

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, June 9, 2021 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
Richard Bosseler	Assistant Secretary
Richard Brown	Assistant Secretary
Carol Witcher	Assistant Secretary by phone

Also present were:

Jason Showe	District Manager
Michael Pawelczyk	District Counsel
Peter Armans	District Engineer by phone
William Viasalyers	Field Manager
Seamus Rowe	Advanced Recreational Concepts, LLC
William McLeod	DSI Security
Residents	

FIRST ORDER OF BUSINESS

Roll Call

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

SECOND ORDER OF BUSINESS

Engineer's Report

Mr. Showe: Peter is on the phone and we can have him go through his report.

Mr. Armans: We had an inspection done and were requested to provide a survey as well as an analysis of Kingswood Way. In the first exhibit of the report, are a couple of locations showing Kingswood Way with the two speed hump locations we recommended. Do you have any questions on that? I was not part of the discussion about your exact concerns about safety. I understood that the issue was more about people not following the speed limit or going around

corners quickly. Speed humps work better for slowing down speeding vehicles. So based on our understanding, we believe that speed humps would have that benefit. As far as stop signs, the Board can choose to add a couple pretty much anywhere based on the permit you have with the county. So, in addition to the speed humps, if you want to select one of the two, we would recommend speed humps as number one. If you want to do both of them, I have additional stop signs and can place them without having to issue a permit.

Mr. Darby: I reached out to you last week and asked whether or not it would be appropriate to substitute the stop sign at the intersection of Berwick Way and Kingswood Way with Speed Hump #2. I heard you say that it is at the Board's discretion. Right?

Mr. Armans: Correct. If you wanted to install stop signs, we could do that, but it wouldn't be a benefit.

Mr. Mills: With regards to Speed Hump #2. It appears as right you get into the Isles of Baytree (IOB), there is a long stretch from the speed hump that comes around that curve. Correct me if I'm wrong, Richard, but isn't there where most of the speeding is taking place?

Ms. Sandy Schoonmaker (Berwick Way): No. It's the next curve. If you go past Berwick Way and go around that curve, that stretch is where they speed. However, the stop signs at Berwick Way and Ashbourne Court will slow them down, but it's that stretch in the middle where all of the speeding is. After they go around the curve, they speed up and go around the other curve and speed up.

Ms. Art Breitner (Kingswood): They speed up as soon as they get over that little bridge.

Mr. Mills: Let me go back to Richard again because he lives on that stretch. What is your opinion?

Mr. Bosseler: We need something. Joanne from IOB said at the last meeting that speeders are coming out of IOB and they haven't been able to make sense with these people. She talked to them and asked them to slow down. A number of them are in pickup trucks and a number are vendors. So, I support either speed humps or stop signs. We also have Mr. Art Breitner and Ms. Sandy Schoonmaker that live on Kingswood.

Mr. Breitner: Let me just say this. I live on the lot before you get to IOB.. There's a good distance from the end of my house to where the bridge is where you go into IOB.

Mr. Mills: Right.

Mr. Breitner: I can't tell you the number of times when I get in my car, start the car, look both ways, put it in reverse, look both ways again, then I back out and look in the rearview mirror and there's a car with its brakes on that came out of IOB. I almost got hit in the back a couple of times. I'm telling you right now, the way it is for those people in IOB, as soon as they get over that bridge, they start speeding. That's the way it is.

Ms. Schoonmaker: So, ask the traffic guy, which is going to work better, a speed hump or a stop sign because a stop sign at Kingswood Way is almost directly across from Art's driveway. They have to be slowing down for that stop sign.

Mr. Armans: So, in terms of slowing people down, speed humps will always work better than stop signs. Stop signs, again, cannot be used for slowing people down. People can drive straight through stop signs, but people can't drive straight through a speed hump. They care about their cars, but as far as effectiveness, a speed hump would be more effective.

Mr. Brown: I agree with that because the stop signs on Old Tramway Drive and National Drive are basically useless. Very few people stop.

Ms. Schoonmaker: We both heard them speak on Speed Hump #2.

Mr. Brown: I have a question. The difference between Speed Hump #1, which is near Ashbourne Court and Speed Hump #2, unless I'm misunderstanding, the speeding comes from the distance in between the two.

Mr. Bosseler: We have the Deputy that lives in between.

Ms. Witcher: Yes.

Mr. Bosseler: The majority of the time he parks right on the street.

Mr. Brown: I will do whatever you want. I got the impression that the speeding really took place coming out of the IOB, but after they go over that speed hump at Old Berwick Way, they are just going to gun it down until they get to the one at Ashbourne Court.

Ms. Witcher: We should get two, but I don't think we want three, Rick.

Mr. Brown: No, but I don't think we need the one at Ashbourne Court.

Mr. Breitner: I think the one down by my house is needed where it is.

Mr. Brown: Okay. You guys live there. I live on Old Tramway Drive and I can't wait for that speed hump to go in.

Ms. Schoonmaker: I want two and let it go. When they are coming in, they are flying in. We have kids getting off school buses down there and they need to slow down.

