?

Mr. Viasalyers: No. I would have to go through the county.

Ms. Witcher: I was just wondering.

Mr. Showe: I believe we can remove six or eight a year. I think eventually all of them are going to have to go, based on the sidewalk damage. Every year we do this. We send notices out to residents. There are a few that we keep every year. We try to work with the residents.

Ms. Witcher: If you have a tree in your ROW between your sidewalk and your road, put your name on a list so we can remove them. That way it won't impede the sidewalk or road.

They were required when we built Baytree and they are now causing problems because they are 25 years old.

Mr. Showe: Especially if your tree is causing sidewalk damage. If you noticed either some grinding or repair work in front of your tree, let me know and we will put it on a list for the next cycle of removals.

Mr. Sherbin: Normally there's a size limit.

Ms. Witcher: What kind of tree?

Mr. Mills: A specimen tree.

Mr. Showe: If you have a specimen tree, we can't touch it.

Ms. Witcher: I have one in my yard. You cannot take it down unless it's diseased.

Mr. Sherbin: Those trees were actually planted by the developer.

Ms. Witcher: I know. If it's a specimen tree, you can't take it out unless it's dead.

Mr. Sherbin: It's a Live Oak. Correct?

Mr. Showe: Yes.

Mr. Bosseler: We are also replacing it, just so you know.

Mr. Showe: The county requires us to replace it. There is a caliper requirement. They measure the tree we are removing, and we are required to replace it. It's not the same caliper. If it's a reduced caliper, we have to put in a similar size tree somewhere on CDD property.

Mr. Darby: Not necessarily in the same location?

Mr. Showe: We can't put it in the same location.

Ms. Witcher: But it would be someplace in Baytree. Hopefully, it can provide someone some shade.

Mr. Showe: The next item is the fence along the recreation area. I think we are waiting for the dry season.

Mr. Viasalyers: Yes. It's still too wet to get in there, unfortunately. We still keep getting winter rains.

Mr. Darby: Is there any idea of when they think they can get it to us?

Mr. Viasalyers: As soon as it is dry. We are checking it every week and it's still wet.

Mr. Darby: Okay.

Ms. Witcher: Excuse me, but it's my house that we are talking about. It's pretty soggy.

Mr. Showe: We are talking about the recreation area. I have yours on the list.

Ms. Witcher: Okay.

Mr. Showe: The next item is the gate system at the pool facility. They actually came out this week and took measurements of that gate. They anticipate it will be six weeks until they can fabricate the rear gate that will need to be put in. So probably in about four weeks, we anticipate sending out new access cards. We were going to send them out earlier, but you have a lot of turnover on your property, so if we are sending out two free to every home, I want to try to get it to the correct owners. So, if anyone in the audience is a property owner, you will be receiving two new access cards in the mail within the next four to five weeks for the pool. The old ones will work until the new system is in, but when the new ones are activated, you can't use the old ones. We will put announcements on the board and try to have as much communication as we can, but if you look in your mail and see new access cards, that's why.

Ms. Witcher: Will they be registered?

Mr. Showe: Yes, we are going to track them. Numbers were given out. You will get two free to start with and then after that, we will charge based on the replacement cost of those cards.

Ms. Witcher: They just won't be willy nilly like at the beginning when they weren't tied specifically to your house. They were just given out. Now, they are tying it to the house, and they will know when you are in and out. If you lose them, they can be deactivated so somebody else can't use them.

Mr. Wilkerson: It will take six weeks? That's the best we can do?

Mr. Showe: They have to build a brand-new gate and it's a six-week fabrication process.

Mr. Wilkerson: Unless it's five weeks of drilling and one week to build.

Mr. Darby: So, the gate is removed now?

Mr. Viasalyers: Apparently.

Mr. Darby: It should be sufficiently secure, so nobody gets in there. I worry about security.

Mr. Showe: The 510 Royston vegetation is on hold for now. For the Kingswood Way drainage, we received the proposal in the last few days. It's \$16,000 for the re-grading of that back towards the conservation area. We have some excess funds of \$9,000 because we only anticipate about \$21,000 worth of lake work this year, plus we have some reallocation of drainage funds. So, if the Board wanted to try to get that issue resolved, that is the quote we have or we can reach out to other vendors to try to get another quote.

Mr. Mills: Was that from Tropic Care?

Mr. Viasalyers: Yes.

Mr. Bosseler: So Tropic Care did further evaluation?

Mr. Showe: Yes. I think the engineer met him out there. It was a culmination of a lot of work.

Mr. Darby: We don't know for sure by doing the drainage that's going to resolve the problem. Right?

Mr. Viasalyers: Not 100%. That was my understanding.

Mr. Mills: Well we have the issue of the pond that was created by the bank. Once that lake rises, it actually penetrates onto our property as well and into the conservation area. Then there is a stream that goes behind it. We obtained permission from the St. Johns River Water Management District (SJRWMD) that we can go in and grade, hoping that will alleviate the issue. I've seen that area many times. I was there with William to meet with the excavator and Tropic Care. He feels that once that is done, it will probably eliminate 90% of the issue. So, I think we should move forward and get it done because it has been discussed for the last four years.

Mr. Darby MOVED to approve the proposal from Tropic-Care for the Kingswood Way drainage improvements in the amount of \$16,000 and Mr. Brown seconded the motion.

Mr. Brown: Can I vote?

Mr. Pawelczyk: You can vote.

Mr. Bosseler: I'm going to abstain.

Mr. Showe: You can't abstain.

Mr. Pawelczyk: Unless you stand to gain or lose financially. That's the only way you can abstain.

Mr. Bosseler: That's my neighbor.

Mr. Pawelczyk: He can vote. Vote yes or no.

Mr. Bosseler: Yes.

On VOICE VOTE with all in favor the proposal from Tropic-Care for the Kingswood Way drainage improvements in the amount of \$16,000 was approved.

Mr. Showe: We will get with Tropic-Care and proceed.

Mr. Darby: Again, you have to wait until things dry out.

Mr. Showe: The next item is the Lake 1 access and the 2020 lake bank repair. We finally received the contract from the vendor and will have that executed by the Board today. I think he's targeting later in the year for that project. Now that we have that contract on the books, we will get with counsel and have the agreement with the homeowners finalized and get that over to you for execution.

Ms. Witcher: When later in the year?

Mr. Showe: We don't have a specific date.

Ms. Samitas: He is not going to be specific. I would assume in the fall, before the rainy season starts.

Mr. Mills: We can't get it done before the rainy season?

Ms. Samitas: That is what I will press for. I can't make any guarantees.

Mr. Mills: I would see if we can get it done before the rainy season starts again.

Mr. Showe: We will try to get it done as soon as we can. This is one of the few vendors in the state that does this work. He is going to be in the area, but he's trying to do other work in the area at the same time to save on mobilization costs and be efficient. So, we will push them to get it done as soon as we can. When we have an update, we will let you know.