Mr. Mills: I talked to the Sheriff who lives there and he said that it's terrible.

Mr. Brown: In my opinion, I defer to the people who live in Kingswood. If this is good for them, go for it.

Mr. Mills: I agree.

Mr. Bosseler: Norm lives there and he already said that he has no problems. If you want to put a speed hump next to his house, do it.

Mr. Mills: Okay.

Mr. Bosseler: I live next to him. The other one, Art proposed this.

Mr. Breitner: I want something. Like I said, it's not too bad, with those coming into IOB. Because when I back out and look, if they are speeding, I can see them coming, but when you look the other way from my driveway, you are blocked in. You can't see all the way down to that overpass. Many times, I don't think there are any vehicles coming, so I back out and then I look at my mirror again when I'm putting the car in drive, they are on my tail.

Ms. Schoonmaker: Dick, the only thing that I would mention is the house across from Artie. I don't know what to tell you about that.

Mr. Bosseler: We would notify them by letter.

Mr. Brown: Do you need a motion to go ahead and do it?

Mr. Mills: My next question is if we are going to go with these two, we need to coincide that with the one we are ready to do on Old Tramway Drive.

Mr. Showe: That is where I was going next. I've been trying to get a hold of that vendor and had some challenges getting a hold of them. We received the revised proposal. It's a little more than we expected, but I think the costs of everything have gone up recently. I'm just trying to confirm that. We can certainly add these two in with that scope and if I can't get an answer, we will find another vendor. So, if the Board wants to approve these two, then we can make that motion today.

On MOTION by Mr. Brown seconded by Mr. Bosseler with all in favor approving two speed humps on Kingswood Way as presented by the District Engineer was approved.
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Mr. Breitner: Can I ask a question?

Mr. Mills: Sure.

Mr. Breitner: I've read that the Sheriff's Department has portable speed signs that you can request for your neighborhood for a short period of time. Maybe putting that there will remind people to drive at 25 miles-per-hour (mph).

Mr. Mills: We have done that in the past and they just speed by there.

Mr. Breitner: I know they know that there is not a speed camera, but at least it reminds people that they are not going the speed limit.

Mr. Showe: We reached out to the Sheriff's Department to try to get those and I don't think that they are providing them anymore.

Mr. Mills: They aren't?

Mr. Showe: I don't believe so. We tried multiple times to get those out here.

Mr. Mills: The road that comes off of I-95 that goes through St. Andrew's, Pineda Causeway, they have a sign there. People just go by it at 55 mph and the speed limit is 45 mph.

Mr. Showe: We will update that proposal.

Mr. Mills: You have the message, Peter, right, to go ahead with the two speed humps?

Mr. Armans: Yes. The contractor has to get details from the county. I will let you know if I have to prepare additional exhibits showing all of the signs. Maybe William or someone can coordinate that with the contractor or speak directly with the contractor on where to put the signs.

Mr. Showe: We will figure it out.

Mr. Mills: What is the next topic, Peter?

Mr. Armans: The next topic are the two areas; one on Birchington Lane and another one on Ashwell Court. One area has a pool of water in front of the driveway of a residence on Birchington Lane. Clearly, there is a big tree there lifted up a portion of the driveway and curb and creating a low spot there. We don't believe that you can get away by cutting away part of the curb because the root is under everything and created a large lift between the curb and the driveway. It was the homeowner who claimed if we breached the curb, the lift between the curb and the driveway may even get worse because we are going to basically lower the area that invaded the tree root. So, we are recommending some surveying that location as well as the other location on Bradwick Way where that pocket is all broken up, creating a low spot there. We will look at the drainage and where the high and low points are. The proposal that we provided is only for the survey. Once we have the survey, we will know how simple or complicated it is, if

we have to replace some sidewalk or some curb or pavement. So, we are waiting on looking at the survey. We can provide a separate proposal for construction drawings. The proposal that I provided are just for those two areas.

Ms. Witcher: Peter, the sinkhole at Ashwell Court was caused by a water main break. So, when the county came out and fixed it, it took about a week to fix it. When we get ready to do that, we need to keep that in mind to make sure that they do it correctly.

Mr. Armans: When the county repaired the water main, there shouldn't be an issue. If you want me to, I'm not sure how we would do that. We should be fine because we are just replacing the concrete.

Ms. Witcher: Could you talk to the county and see what they repaired because it was a pretty big deal when they came out to fix it?

Mr. Armans: Okay. Was water coming out of the pavement when it happened?

Ms. Witcher: Yes. The entire area was flooded. They were there during a rainstorm fixing it because it was so bad.

Mr. Armans: It looks like it has been repaired. I'm not sure how much response we will get by reaching out to the county about a previous repair. When we go to construction, if water is still seeping from the water pipes, we will definitely get back with the county.

Ms. Witcher: Okay.

Mr. Mills: Carolyn, not to correct you, but if it was a water main break, it would be the responsibility of Cocoa Water, not the county.

Ms. Witcher: Okay.

Mr. Mills: So, Peter, it would be Cocoa Water, not the County.

Mr. Darby: Peter, on the Birchington Lane issue, was that caused by tree roots exclusively?

Mr. Armans: That is what it appears to be. The only thing we can see there is a huge tree with big roots. What we would recommend is asking the contractor to saw cut along the curb line and then cut the roots that goes under there, so it doesn't keep growing. Now, if that is one of the main roots, that has the potential to kill the tree. A lot of the Pine tree would survive. If it doesn't, we will just have to monitor the tree and if it dies, we will have to take it out.

Ms. Witcher: Are we liable if the tree falls on the house?

Mr. Armans: I believe so, yes.

Mr. Pawelczyk: You are only liable if you are negligent. You are not liable just fixing something. So, there is the potential for liability. It would be up to the contractor and the District to take precautions to avoid the tree from falling on somebody's house.

Mr. Armans: We will have to monitor it.

Mr. Pawelczyk: Correct.

Mr. Darby: Can't we call this a problem tree and have it removed?

Mr. Brown: No, it's a specimen tree.

Mr. Viasalyers: The homeowner doesn't want it removed. We already asked them.

Mr. Brown: Is it the one that Mr. Mike Sherman wanted?

Mr. Viasalyers: No, it's not the same location. It's close, but it's not his.

Mr. Mills: It's up the street.

Mr. Brown: Do we have the right as a CDD to cut roots that uplifting our roads from trees?

Mr. Showe: Yes.

Mr. Brown: So if we do, like a homeowner does, if it is under his sidewalk or driveway, then we are certainly doing what we are allowed to do.

Mr. Viasalyers: This one is in the right-of-way (ROW).

Mr. Darby: The roots are going bad and causing some problems.

Mr. Brown: But it's still our right to cut the roots if they are uplifting the road.

Mr. Darby: That may be a temporary solution. A permanent solution would be to get rid of the tree.

Mr. Brown: Yes, but we can't do that because the county already said it's a specimen tree.

Mr. Darby: I thought if it was designated as a problem tree, even if it was a specimen tree, it could be taken out.

Mr. Brown: Only if it's diseased. An Arborist has to come in and says that it is diseased and can you remove it, as per Florida Law?

Mr. Mills: Peter, I know this person wants to get this done as soon as possible. I guess what I'm asking is we are planning on repaving the entire community at some point, whether next year or the year after. Is it best to wait until we do that and incorporate it all at one time or fix it now?

Mr. Armans: Economically, it's best to wait to do it at one time. You just have to weigh that with the homeowner who is concerned about it. What you can do is cut the roots now and wait until the paving work for that project to happen.

Mr. Brown: That is what I would do. I agree. Let's cut the roots now and see what happens over the course of the next six to nine months.

Mr. Showe: So cut the roots?

Mr. Darby: And repair the pavement.

Mr. Showe: Without doing the survey, we will have to line it up.

Mr. Brown: The cost to cut the roots and repave is probably going to be less than the \$3,800 to do a survey.

Ms. Witcher: Jason, if I'm not mistaken, there is a cluster of mailboxes by the street.

Mr. Showe: I would have to verify that.

Mr. Viasalyers: It's not going to impact the mailboxes at all. I actually looked at that area on Monday.

Mr. Armans: I didn't see that the mailboxes were in the way.

Mr. Mills: What are the Board's wishes?

Ms. Witcher: The sidewalk is in the way of doing stuff there. I was just thinking that it would be safer on that entire street, if the mailboxes are going to be on the stable side or the other side.

Mr. Bosseler: I think we should take some action. We have been kicking this can down the road for too long.

Mr. Brown: I agree. I would cut the roots and let's see what happens with that.

Mr. Darby: Yes, I agree. We should try to postpone as much as possible until we do the repaving.

Mr. Brown: Correct.

Mr. Darby: We might want to make this as a priority.

Mr. Brown: Because we are not going to repave it until at least next year or the year after. By that time, we will have an opportunity to see whether they are cutting the roots.

Mr. Showe: Timing-wise, you wouldn't want to do the survey until you are about to do that work because it could change if something else changes because we wouldn't want to do that work too early.

Mr. Mills: Did I hear you say that you don't feel we should do a survey and just cut the roots?

Mr. Brown: I would.

On MOTION by Mr. Brown seconded by Mr. Darby with all in favor cutting roots and repairing curbs at Birchington Lane and the corner of Ashwell Court and Bradwick Way was approved.

Mr. Mills: Thank you, Peter.

Mr. Darby: Peter, before you leave, could you look at the crack in the Balmoral pavement?

Mr. Armans: The crack in the road adjacent to the stormwater pipe?

Mr. Darby: Yes.

Mr. Mills: It's getting worse.

Mr. Darby: I know you concluded that the pipe installation was not the cause, but my question to you is what is the solution?

Mr. Armans: Just cutting out a piece of the pavement and replacing it. This is something that came up several months ago. The community should take some core samples of the pavement to see if there is a structural problem, but if you are planning on doing paving in a year or two, I recommend that a year before, you contract for repaving, you start taking samples to see if there are any structural issues. Because just repaving is not going to solve those issues. To see if there are problems with the base and then go from there. Right now, it doesn't seem to be a problem.