Mr. Mills: Okay.

Mr. Darby: When is he supposed to be doing the lake bank restoration? In the next couple of months?

Mr. Showe: As soon as he can. He hasn't given us a specific date at this time.

Mr. Darby: But possibly they can combine both jobs.

Ms. Samitas: It would be the same mobilization.

Mr. Showe: Right. The website conversion was completed. So your website has a different look right now. If you see anything, let me know. Obviously with all of these conversions, sometimes things get turned around. We've done our best to check it, but if you see

anything let me know. The last item was to convert the tennis court lights to LEDs. William did a good job getting a proposal.

Mr. Darby: Thank you.

Mr. Showe: The other three heads are \$6,180. That's to do them all at one time. Like we are doing with other lights throughout the community, we are essentially waiting until they break and then replace them with LEDs. Again, you are looking at the usable life that's still there. I think all of the lights are functioning now. It might not be a consistent look at night, but they are functioning. So, if it's the Board's direction, when those lights go out, we will replace them with LEDs. That way, you are not spending \$6,000 to replace lights that are functioning right now.

Mr. Darby: That's a good idea.

Ms. Witcher: We were talking one time about marking the pole that is in between the pavilion and that side of the court so it will shine light on the pavilion also.

Mr. Showe: We can look at that.

Mr. Darby: There are lights at the pavilion that are motion activated. So, as you approach the pavilion, the lights go on. We did talk about possibly having lights in the parking lot, but frankly there's enough light from the pool and adjacent areas. So that probably isn't worth doing.

Mr. Mills: William, as lights blow out around the guardhouses, are we replacing them with LEDs?

Mr. Viasalyers: Yes.

Mr. Mills: Have you noticed a reduction in our electric bills?

Mr. Showe: I will take a look at that. The biggest savings is on those streetlights. We will continue to monitor it.

Mr. Bosseler: William, the light is still out by the fountain. Is that our light or does it belong to Florida, Power & Light (FPL)?

Mr. Viasalyers: We are still having some issues with that. Our lighting vendor is working on that right now. Either the fountain will be off, or the light will be on.

Mr. Mills: You can't have both on.?

Mr. Viasalyers: We left the fountain on because it's not really noticeable.

Mr. Bosseler: What about the spray in the lake?

Mr. Viasalyers: That's been an issue, from my understanding for quite a while. We need to replace that fountain. The vendor currently will not put a light in there.

Mr. Bosseler: We have a pole across from the spray right along the tree line.

Mr. Viasalyers: That light is currently tripping the breaker. The electrician is trying to establish what's causing it.

Mr. Showe: When that light is on, it trips the breaker for the fountain. So they are trying to trace back where the issue is so they can turn them both on. That's all we have for action items. Does the Board have any questions?

Mr. Mills: No.

Mr. Darby: What about the replacement software for the transponder system?

Mr. Showe: We are verifying that with the vendor right now, to make sure that the code is still active. We started to get all of our assessment funding in, and as soon as I can verify with the vendor that the quote is still good and ready to go, we will do it as part of your maintenance.

Mr. Viasalyers: Actually, I have an update on that. I spoke to the guy doing the work and we are going to do that work in conjunction with the pool gate.

Mr. Darby: It's just a software update.

Mr. Viasalyers: No, they are replacing the transponder.

Mr. Showe: We won't notice any difference. It's more of a tech upgrade, which will provide more reliability on the information and ease of access for ACT. It won't change anything about your transponders or how they work.

Mr. Mills: I asked about getting proposals for a new gate arm company.

Mr. Viasalyers: I reached out to vendors and haven't received any quotes yet.

Mr. Mills: That needs to be on the Action Items List, so it doesn't get forgotten.

Mr. Viasalyers: I will put more pressure on the vendors.

Mr. Mills: Please.

Mr. Darby: If you need help cleaning out the storage unit, I will volunteer. It will save you the \$89 per month.

Mr. Mills: Well, now that we are not using the back guardhouse, we don't need it.

Mr. Darby: Absolutely.

Mr. Mills: Is the storage area that we have currently, larger than what we have at the back guardhouse?

Mr. Showe: Yes.

Mr. Darby: But you have things you are not going to keep.

Mr. Showe: Now that we are cycling through some of these projects, we have some maintenance staff that we are going to bring out and have them go through everything to see if we can get ahead of a few items.

Mr. Mills: Very good.

B. Additional Staff Reports

i. Attorney

Mr. Pawelczyk: I don't have anything to report. I just wanted to bring to your attention that a couple of meeting ago, we had a legislative report and even though it doesn't affect CDDs, we talked about the tree ordinance or tree statute. Whereby, if you had a certified arborist and a homeowner tells you that your tree is dangerous to persons or property, then you can remove the tree and not get a permit from the city or county. So, we indicated, at the time, that we really don't know what that statute is going to result in. Municipalities have filed lawsuits to stop people from removing trees and they are being litigated now, especially specimen trees. I guess the long and short of it is as I indicated at the meeting, if you are going to have a tree removed, let the county know ahead of time and if a certified arborist said the tree is dangerous. Then you document your file. So what I'm hearing is in the next legislative session, that statute is going to be amended to provide clarification. There is a legislator, in fact the leader of the Florida House, who actually sent a memo encouraging people to take advantage of the statute and to let him know if municipalities or counties are giving residents a hard time. It could be very litigious and as a homeowner, you don't want to get involved, so when in doubt, call them and say, *"I'm going to remove my tree because it's dangerous, this is why, and this is what my arborist said. I'm going to remove it next week."* I don't want anybody to just do it because the speaker says you can, because he is not going to pay your attorney's fees if you hire a lawyer. So, I expect something to come out of the next legislative session and if so, we will let you know. William talked about that before. Hopefully, there will be more clarification. That's all I have.

Mr. Mills: Very good. Thanks Mike.

ii. Engineer

Ms. Samitas: I'm filling in for Jeremy this month. I have Katie Sweetman with us. She is part of our team in the office and was previously with SJRWMD. There is a packet in front of you. There were so many things to report, so we just went ahead and made a copy of some of

them for you. The first item has to do with the roadway paving. National Drive has been completed, but there were some texture differences across the surface that was noticeably different from previous paving jobs.

Mr. Mills: The paving is not consistent. You have a porous area and a smooth area. If you are coming in on Old Tramway Drive, as you round the circle, the road is very rough. It's like a washboard effect. In my opinion, it is not a professional job. It looks like somebody came in and just spread black top and rolled it out.

Ms. Samitas: So, you would say it's noticeably different from the previous paving?

Mr. Mills: I would say based upon what was done at Chatsworth and on Old Tramway Drive in year's past, it does not reflect that at all. I could not recommend these people to do a job for us.

Ms. Samitas: We reached out to them to give them a chance to look at the issue and see if he notices it as well. They are the experts. So, we are in the process of trying to get a response out of them. They were actually out of town last week. I think Jeremy left off with Mr. Gordon. We have been in contact with them. The best that I can do is to just keep you apprised.