Mr. Mills: Peter, we had a pipe put in from that one lake to the other lake. That portion of the road was cut up to lay that pipe. So I'm estimating that the borings would show that it wasn't compacted tight enough and has sunk causing the pavement to crack.

Mr. Armans: No. When they cut the road to get to that pipe, that area was cracked far from where the pipe was. So I'm not sure where you would cut it all the way at that point.

Mr. Mills: I thought it was right at the pipe.

Mr. Armans: I went out there and looked at it with William and the issue with the pavement was across from the pipe.

Mr. Viasalyers: No. It was to the left of the pipe. Closer to the south.

Mr. Mills: How far away from it is it?

Mr. Viasalyers: Five to 15 feet, roughly. I'm not even sure at the top of my head. I have to measure it.

Mr. Showe: We can certainly get a contractor out and repour it. That's probably the interim solution. If it comes back, you know that there is a bigger problem. Before we do the repaving, we can do the same.

Mr. Darby: It seems to be getting worse over time. It could be a major hazard. So what do we need to do? Look at a temporary solution until the repaving? Is that what I'm hearing?

Mr. Brown: Yes.

Mr. Showe: If that's the Board's pleasure.

Mr. Armans: We could have the contractor replace the asphalt. That is a semi-permanent solution. If they are going to come and cut the pavement and fill with asphalt, we should ask them to compact it to make sure that there are no structural problems.

Mr. Darby: For the compaction of that whole area, would we have to replace nine sections of the sidewalk?

Mr. Viasalyers: Yes. There are a bunch of sidewalks that cracked and broke apart.

Mr. Mills: Do we need a motion?

Mr. Showe: Yes. I think we should have a motion to go ahead and cut and patch that asphalt.

On MOTION by Mr. Brown seconded by Mr. Bosseler with all in favor cutting and patching asphalt on Balmoral Way was approved.
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Mr. Mills: Thank you, Peter.

Mr. Showe: Is there anything else for Peter before we let him go?

Mr. Armans: Let me just comment. If you are going to have a contractor take that apart, we would recommend replacing the whole lane, not just cutting around.

Mr. Brown: Right.

Mr. Showe: We will work everything out.

Mr. Armans: I do have a comment. I know that Supervisor's requests are at the end of the agenda. If there are things that you are going to ask us to prepare, we would like to be contacted so we can serve you better.

Mr. Mills: Okay. Thanks.

Mr. Armans: Thanks everyone.

THIRD ORDER OF BUSINESS

Community Updates

A. Security

Mr. McLeod: Since our last visit, we have done four spot visits onsite. Matt has conducted training on site procedures and policies with the officers. Also, Matt was tracking the golfers that would come into the community. For the month of May, it looks like we had 5,390 golfers coming into the community.

Mr. Brown: I have some other information, thanks to Matt, that I plan to present later on in the meeting. Tell Matt, thanks for keeping that for me.

Mr. McLeod: Not a problem. Does anybody have any questions or comments for me?

Mr. Brown: I just wanted to let you know that in the next Baytree newsletter that is going out, I included information on how people can access the Tech Wave Visitor Management System (VMS) to put people into their permanent visitors, etc. So you may see an increase, hopefully, in the later part of this month.

Mr. McLeod: One thing that I did do was to speak to Tech Solutions who manages your VMS. When something goes down and breaks in the system, they are the people I have to call to get it fixed. The communication issues that we were having before have been resolved. And I have been assured that there will be no other such issues with that.

Resident (Not Identified): When my family visits me, we give them a QR Code. They scanned it and it didn't work. The guard said those things don't work. Who was right? Was Matt not using it?

Mr. Mills: If it was over the weekend Matt wasn't working.

Resident (Not Identified): My daughter said she brought it up, the guard just looked at it and let her go. The guard working on the weekend said it wasn't working. I don't really care. It's not a big deal.

Mr. McLeod: It should work. I will go to the guardhouse and find out what happened.

Mr. Brown: It may have been during the time when the hard drive went down.

Mr. McLeod: That's right.

Resident (Not Identified): It was over Easter.

Mr. Mills: That's when it was down.

Resident (Not Identified): I just didn't know if it just wasn't working and he was just being nice.

Mr. McLeod: I believe that's what Matt was doing here. It works fine now. Thanks for bringing that to my attention. I will ensure that it is working now so there won't be any more issues.

Resident (Not Identified): Okay. I was just curious. Thank you.

Mr. Mills: Matt and the guards are doing a good job.

Mr. McLeod: Thank you very much.

Mr. Brown: I have to say that the VMS works like a champ for those people that have permanent passes or even temporary passes that they show to Matt. Because I've been out at the guardhouse recently now that I have to post the ARC Committee meetings on a bi-weekly basis. The people that come in with a pass, the guard scans it, the gate goes up and he says, "*Have a nice day.*" So it's working like a champ.

Mr. McLeod: Fantastic. I like hearing that because I did have a conversation with the people today because we are trying to get another community. I want to use the VMS, but I told them that I'm not pushing it unless we have been ensured that the problems we experienced here are absolutely over with. The President got on the phone and assured me that we are not going to have any more problems here. So hopefully, I'm not going to have any problems there.

Mr. Mills: Good.

Mr. Darby: Did you say that 5,390 people came through in the month of April?

Mr. McLeod: Yes, sir.

Mr. Darby: That's 170 people outside of Baytree coming in every single day.

Mr. Brown: I have data on that, that I'm going to present.

Mr. McLeod: Yes. You have a lot of traffic coming in.

Mr. Brown: Yes, we do.

Resident (Not Identified): But the golf course isn't working for us.

Mr. Brown: That is another issue that I plan on bringing up.

Mr. McLeod: Does anyone have any other comments?

Mr. Darby: No. Thank you.

B. BCA

Mr. Mills: Does anyone want to give the BCA Report?

Mr. Bosseler: Seamus is here.

Mr. Showe: We handed out a proposal we just received for the playground.

Mr. Rowe: I just wanted everyone to have an understanding of what we added.

Mr. Bosseler: Just to let everybody know, Seamus is with Advanced Recreational Concepts. He and I have been working together to get a swing set and Thunder Dome added to our play area around the pavilion. At our last meeting, he proposed that and Mel brought up the fact that his company has a number of exercise equipment that we might want to take a look at. So we invited him back and he has given us a new bid. Tell us what you did and what you have, Seamus.

Mr. Rowe: Between the last time and this time, we added a few items. We were originally at the whole Triceps Platform Package, but we decided to include more neat stuff. It actually came out to be a pretty modest bid from the manufacturer. It's not a whole lot. Only five items in total, but with that being said, we are doing with a relatively limited space to begin with. I did spec out the requirements for safety and space. The items in question would fit and what's remaining should be ripped out, such as the current bocce ball court or if we decide to do one over by the pool side. With either option, I made sure that it would fit with no issues. I just wanted to make myself available today for any questions.

Mr. Bosseler: I have a question. You gave us a proposal for five pieces of equipment.

Mr. Rowe: Correct.

Mr. Bosseler: Will they fit along the tennis court if we eliminate the bocce ball court?

Mr. Rowe: They will fit there or if you prefer, we can put it by the pool. Either way, I made sure via satellite that our space and size is suitable.

Mr. Brown: Is there a possibility to put the swing set and the Thunder Dome on the pool side as opposed to the swing set behind the pavilion?

Mr. Rowe: I need to re-measure for the swing set.

Mr. Brown: The only reason I'm asking that is I think the bocce ball court needs to go so we can put some stuff there. The other issue that always comes up is pickleball. It is always about pickleball. We have been talking about putting some temporary lines on one of the tennis courts for pickleball and see whether or not the residents like it. If there is enough interest, then there would be the opportunity to put a pickleball court behind where the pavilion is right now. If

we put the swing set there and Thunder Dome over by the pool side, then there's no way in God's creation that we can put a pickleball court over in that area.

Mr. Darby: As you know we used the pavilion as sort of an entertainment area.

Mr. Brown: Yes.

Mr. Darby: We moved the picnic tables.

Mr. Brown: We did.

Mr. Darby: So I think in the future, we want to keep that space free for those types of activities.

Mr. Brown: I agree. That is the option. Can you take a 36,000 foot look at it?

Mr. Rowe: Absolutely. I can give you a 100-foot look.

Mr. Brown: That's even better. That's closer.

Mr. Rowe: That way we get a more accurate read on it. That being said, I will get with Richard on this to find out what the actual size requirements would be for adding on a pickleball court in the future. I will try to manipulate what we are looking at right now to potentially keep it out of the way.

Mr. Mills: For the swing set, you need to have a double fall at the rear and a single fall at the front.

Mr. Rowe: If it is 8-foot posts, you will get 16 feet in front and 16 feet in the back.

Mr. Darby: Seamus, one other question. Will you be taking out the bocce ball court and grading it and is that part of the quote?

Mr. Rowe: That is not currently part of the quote, but we would be happy to do that.

Mr. Darby: Could you provide us with that?

Mr. Rowe: Absolutely. It's not going to be significant.

Mr. Mills: The other thing is you had mentioned before about using the rubber mulch. You quoted it with mulch.

Mr. Rowe: I did. I just wanted to get us the basic for right now. That is easily changeable as well. Are you set on the rubber mulch?

Mr. Mills: Yes.

Mr. Rowe: Absolutely. Did you want to stay with that for exclusively the fitness equipment, play equipment or all of it together?

Mr. Mills: All of it together.

Ms. Schoonmaker: You said the exercise equipment is five pieces, but can we have that number to share with the residents?

Mr. Rowe: Yes.

Mr. Mills: We also talked about possibly having a trainer come in for people who want to be trained on the equipment. We will also have a trainer for the physical.