Mr. Mills: Okay.

Ms. Samitas: We have some internal pavement experts in other offices in Orlando and we can bring them over here as a last resort to take a look at it. Sometimes they can tell if it was laid incorrectly or if it wasn't hot enough or some other minor details.

Mr. Mills: I'm not a blacktop expert, but I know that if it's too hot, it will roll up on you, creating ripples.

Ms. Samitas: Right.

Mr. Mills: If it's too cold and you can't roll it smooth, you will have a porous effect. It looks like there is a combination of several different things going on here.

Ms. Samitas: Okay, so we will continue to pursue this. I hope to have an update for you this week.

Mr. Mills: We can discuss it at the workshop.

Mr. Showe: Sure. If we get one in the meantime, I'll distribute it to the Board. For the Board's information, we held that invoice, so they will not get paid for that work until we get some answers.

Mr. Mills: I asked Jason to put that invoice on hold.

Ms. Samitas: The next item is the pavilion. We pretty much covered that. I have a copy of the documentation. Would you like to have it?

Mr. Darby: I think we should have it for the record.

Ms. Samitas: I can get that to you electronically or a hard copy.

Mr. Darby: The trouble with getting it electronically, is it is very hard to read, especially when I print it out.

Ms. Samitas: I will leave this with you today.

Mr. Darby: Excellent.

Ms. Samitas: I will let you know if they respond.

Mr. Darby: Please.

Ms. Samitas: It wouldn't surprise me if I hear from them again, but we will see what happens. The next item is the Kingswood Drive drainage, which was covered as an action item. The fourth item is the lake bank restoration, which we discussed. However, there are some additional details in our report. Katie did a site walk with the contractor two months ago. You have the full amount, an aerial of the property and the lakes that were completed, as well as a legend, showing the proposed properties.

Mr. Darby: Actually they are all enumerated in Bill's quotation.

Ms. Samitas: That's right. There are a number of pages that follow, so I'm not going to go through each one necessarily. We can look at it during the workshop since this work isn't going to be done for several months anyway. I just wanted to give you an update on the existing conditions.

Mr. Darby: 100 linear feet was supposed to be repaired on Lake 16 in 2020, but yet Lake 16 does not appear on Bill's proposal.

Ms. Sweetman: This work was not completed last year and was moved to 2020. That's why you came in ahead of the budget.

Mr. Darby: We were under budget by about \$9,000. It was around \$25,000 against a budget of \$30,000.

Ms. Samitas: Is there a reason why you were under budget?

Ms. Sweetman: We lumped the work for mobilization.

Ms. Samitas: That makes sense.

Mr. Darby: If it was originally identified as a project in 2020, should we do it since we have the funds and it's going to be mobilized?

Ms. Samitas: Was there future work to be done on Lake 16?

Mr. Darby: I don't think anything additional was planned for Lake 16.

Ms. Samitas: Lakes 1A, 12B, 19 and 20 were supposed to have geotube repairs this year. We will look into that. I don't have an answer off the top of my head, but it may be that they inspected it when they were onsite. We will determine whether it was really needed.

Mr. Darby: Okay.

Mr. Showe: I know they often depend on his expertise.

Ms. Samitas: It's true. The original survey was completed in 2012 and these images are dated 2017.

Mr. Darby: We probably shouldn't skip the lake bank restoration and if we have funds available, we should prioritize the lake banks.

Ms. Samitas: Yes.

Mr. Darby: I just want to make sure that we are on top of this.

Ms. Samitas: One of the challenges with extending the work out by so long is you get hit with mobilization costs and have to break up the work. We tried not to do that as much as possible, including the critical areas.

Mr. Darby: Take another look at Lake 16.

Ms. Samitas: The budget is still \$30,000 a year. Right?

Mr. Darby: \$30,000 a year.

Ms. Samitas: The money has not been allocated for anything else?

Mr. Darby: No.

Ms. Samitas: Okay. So the Board's desire is to utilize that budget if we can.

Mr. Mills: I would say yes.

Mr. Showe: If it makes sense and we are not spending three times as much, we need your expertise on that.

Ms. Samitas: We will check how we group together the properties and if it makes sense to utilize the spare \$9,000.

Ms. Sweetman: We should while the contractor is here.

Ms. Samitas: Sometimes things come up in the field, even though he does a walk through, once in a while. Last year, we missed Linford Court and ended up adding it, which put us over the budget. However, the funds were from the prior year, so it worked out.

I think you were working with Jeremy on Google® Street View. He did get an update and provided some correspondence. I believe he completed his scope of work, but was waiting on Google® to upload everything. The last time I checked Google® Maps, Google® photo spears was there. As far as we can tell, the scope of work is completed. We provided you the updated correspondence that we received a day or two ago showing where he's at. We are trying to work with Google® to get everything updated. It's not on Google®, but it's on Google® Maps.

Mr. Mills: Did you know, if you Google® the entrance coming into Baytree, it takes you to the back gate.

Mr. Darby: Especially if you are south.

Mr. Mills: Is there any way that we flag that the gate is not accessible?

Mr. Showe: We had that question come up multiple times and I reached out to Google® multiple times and it doesn't work out as far as I can tell.

Ms. Samitas: We can try. I don't have a lot of experience working with this, so I don't have an answer, but if he can upload these photos, maybe we have a chance.

Ms. Witcher: He can tell them, *"By the way, the back gate is not accessible."*

Mr. Sherbin: What happens if you Google® the address for the back gate?

Mr. Showe: It's probably all mapped, depending on which direction you are coming from.

Ms. Witcher: I instruct my vendors to come through the front gate.

Mr. Sherbin: I like the crowd, but next time, put it on the screen. It's easy enough to do. Then everyone knows what's going on. Right now, nobody in the room other than six people know what's going on.

Mr. Mills: Explain to the audience what we are talking about with Google® Maps. Good point, Mike.

Ms. Samitas: When we started looking at some of the pavement rehabilitations and lake banks and all of this rapidly oriented data, we thought it would be advantageous to have Google® feature street views of Baytree. So that can serve as an existing condition prior to getting some of these improvements done like the roadway paving. We tried to get this contractor to take street

view photos and upload those to Google® Maps, so you could zoom in to see your street. That's a feature Google® Earth and Google® Maps both have. So as of right now, the photos were taken, which we uploaded to Google® Maps, but not Google® Earth. So that is what we are discussing.

Mr. Showe: By way of background, every time we had a question, a lot of times the District Engineer had to come out and physically look at the site. So, the anticipation was if we could do this, they wouldn't have to bill us to come out and look at the site. They would have some photos to get some point of reference to try to save the District money.

Mr. Darby: Maryelen, what was the cost for Mr. Gallagher to take these photos?

Mr. Mills: \$500.

Mr. Showe: No, it wasn't even that. I think it was under \$300.

Ms. Samitas: It was \$400.