Mr. Viasalyers: What is the life expectancy on the rubber product?

Mr. Rowe: Between five and ten years. There is minimal maintenance to it based off of mostly the edging, whether or not you guys want to do a bordered edge.

Mr. Viasalyers: You might want to do a border instead to help protect it from weeds.

Mr. Rowe: There is also the option for fabric that helps significantly too at a minimal cost.

Mr. Mills: The reason I say the rubber is my wife is a Principal. They put wood mulch down and kids were getting splinters and marks on their knees.

Mr. Rowe: I will make a very big point about this. Wood mulch, especially here in Brevard County, when we use the word, "*Mulch*," they literally mean chip mulch. When I'm using the word, "*Mulch*," I'm talking about engineered wood fiber. It does not splinter. In fact, it is significantly softer.

Mr. Showe: That meets ADA compliance. It is a designed playground product. It's not like the mulch you buy from Lowes.

Mr. Mills: But the rubber mulch will last much longer.

Mr. Showe: It depends on how long it stays there. That's the same challenge you have with the mulch.

Mr. Rowe: Yes. The engineered loose wood mulch, as long as it is fluffed once every six months or more, particularly in the rainy season, you are good for anywhere between three to four years. The bonded rubber mulch lasts between five and ten years. With borders, it gets you to the high side, the 10-year point. You are inevitably going to get chunks no matter what. Having heard the numbers for how many people we have on the golf course, I can only imagine how many people we are going to have on the tennis courts and on the playground. We are always willing to come back. We take care of our customers, especially our local ones.

Mr. Darby: Could you tell me the difference between the two quotes?

Mr. Rowe: Absolutely. In looking at the single post swings versus the single post swings PV, these are standard posts that could go through either two standard belts or buckets or if you are using specialty items. You may need an additional bed, which is almost just an “L” shaped bed that uses the center support and adding two more belts. It would be 7 feet, but you have the option to go to 8 feet. It is really not much of a price difference. We are only looking at 14 feet in the front and 14 feet in the back.

Mr. Darby: We talked about using rubber mulch versus the engineered loose wood mulch. Is there a price difference?

Mr. Rowe: It is significant.

Mr. Darby: Is there a 20% difference?

Mr. Rowe: More like 100%. Honestly, right now, considering there is a shortage of mulch in the US. You cannot find a barrel.

Mr. Darby: Really.

Mr. Rowe: So getting a hold of that, we would be looking at the soonest, December, if you want to do the rubber.

Mr. Mills: Is it imported?

Mr. Rowe: It actually is imported. The problem is they can't get it off loaded or shipped. Nobody wants to work the docks and no one wants to be a trucker.

Resident (Not Identified): There was the mention of reusing curbing last time. Has that been included?

Mr. Rowe: Yes. Absolutely. I wanted to leave that up to the Board. If you want to have borders, I want to take a look at them first to make sure that they are up to standard.

Mr. Showe: Absolutely.

Mr. Rowe: It sounds like you guys have a quality maintenance team. So I plan on that. Again, that's one of those things that I can have delivered next week.

Mr. Mills: Are there any other questions?

Mr. Pawelczyk: So that the Board understands, in the proposal under, “*Play Surfaces*,” it says, “*Permitting Administration*” is \$1,500. That is just for them to apply for and obtain permits.

Mr. Rowe: Absolutely. If you want, you can do that yourselves.

Mr. Pawelczyk: I just wanted to bring that to the attention of the Board because in some of my contracts, permitting costs are 10% or something like that. Sometimes we only have to go down there once and sometimes they have to go down there four times. Because it doesn't pay for any surveys. It is really just running stuff to the county. So that is something to consider as you move on regarding how you wish to do that. Talk to the engineer and see what he recommends.

Mr. Rowe: We have a lot of HOAs that just take care of that on their own.

Mr. Pawelczyk: I just wanted to bring it up to the Board.

Mr. Mills: There is no sales tax because we are tax exempt. Very good. Thank you.

Mr. Rowe: It has been a pleasure to see everyone.

Ms. Schoonmaker: Do you have a timeframe on this? I want to tell people about it.

Mr. Mills: I would just say that is in stages.

Mr. Showe: The Board is discussing it.

Ms. Schoonmaker: It could be six months or a year.

Mr. Showe: It is just like everything else.

Mr. Mills: It one isn't tied down to a date because of everything that is going on or not getting done. So I would just say that it is in the planning stages at this point.

Mr. Showe: I think the Board is also working with the BCA. There have been some discussions.

Mr. Bosseler: What we are trying to do is get our package all put together and then we are going to the BCA and present it to them. Our goal is October 1st, when our new fiscal year starts.

Ms. Schoonmaker: Possibly in the fall?

Mr. Bosseler: In the fall. No one will use it in the summer. It's too hot.

C. Isles of Baytree

Mr. Mills: Joanne isn't here.

FOURTH ORDER OF BUSINESS

Consent Agenda

A. Approval of Minutes of the May 5, 2021 Meeting

Mr. Mills: We have the minutes from the last meeting. Are there any additions or corrections?

Mr. Showe: I received some corrections. If there are no others, we can take a motion to approve them.

On MOTION by Mr. Brown seconded by Mr. Darby with all in favor the Minutes of the May 5, 2021 Meeting were approved as amended.

FIFTH ORDER OF BUSINESS

Old Business

A. Consideration of Resolution 2021-05 Amending Resolution 2021-03 the Approving the Proposed Fiscal Year 2022 Budget

Mr. Showe: I can go over this quickly. The Board asked us to bring this back. This is a resolution that would amend your original Proposed Budget. As the Board recalls, the original Proposed Budget had an assessment of \$2,000 per home, which was an increase. The Board had some discussion at that meeting and at a subsequent meeting, wanted us to bring back a budget that had no assessment increase to residents. So that is the Proposed Budget that we presented. We can take any questions, comments or discussions. I will note that you are not locked into any of these account lines. Things can be moved around. What you are really setting is what the assessment level is going to be for your new fiscal year.

Mr. Mills: I have a question with regard to our water and sewer charges for the guardhouse? Sixty dollars a month is approximately 2,000 gallons. There is no way in the world that guardhouse is using 2,000 gallons of water. I'm basing that on the charges that we get at home. That is what I pay at home, the 2,000 gallons of water.

Mr. Showe: We will look at it. Let me see if I can track down what we are actually spending.

Mr. Mills: Yes, because they are not showering or anything.

Mr. Viasalyers: That could reflect old numbers too because we had a leaking toilet. We could expect a reduction in costs.

Mr. Mills: Yes, but still \$60?

Mr. Viasalyers: A leaking toilet will add up quickly.

Mr. Darby: Jason, I am looking at two budgets; one that is approved and one that considers no increase. The primary overage is the *Pavement Fund*. We are looking at not getting involved with repaving until 2023. At some point in time, we are going to have to make that up.

So I think it's fair to say that even with an increase in assessment of \$115 per home, next year, it could be more than that.

Mr. Showe: Yes, I think that's a fair statement. From our end, we have been discussing the possibility of that for a few years now. So it is really at the Board's pleasure at this point. We probably need to have a decision made today because if you want to revert back to the original budget, we have mailed notices that have to be mailed out in advance.

Mr. Brown: I totally agree. I stand by what I said at the last meeting that I think we need to have the increase. It is only \$10 a month, but we don't have a lot of money in reserves. We are going into hurricane season. As I said last month, the hurricane that we had a number of years ago, cost us almost \$50,000 just to have all of the debris removed from the community. Where is that money going to come from? If we don't have it, let it go into reserves for the future because at some point in time, we are going to get nailed. We haven't been funding the paving like we should be. We still have a lake bank, even though we are funding \$30,000 for it, but your *Beautification Fund* of \$43,000, if we don't have an increase in the assessment for this year, that is your reserve for the hurricanes. Then everything you want to do for beautification, planning and everything else, is not realistic. It is like Artie said last month, I would rather have a \$10 per month increase this year and a \$10 per month increase next year if that is what is required, but don't come back to me next year and say that you want an increase of \$30. It just not the way to do business. Everybody else is paying more. Gas prices are going to go up. Inflation is going to go up. Everything is going to go up. Welcome to America.

Mr. Darby: I think on the other side of that is the argument that because of everything that is going on, one of the things that we didn't go through is increase assessments. I think some of the other CDDs in the area are not increasing assessments. Also, I think there is the point that Jason made at the last meeting, that from a logistical standpoint, you really don't want to raise assessments every single year. You can do them biannually.

Mr. Showe: You can, but there is a cost to it.

Mr. Darby: That's what I'm saying.

Mr. Brown: You are talking about \$500 or \$600 to send out a letter to everybody that we are going to have a meeting about the budget and it's going to go up again, \$10 a month and at the end of the day, \$50,000 is going into the bank to help us keep the community the way it is

supposed to be looking, the way that everyone wants this community to look. So I don't buy that. I really don't. Pay me now or pay me later. That just me.

Mr. Mills: Jason, how far behind would we be next year if we didn't raise them this year and next year, we jump into \$150 instead of \$100?

Mr. Brown: Do you not have any idea whether \$150 is going to be enough or not?

Mr. Showe: It's hard to speculate. Again, if you are looking at this budget, you would probably be close to that raise, but I can't speculate. We don't know what our contract costs are going to be.

Mr. Brown: You had a meeting with Tropic-Care that you told me about before we came in here. You said that they can't find people to work so how are they going to get new people to work? They must pay more. So who is going to pay them to pay more? He is going to come back to us and say, "I can't meet your contract requirements." We have a 30-day cancellation. Well, so does he. Okay? So it's a two-way street. Then you are going to find somebody else. We now have a solid security company. We have the same guards every shift. Things are starting to work. For \$10 a month, we can pay for it.

Mr. Breitner: I agree. People have to have some basis. They are going to have to have some reality. The guy making French fries at McDonalds is making \$15 an hour. You have to recognize that all of these other people in these lower skilled jobs, all of them are going to go up. Tropic-Care is going to go up.