Mr. Darby: So it was relatively inexpensive.

Mr. Showe: Correct.

Mr. Mills: Yes.

Mr. Darby: Do we owe Mr. Gallagher anything for taking the pictures?

Ms. Samitas: I think he was a contractor for Google®, if I'm not mistaken.

Mr. Darby: So there's no additional charge.

Ms. Samitas: I don't think so. We uploaded photos before any charges.

Mr. Darby: Great.

Ms. Samitas: The next item was golf cart crossings, which we already covered.

1. Work Authorizations

a. Lake Restoration

b. Road Paving

Ms. Samitas: Looking back in the files, I noticed that Melissa used to submit work orders for some of the extraneous work we were doing. So, when I spoke to Jason about this, he suggested putting some work orders together, so we know what we are up against. I did that, and you have two in your agenda package. The one that is missing is for the pavilion. We spent some additional funds for the pavilion. I haven't charged all of my time, but some of staff's time was accounted for. I have it if you want to look at it later. So all I'm asking for is the approval of the two work orders in your agenda package. I would like to also provide a breakdown to Jason that

I put together this morning of those work orders. As far as I know, we still have \$25,000 for general services. These are all not-to-exceed amounts.

Mr. Showe: I will send this out to the Board.

Ms. Samitas: Thank you.

Mr. Mills: In your invoices, do we get the hours that you worked on a particular project?

Ms. Samitas: Yes. There is always an itemized breakdown. As of 2020, I tried to clean up our books a bit. I'm going to try to stick with general tasks like lake bank, pavement restoration and pavilion.

Mr. Showe: They are tracking them by project now, so when the invoices come in, when you approve these caps, the invoices will reflect the individual work coded to each property.

Mr. Darby: Maryelen, I would just like to suggest that you include your estimate on future work orders, number of hours per category per the individual, like the Project Manager, Senior Engineer, etc.

Ms. Samitas: Yes. I actually brought a copy of that.

Mr. Darby: Put it on the work orders itself so we have some idea of the work effort.

Ms. Samitas: Okay.

Mr. Darby: For example, we were talking about \$13,500 for engineering costs for lake bank restoration, versus a \$21,000 project. Engineering is 63% the cost of the project itself. So we need to have some discussions. My concern is that we have an engineering budget of \$25,000 and two proposals, which take total engineering expenses up an additional to \$61,500. We have to budget that. So that money has to come from somewhere. In the future, we have to really look at what our engineering costs are and do a better job of budgeting, because we need engineers and infrastructure needs to be addressed. We just need to budget appropriately.

Ms. Samitas: The pavilion got out of control, without a doubt. I think we've probably been a little conservative on work order estimates for lake bank and paving. That was by design so we wouldn't have to come back and spend any more money. To give you an idea, to date we estimated \$20,000 on lake banks for 2020 starting in October and we are well under that. At that rate, if you extrapolate that, hopefully we won't hit that cap.

Mr. Darby: Part of what I struggle with, is there is a \$25,000 basic budget for engineering. Then there are work orders for incremental work like lake banks. So, what was part

of that \$25,000 in your estimate to us was considering some lake bank. Incrementally, are we double dipping?

Ms. Samitas: That's where I'm trying to keep them separate so if it is specific to lake bank, it doesn't generally hit.

Mr. Showe: Once they have them go through and start attaching them by types of projects, we will have a better handle. They kind of have been comingled in the past. Everything has been put under general services at some point, but if we approve the work orders, then they will be tracked that way. So, in next year's budget, we can say, "This is exactly what we spent on this, this and this," and then we can build that line item.

Mr. Darby: I suggest in next year's budget, we do zero based budgeting for the basic \$25,000 so we know what's in there and it can be clear on what incremental activity we have.

Mr. Mills: The other side of the coin is hopefully they won't be doing this every year and once we get this infrastructure squared away, we will be able to coast for a while.

Mr. Darby: There's always something.

Mr. Mills: Yes, but roads and lake bank restoration are the most expensive.

Ms. Samitas: We did the pavement work order when we were still looking at microsurfacing, thinking it was already done and trying to economize.

Mr. Darby: I understand.

Mr. Showe: To the extent that maybe you decide to put that project off, obviously this is just an approval to start with. They are only going to bill for the work that they do, and we will try to keep an eye on making sure that they are not going to get too far ahead.

Mr. Mills: We have a not-to-exceed anyway.

Mr. Showe: Sure.

Ms. Witcher: A lot of people here don't know what's involved in lake bank restoration. If it hasn't been done by their house, they have no idea of what's going on. So why don't you explain?

Mr. Mills: Does anybody need clarification on the lake bank restoration work? It's for all of the lakes in Baytree.

Ms. Davidson: The one by my house is a mess. My husband and I usually mow the strip of grass behind it that faces across the lake.

Mr. Mills: The restoration is actually bringing back the wash away because you are on the windward side. What's happening is the water is lapping and eroding the bank. So, this is bringing the bank back to where it's supposed to be. That is what the restoration is about.

Mr. Bosseler: We should find out if it's common area. Ma'am, what is your address?

Ms. Davidson: 7971 Bradwick Way. We are in the cul-de-sac by the tee box. It looks terrible.

Mr. Mills: We will take a look at it.

Ms. Davidson: Thank you.

Mr. Mills: You're welcome. Do we have a motion to approve these two work orders in a not-to-exceed amount?

Mr. Darby: I suggest that we approve one, but not the other and have the paving discussion at the workshop.

Mr. Mills: Perfect. That's a good idea.

On MOTION by Mr. Darby seconded by Ms. Witcher with all in favor the work order for lake bank restoration services in an amount not-to-exceed \$13,500 was approved.
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Mr. Showe: We can include the road paving as part of that discussion.

Mr. Mills: Very good.

Mr. Showe: If you issue bonds, those engineering costs associated with that project could be recapturable through the bond process.

Mr. Mills: Is that all you have, Maryelen?

Ms. Samitas: Yes.

iii. District Manager

1. Field Manager's Report

Mr. Viasalyers: Tropic Care completed the quarterly annuals.

Ms. Witcher: It looks very nice.

Mr. Viasalyers: Along Kingswood Drive, we did some cleanup on the right-hand side along the bank in the fence area. We removed a dead Pine tree and thinned out the Palms. It opened up very nice. That's all I have. Everything else we discussed. Unless the Board has any questions.

Mr. Showe: Do you want to touch on the pool heater?

Mr. Viasalyers: Yes. The pool heater went down and we had a new one installed prior to the winter season. It will last, so we should be able to hold that off until the new fiscal year.

Mr. Mills: Is the temperature being held at 85 degrees?

Mr. Viasalyers: Yes.

Mr. Mills: Okay.

Mr. Viasalyers: You have probably seen steam coming out of it.

Mr. Darby: It's a giant hot tub.

Mr. Viasalyers: No one ever uses it on cold days.

Mr. Bosseler: William, would you take a look at the wooden benches at the pool again?

Mr. Viasalyers: Yes. It's on the list. We are going to be doing some pressure washing and some fixes around the wooden benches.

Mr. Mills: Regarding the landscaping, it's ongoing. I don't know if you saw the bobcats up there this week, tearing out a bunch of growth towards the guardhouse. The Irrigation installation will probably start this week and planting the week after. I talked to Dave. We will be planting up to the guardhouse, so from the front to the guardhouse will be completely redone.

SIXTH ORDER OF BUSINESS

Treasurer's Report

A. Consideration of Check Register

B. Balance Sheet and Income Statement

Mr. Showe: In your General Fund, from November 26, 2019 to January 26, 2020, we have Checks 53593 through 53630 in the amount of \$134,622.45. In your Capital Projects Fund, we have Checks 94 through 97 in the amount of \$46,464.50. There is also December Payroll in the amount of \$738.80, for a grand total of \$181,795.75. William and I can answer any questions. If not, we need a motion to approve.

Mr. Darby: I want to make an observation. I noticed that Atkins, during this period, invoiced around \$23,000. That's 93% of this year's budget. GMS, Tropic Care, attorneys and DSI are invoicing between 22% and 27%. Twenty percent of the year has expired. My concern is at this rate, we are going to have a significant problem with engineering costs relative to the budget. I just want to make the Board and everyone aware that we need to budget better next year and be mindful of these expenditures as we go forward.

On MOTION by Mr. Darby seconded by Mr. Brown with all in favor the Check Register for November 26, 2019 to January 26, 2020 in the amount of \$181,795.75 was approved.

SEVENTH ORDER OF BUSINESS

Supervisor's Requests

Mr. Mills: Richard?

Mr. Bosseler: Nothing.

Mr. Darby: I'm good.

Mr. Mills: Carolyn?

Ms. Witcher: What are they doing in Suntree? They closed the road.

Mr. Mills: A pipe collapsed. They tried to sleeve the pipe, but it didn't work. So now they have to tear up the entire road to put in a whole new pipe.

Ms. Witcher: How long is this going to take? It's already been three to four weeks.

Mr. Mills: That's the information I received from the county.

Mr. Darby: They anticipated completion on February 7th. Today is the 5th.

Ms. Witcher: I don't think so.

Mr. Mills: Mr. Brown, do you have any comments?

Mr. Brown: No.

Mr. Mills: Rick happens to be in Minnesota on business where it's 8 degrees.

EIGHTH ORDER OF BUSINESS

Public Comment Period

Mr. Mills: Moving right along, I know that the majority of the audience is here to comment on the speed humps. We will allow three minutes and after three minutes, you will be cut off.

Mr. Showe: I will time you. I will remind you when 30 seconds are left. We are recording the meeting so please state your name and address for the record, so the minutes are as accurate as possible.

Resident (Susan Sunter, 385 Baytree Drive): I appreciate what the Board does to keep our community nice. I think it looks better and better every year. We have a very serious problem with a speed hump that was placed right in front of my house. The noise is overwhelming from that speed hump. What's happening and I think everyone would agree, is that a vehicle moving at a steady rate of speed gives off much less noise than a car that is decelerating and accelerating. The speed hump is causing 90% of the traffic to slow down to less than 10 miles-per-hour (mph)

and sometimes coming to a complete stop. Then they roll over the hump and hit the accelerator. I have hurricane windows plus plantation shutters, and I can hear it a thousand times a day, that revving sound, even in the back of my house. It's intolerable. So, I'm asking that this speed hump be removed and/or relocated. Either is fine with me, but I need it removed from the front of my house. I have a statement from a very prominent realtor in town who attests that a speed hump in close proximity to a house will negatively impact property values. I think even if we do a conservative estimate, we are looking at it costing me \$30,000 in property value. As you know, we just did a giant renovation because we intend to live here for as long as we possibly can. So, I think it's an excessive burden on us and I'm sure that others will agree. I don't think it's doing anything to improve the speeding situation. My main goal is to stop the noise, congestion that lowers property value. Thank you.

Mr. Bill Sunter (385 Baytree Drive): I just want to add that 10 years ago when we moved to Baytree, we were a little apprehensive about living on a busy road, but we quickly found out that the traffic was not a problem. If there are people that are speeding or reckless, it's really because the volume of traffic that goes by our house is a small number. We found that there were mostly commercial contractors, not even residents. So, we appreciate the Board trying to do something about those relatively few folks who don't abide by the rules, but putting a speed hump 65 feet from the front of my house negatively impacts us. All of the commercial traffic that comes into Baytree, the vast majority, goes by our house. Trucks, trailers, clanging, crashing, payloads, all of that, we hear right in front of our house. It's very distracting. That may be different in other areas where setbacks are further from the road or living spaces are in the back of the house, but that is not the case for us. It really has negatively impacted us. We realize that it's just a trial and we are asking the Board to end the trial and come up with other solutions to mitigate traffic. Thank you.

Ms. Jane Rasmussen (375 Baytree Drive): This is my husband Lou. We are next door neighbors to Susan and Bill. We've experienced the same thing. The speed hump is coming in between our two houses in the front. We also have hurricane windows. We have seen a dramatic increase in the noise level in our house. Even in the back of our house, when we are in our family room, we can hear when a truck or commercial vehicles go over the speed hump and hear them decelerate and accelerate as they go over it. We would also like to second the request that you end this trial and remove the speed hump. Besides the noise level, in our view, I don't think it

accomplishes what everyone wants to accomplish, which is to slow down the traffic. When we've been out there, we watch as vehicles slow down a few feet from the speed hump, go over the speed hump and then zoom off. So, for the distance between our two houses, you've achieved the purpose of slowing down the traffic, but before that and after that, we haven't seen any difference in slowing traffic. It's created a major problem for us getting out of our driveway because we now have a backup of cars that are slowing down waiting to go over the hump. So, we end up having to sit there sometimes for a couple of minutes, if there is busy traffic, because you can't trust whether they are going to slow down when they go over the speed hump, as to whether it is safe to pull out.

Mr. Showe: Thirty seconds.

Ms. Rasmussen: While we appreciate the Board looking at this, this doesn't accomplish it.

Mr. Sherbin: Greg and I have been collecting a lot of comments. We took a survey last summer and had two people in favor of speed bumps and 107 against. One of the other VM's said 50 were against them. So apparently, we didn't make our cast properly or timely. Greg received several comments, and they are all negative. They want to get rid of the speed Humps. They are all over the place. You can see them everywhere. I don't have an opinion, but our division has an opinion. Windsor says no.

Mr. Darby: Mike, I just want to correct one thing for the group who may not have been here when you presented your survey. In your survey, you refer to speed bumps, not speed humps. The difference is, a speed bump a car to slow to 5 mph, while a speed hump is designed to slow a car to something more than that, between 20 and 25 mph. I think that some people didn't understand the difference and we are fearful that we are going to put speed bumps all the way down Old Tramway Drive. That was just a clarification.

Mr. Sherbin: That is correct. That is why Greg and Whit went back out again to clarify the speed humps and he basically got the same results. They didn't care whether there were speed humps or speed bumps. They didn't want them.

Ms. Maria Hernandez (317 Sandhurst Drive): I know how difficult it is for the Board. You make a decision and think it's the right one, but sometimes it doesn't work out. Speed humps just don't work. The people who speed, I watch them, they go over it and then they take off like a shot. I think there are other options that can be considered that would not

inconvenience the poor families that have to listen to “bump, bump, bump, bump” all night. It’s just not fair to them and I hope the Board will reconsider and take action to remove the speed hump and come up with some other solution or put them down at the ends where they come into Baytree Drive. Maybe that will help. I don’t think it will, but it might, so I hope that the Board will consider that we have residents in this community who are suffering greatly because of these speed humps.

Mr. Mills: Thanks Maria.

Ms. Rasmussen: That is my neighbor’s wife. I normally don’t have anything to add other than I spent a lot of time watching if it’s going to have an impact. The biggest impact was on motorcycles. They slow down, but when they go over the second hump and accelerate, it is very difficult to live with. People with SUVs or vehicles that have a higher suspension, literally blow right through the speed bump without slowing down. The people that I see respond to it are the people that probably needed to be faced with a speed bump. Our older residents slow down, which backs up a lot of other cars. The people who really create problems are some of the sports cars in our neighborhood. They seem to be very irritated by it and boost the cars when they take off, making a lot of noise. On a positive note, one thing that I noticed as I jog through the neighborhood, is that the speed hump by the golf cart crossing is very effective. As I go back and forth in that area, I see cars slow down, look and stop for golf carts. Thank you for your time.

Mr. Mills: Are there any other comments?

Tracy Bacon (7981 Bradwick Way): I had not intended to say anything. Only to be here to observe, but based on what I’m hearing, the CDD has always been very considerate and helpful to people who pay to live here. So, we have gone to great lengths over the years to ameliorate the conditions of pond banks simply by which way they face against the wind. So considering that the extent of funds has been spread on those few homes, it’s very inconsistent to cause damage to some of the people who randomly happen to live by a test speed hump. A better solution is perhaps locating them in areas where golf carts cross or areas away from homes. Apparently, the issues from previous meetings was the racing on Old Tramway Drive, which did not have any test speed humps at all. Maybe those were allowed. They might feel differently if they have it right in front of their own home, so I would suggest maybe leaving the one by the golf course, removing the ones by the homes that are individually factored in and finding other locations. Thank you.

Mr. Sherbin: I don't know how many of you walked down Baytree Drive between Bradwick and the guardhouse. My wife walks in the morning between 6:00 a.m. and 7:00 a.m. three days a week and she sees the mothers coming in through the back 9 with their children. You can put in a gate in order to get to the humps. I appreciate what you say about vendors, but at that time of the morning, there is a definite speed hazard. The Board hired cops to come in and issue tickets, which they never did. My wife said that this helped mitigate the speed at least between 6:00 a.m. and 7:00 a.m. By the way, it has been discussed at several meetings for several months about putting in speed humps and there was no opposition. There were no comments. This is not something that's new. It has helped and if people would drive at 25 mph, it wouldn't be a problem. As I said, I am only aware of what takes place between 6:00 a.m. to 7:00 a.m. The problem is with mother's taking their children to the bus stop and not getting up in time, so they have to accelerate their speed.

Ms. Susan Answay (304 Sandhurst Drive): I use Baytree Drive five days a week. Sometimes I walk in the morning and sometimes in the afternoon. The speed hump has not slowed down traffic. It has aggravated drivers. People that are coming from the back, when they hit that speed hump, to try to make up the second they lost by going over that speed hump. I noticed one sports car that refused to slow down. He went over it and scraped his bumper. I thought that was a good thing as he shouldn't be going that fast in the first place. The speed hump has not helped. It makes a lot of noise. As I said, I walk Baytree Drive five days a week in the morning and in the summer, we are out walking at 6:00 a.m. There is a school bus stop, but it's not used in the summer; mainly in the winter. I think that vendors are the problem. Coming from the back gate, when they hit that first speed hump, they are going to make up their time before getting to that speed hump. Again, I appreciate that you are trying to solve this problem, but this trial did not work out for you. Thank you.

Mr. Wilkerson: A lot of residents have not heard this, but I was part of the committee that worked on the BCA and the CDD to research this issue. We've had numerous close calls in Baytree, but no a loss of life; thank goodness. These two Boards worked together hour after hour for years to try to come up with a solution for maintaining traffic. We have come up with signs, every deterrent you could possibly imagine, and this Board decided that speed humps were the right way to go. Now I think from the 36 residents here speaking, I don't think anyone is wrong. I thank Susan and her husband, and I think you are exactly right. I walk Baytree every day with

my puppy and hear the thumps and the acceleration. So, I know what you are talking about. However, we haven't come up with an alternative yet and I think the Board would be negligent in doing so. I think the Board has acted in good faith, but should consider moving the speed hump so it's not right in front of someone's home. I think that might be the solution to eliminate your problem, versus doing nothing. We've come up with speed humps. Mike Sherbin said he distributed a survey. He's a VM, but he didn't do it through the Board and the Board is not aware of any survey results. He said that 100 people didn't want them, but that's out of 1,200 residents. Are we going to do away with a speed hump and then have a child killed on Baytree Drive?

Mr. Showe: Thirty seconds Wayne.

Mr. Wilkerson: I want you to consider that. Maybe there's another solution that we can mitigate. That's all.

Ms. Christina Lapak (7912 Eddystone Way): I understand that you are just trying to do the right thing to get the traffic under control. I know we have done it in the past and you said it doesn't work, but why aren't we using the police to enforce it. If you go a few miles over the speed limit, you are looking at an over \$200 ticket, but if you ticket residents, the people coming in and playing golf and the vendors, you are going to see a decrease in speeding. Thank you.

Mr. Mills: Is there anyone else?

Resident (Not Identified): I'm going to make a quick comment. It was not my intention to say anything because it doesn't affect me and I'm far away from the speed hump. We've lived in Baytree for 25 years. We were maybe the sixth or seventh resident. In that time, we never had anyone get killed or close to being killed on Baytree Drive. Some people drive faster than others, but I don't think it's a life or death situation. That's my opinion.

Mr. Mills: Is there anybody else?

Mr. Bob Eksten (8053 Old Tramway Drive): I am caught between a rock and a hard place. We have a recognized problem and as Wayne pointed out, and I can even remember when I was on the Board many years ago, this is an issue that has been dramatic over the years. On Old Tramway Drive, someone coming around the curb going towards National Drive, went off the road because they were going too fast and hit the fire hydrant. Now I can understand and feel for your situation. I wouldn't want it in front of my house either. I have sympathy for that, but I don't know what recourse we have other than maybe trying to find a place that is not in front of somebody's property. I think Wayne will attest to this, but virtually everybody in The Hamlet

said that they want a speed hump. It's going to be the same irritation for us that it is for you folks, but we see that speeding and are concerned about our kids playing out there. I would hate to have someone get hit because we didn't do anything to try to resolve the problem. I wish there was a different solution. I don't like seeing cops here, but I would put up with them.

Mr. Mills: Thanks.

Mr. Don Parker (365 Baytree Drive): I sit down in front of my garage and watch a lady that walks every morning. I just observe. There is not a real speeding issue out here where cars are driving 25 mph over a 7-foot distance. Sometimes I just count, "1,001, 1,002." I do it every day. If anyone wants to sit with me, I'll show you what I have done. I'm probably in the number one area on Baytree Drive where speeding exists, and we don't have a speeding issue. Fifteen years ago, I met with the Sheriff when they came out and sat on a motorcycle in front of my garage. For the last 10 to 15 years, the cops issued a few warning tickets and a couple of speeding tickets. Nobody slows down. You are not going to stop them. You have to change a person's personality.

Mr. Eksten: Speeding is everywhere. The focus is on Baytree Drive, but people are speeding on side streets too.

Mr. Mills: Does anyone else have any comments?

Mr. Parker: The only speeder I saw this morning was a huge gas truck. They were going more than 25 mph.

Ms. Davidson: This is my first meeting as I just retired. Is the plan for Bradwick Way and all of the other streets to have speed humps or just that main drag?

Mr. Mills: The Board put two speed humps on Baytree Drive in order to find out if they were really effective. It was requested. In fact, I'm going to get back to Wayne's comments. On June 24, 2018, at a CDD meeting we were asked to do something about speeders in Baytree. I have been on this Board for 10 years and all I have heard is speeding, speeding, speeding. Marie has heard it. Bob Exton has heard it. Every Board has heard speeding, speeding, speeding. In 2018, as I said, we had a meeting and I suggested strongly that we ask the VMs or the BCA to form a committee to poll and suggest locations for speed humps. They came back and suggested that Old Tramway Drive, Baytree Drive, Kingswood Way, Balmoral Way and National Drive.

Mr. Norm Amyot (208 Ashbourne Court): I live in Kingswood. I think some people from Kingswood will agree that we have a problem on Kingswood Way. Fed-Ex, UPS, furniture

delivery trucks and some residents speed as they get closer to Baytree Drive. I used to look out there and they are going pretty fast because they have to get to their next stop. I don't know where you are going to go in the future, but there is a speeding issue.

Ms. Janice Windom (7983 Bradwick Way): I love the speed humps I can't tell you how many times, I was on Baytree Drive, in the path of soccer moms, flicking me off because I was going 25 mph. If you were to place a speed bump on Bradwick Way in front of my house, I would love it. I love this community. It's safe. You guys do a great job. Thank you for what you are doing. No one else says thank you. I encourage you all to come to every meeting, instead of one every two or three years. We never received the survey, but we want the community to speak up on this issue. Thank you again for all of your hard work.

Mr. Mills: Thank you.

Ms. Rhonda Watkins (648 Deerhurst Drive): I don't care for speed humps in front of my house. Is there a way to put it in an isolated area or where people really want it?

Mr. Mills: Thank you.

Mr. Greg Scougall (432 Birchington Lane): I am the alternate VM for Windsor and drafted the part of the survey that was mentioned. For that I apologize to the Board. The intent was to solicit feedback from residents. We certainly recognize that the Board is not obligated to do what the residents want. You were elected and can make decisions independently, but the process by which you make those decisions, I ask that you have a test survey to see if they are effective. I personally don't understand what the criteria is for a successful or unsuccessful test, other than anecdotal evidence or thoughts of whether or not we have a speeding issue. Whether or not they are effective is debated. Wayne, I recognize your comment that we have to do something, but doing something is not justification for doing the wrong thing. You could also put nail strips down the road to slow people down, but that is not an effective solution. Because I wrongly put out a survey and it was called an "unsanctioned survey." I understand that it was questioned whether or not it was worded properly and whether or not it was distributed evenly. Whatever the concerns are, it's clear to me that there is probably a higher percentage of interest for a long time, so this is a contentious issue. So I recommend that the Board consider doing a couple of things; one, advertise what the criteria is, what the evidence is and whether or not there is a speeding issue, based not on just personal opinion, but on the evidence and put out a survey

of criteria that would say whether or not this is going to be successful. I don't believe you asked residents before where they wanted speed humps.

Mr. Showe: Thirty seconds.

Mr. Scougall: And what was done.

Mr. Mills: I read earlier where speed humps were recommended.

Mr. Scougall: It references the streets, but Baytree Drive is a fairly long street. So, there could be multiple places.

Mr. Mills: Greg, your three minutes are up. I'm sorry.

Mr. Scougall: You interrupted me so I will take a few more minutes. The other point that I want to make is...

Mr. Mills: You are in violation. Would you please sit down?

Mr. Scougall: Then arrest me for addressing the speed hump issue. If your concern is the survey, then put out a survey that you agree to. Ask the VMs for input and listen to the public. I personally did not receive any notification from Wayne, but I don't know the survey he is referring to.

Mr. Mills: Thank you.

Mr. Schaedel: I had a question and a comment. I've lived here since September 2018 and attended another meeting. This is not the only issue that I was interested in, but I'm glad to be here today. Thank you for all of the great work that you do. Lots of good things are happening in this neighborhood in the short time that I have been here. I'm hearing that there is a lot of controversy over the issue and many residents didn't actually get surveyed and have an opinion about the speed humps. Personally, I think it's a noble idea to try to slow down the speed and I encourage the Board to take another look at how best to do that. I think it would be prudent to approach this issue, similarly to the way you approach people's opinion about the recreational area, where there was good feedback in that case. If I received a survey, I wasn't aware of it and I would not have voted for speed humps because I believe that don't stop speeding. Thank you.

Ms. Hernandez: I think everyone needs to understand that there's no blame towards the Board. You did what you thought was right to slow down the speeders. That is not the point. The point is that it's not affecting the majority of the people in this community. It is affecting a small group of people who can't even sleep at night. That needs to be considered. You wouldn't know that in advance. I wouldn't know that in advance. No one would, but it's not fair to destroy their

property, which is actually doing. Who is going to buy a house where they have to listen all night to, “boom, boom, boom?” So, I think that you might want to consider doing something else like flashing lights to get drivers to slow down or another option that would slow down speeders, but not destroy the rights of other residents. So, I just ask that you consider that.

Mr. Mills: Thanks Maria. Bob?

Mr. Eksten: Could you explain why you are having a Sheriff come in and issue tickets?

Mr. Mills: I’m getting ready to address those questions. Number one, we as a Board, have a fiduciary responsibility to this community, spending your money as wisely as we can. Two years ago, we hired the Sheriffs to come into this community and issue tickets and/or warnings. We spent \$10,000 of your money. We put signs coming in on Baytree Tree, almost in front of homes with flashing lights when someone exceeded the speed limit of 25 mph. The Sheriff gave us the equipment to do it. The battery went dead a couple of times, so we had them come back and put it in again. It did absolutely nothing. There is a sign as you turn off of I-95 on Pineda Causeway. No one pays any attention to it. As far as speeding is concerned, there is an issue. I’ve heard it, experienced it and was a participant. The other day, I followed a woman in an SUV who was going 45 mph on Baytree Drive. I was right behind her. That’s a true testimonial.

Mr. Scougall: Why were you going that fast?

Mr. Mills: I wanted to see how fast she was going to prove to you that there is speeding. It’s not something we pulled out of the air and said, “This is something that we believe is the right thing to do.” There has been a lot of influence. It’s a sensitive issue. The gentleman I received an email said no one had ever been injured there’s never been a person injured in Baytree. I could not live with myself knowing that a resident or child was hit and/or killed by a speeding vehicle, if I knew that I could do something about it. I totally sympathize with all of you. You ask where else we could put the speed humps. I was the one that chose the location of the speed humps. There is no place in Baytree that you are going to put a speed hump that is not going to be in front of somebody’s house or near their driveway. If you look at the property lines, there just isn’t. The other side of the coin is, most of the residents in here are speeders. William, the first day that the speed hump was placed on Baytree Drive, people slowed down. What do you suggest?

Ms. Hernandez: Could you meet with the VMs of each neighborhood that would like to have a speed hump in front of their house? That's one idea. A second one is to send out a survey on where to put the speed humps.

Mr. Darby: The problem is there is a certain logic to spacing it in between the houses to be effective as a speed deterrent. In other words, you can't have two speed humps near each other. So, I understand what you are saying, but I want to underscore the fact that this Board put in only two speed humps, which is the recommendation, but it should probably do more in slowing people down. We are obviously getting a lot of feedback and I think what this Board would probably do is to discuss this matter in greater detail at the workshop. Do you want a radar sign in front of your house too? People are not going to like that, and they are totally ineffective. Do you want speed bumps? We can put those in, but you are really not going to like those. We just spent a lot of time on this ad nauseum. Wayne and his committee spent a better part of the year, going through various alternatives and came up with suggestions that the Board took almost another year-and-a-half to implement. So, this was not done frivolously. We put a lot of thought into this and what we thought was best for the community, but there is always someone saying, "*Not in my backyard.*" It's something that we will have to look at and re-address to see if it's something that we can do.

Ms. Sunter: There is a grassy area shortly after you come through the gate that would impact any houses directly. We have a fair amount of parking spots. Who cares if it's a half a mile of parking? You are not going to deter the speeding anymore, if you get it out of my front yard. There is a grassy area and then the pond by the Hamlet sign. There is plenty of room for a speed hump as there are no houses. It won't help the traffic, but maybe you will sleep nice knowing that you are doing what you can, even though it's not very helpful to traffic. It's not going to put traffic in front of my house either. So, put it where it won't hinder any property.

Resident (Sandy Hamilton, 505 Baytree Drive): I've been here almost 23 years and I don't see any effective use for these speed humps. I think what would be effective is if somebody started issuing tickets. If you go on I-95 and you see a cop and get a ticket, that will slow you down. That is going to stop the speeding for a while, but they have to keep issuing tickets, not just on a short-term basis, but more often.

Mr. Mills: Thank you.

Mr. Showe: Just a second. This Board approved to spend \$10,000 to hire off-duty officers. I can assure you that every single request from this Board was for them to write tickets, we need them to write tickets and this community wanted them to write tickets, but we can't compel them. Chapter 190, The CDD under Florida Statute, is forbidden from having any police powers, so we have to rely on the Sheriff's Office to do that. I think the intent of the Board was to try these speed humps out and to stop paying for those off-duty officers. I think in a large respect, they were giving a lot of warnings and I don't think that was an effective method of trying to help. We instructed them at multiple times, but we can't compel them to write tickets. I just wanted to address that issue.

Mr. Pawelczyk: I used to be a police legal advisor for numerous law enforcement agencies. We use off-duty officers to come in here and write tickets or try to write tickets, but if they write those tickets on their time, they have to go to court to defend them. Because if you're like me, you challenge it. Why? So, you don't have to pay as much. You have to go through an inconvenience, but it's usually better to challenge a speeding ticket. So, we take advantage of those things. The officer has to go to court twice; once for the pre-trial and once for the trial, if there is a trial.

Mr. Bosseler: On their time?

Mr. Pawelczyk: On double time. They would receive double time or time-and-a-half, if they go over 40 hours. So depends on when the court date is. If you're like me, you see officers and you and the officer observe the traffic. They are not allowed to write as many tickets as you would think to try to enforce the law. So, it's only when a commissioner tells them, "You need to go out and write tickets on N. Wickham Road." That's why they won't write as many tickets. It happens in Miami-Dade County. It happens in Broward County. It happens in our Districts in Palm Beach County. They will sit there, like they did here, and traffic typically slows down after you see them, just like we all do when we are driving on I-95. So that's the issue, which is not so simple. We wish it was for them to just come in and write a ticket.

Mr. Parker: I stood by the Sheriff Deputy right by my house and looked at his radar gun.

Mr. Pawelczyk: Sir, that's not what I'm saying.

Mr. Parker: There are not that many speeders. You need someone to sit there for two hours with a radar gun to see how many speeders you have.

Resident (Not Identified): Every time I run a toll, which isn't that often, I get a ticket in the mail within a week or two that I have to pay or I'm going to have a lien. Can't we have something that will catch a speeder and catch the license plate and they just get a ticket in the mail. You are harming us.

Mr. Mills: Carolyn, is there anything you want to say?

Ms. Witcher: No.

Mr. Mills: Richard?

Mr. Bosseler: No.

Mr. Brown: No. We talked about this for over two-and-a-half years. It's really important that the people that are voicing their opinions had two-and-a-half years to get involved in this and now all of a sudden, they are involved. Where have you been for the last two-and-a-half years? They can put it in front of my house. I have been passed two or three times on Baytree Drive and at least 25 times on Old Tramway Drive. I can't even have my nine-year-old grandson play in front of my house because so many people are driving crazy.


Mr. Mills: I want to thank all of you for your input. We will bring this topic up at our workshop on March 23rd. I'm just going to conclude by saying, if we decide to remove the speed humps, be rest assured I do not want to hear any more about speeding. I really sympathize with what you are saying. I wouldn't want in front of my house either, but if it prevents a child or someone from getting killed, I would encourage it. The Board has listened to your comments and I'm sure the Board will take the appropriate action. Thank you for coming.

NINTH ORDER OF BUSINESS

Adjournment

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



Secretary/Assistant Secretary

Chairman/Vice Chairman