Mr. Brown: Next year, the security contract is at the end of the third year. So what happens then?

Mr. Breitner: An assessment has to go out to the residents, which I certainly support. I'm a numbers guy and I looked at the budget very closely. You did a good job in holding the budget and reducing where necessary. I don't see any expenditures that are out of line or way out of line. People in today's environment have to realize that if labor costs go up then the end product goes up. It just does.

Ms. Schoonmaker: Please don't take this personally, but you are talking about \$36,000 for a playground and at the same time, you are raising their fees. I have a problem with the rates. I totally agree with what you are saying, and I agree with Art, \$10 a month, these people are going to make it, but the perception at that point is you have to be careful because when we are saying the reason, we are raising it is because of necessity.

Mr. Brown: The reality is we are not adding it for thrills because we don't have the money to add thrills. The BCA has the money to add thrills and they have said that they are willing to consider our request for money. We have the land. Okay?

Ms. Schoonmaker: Okay.

Mr. Brown: So if they didn't have excess money in their budget, we would not even be talking about swings or anything else.

Mr. Bosseler: It was brought up at the last meeting.

Ms. Schoonmaker: I know what. I'm very much in touch with what the BCA is doing. You are correct, but the perception has to be cleared up. I think your approach of \$10 a month is the best way to do it. It is actually less than \$10 a month.

Resident (Not Identified): May I comment?

Mr. Mills: Yes, sir.

Resident (Not Identified): You are going to get a certain number of complaints no matter when you do it and will get no credit for what you did in the past.

Mr. Mills: I agree. Thank you.

Ms. Schoonmaker: I think most people agree.

Mr. Mills: Do I hear a motion that we remain at the current assessment. Mr. Pawelczyk, what would be the perfect thing to do here because we already approved the budget with the increase.

Mr. Pawelczyk: If you want to keep the increase, there is nothing to do. So there is nothing to do unless you want to make it a zero-increase budget. In which case, you would adopt this resolution.

Mr. Mills: Okay. I would like to hear from Richard.

Mr. Bosseler: I support the increase.

Mr. Mills: Okay. Jerry?

Mr. Darby: I originally supported no increase. I can still live with that, but I am okay with having an increase for a year or two. I also might add that the original budget that Jason put together talked about a \$150 increase, which we lowered to \$115. So normally, there would've been \$70,000 worth of additional revenue. So the Board has tried to be as conscientious as possible. We also did this by moving \$40,000 and making a \$40,000 investment to gate operators in future years. That is not going away. We are going to have to pay for those at some point in

time. So even we do assess more than \$115, it is not going to be end of it. I just want to be very, very clear.

Mr. Mills: Carolyn, are you still there?

Ms. Witcher: Yes. I would like to say something.

Mr. Mills: Please.

Ms. Witcher: I think we should have some kind of an increase this year. Everything is going up and we all know it. We have to make sure that we put into the budget, we don't pull out. We have to do what we need. I love the idea of the recreation areas being replaced and tearing the old one down, but I don't think need exercise equipment at this point. We could pull back on some of the projects that we are doing. Yes, they are wonderful, but we have to make sure that we take care of the infrastructure. We don't want to have to pull back on that because somebody wants to go and do an exercise for the day. We have a pool. People come in and teach us how to exercise. We have tennis courts. We are spending some of the money that we are trying to save and pull the funds out of other line items in order to make it fit. That's not the way to run a business. You need to set parameters on what you are supposed to do. We are not doing that. That's all I have to say.

Mr. Bosseler: Carolyn, we heard from the BCA at the last couple of meetings. They were willing to go more than 50% of the cost of whatever we came up with. So I'm guessing, but I'm thinking that they would probably do two-thirds to seventy-five percent, which would be less what my budget calls for on our contribution.

Mr. Darby: Richard, in the budget you put a \$40,000 contribution from the BCA.

Mr. Bosseler: Okay.

Mr. Darby: That is locked into the capital. That covers the swing.

Ms. Witcher: You are still spending money that we need in the Reserve Fund. We need to replace that for the hurricane season.

Mr. Mills: It's not our money, Carolyn.

Mr. Bosseler: This is BCA money and they are not spending their reserve. This is extra money.

Ms. Witcher: The BCA money is also our money. We are all homeowners here.

Mr. Darby: Yes, but Carolyn, what they wanted to do is to take those excess funds and contribute it to amenities that could be enjoyed by all of the homeowners. They specifically

wanted those funds to be in recreational improvements and not use it for roads and operating expenses. That is what they want us to use the money for. Just like they did with pavilion and the parking lot.

Mr. Breitner: First of all, the increase is less than the cost of a good dinner. The pushback is on the playground equipment. We have a lot of young families here, but the majority of the residents aren't going to use the playground equipment. People will go after that. People will go after these different amenities to go against having an increase that is necessary to get the District where it needs to be. How many people use the bocce ball court?

Mr. Mills: None.

Mr. Breitner: Nobody uses it. So we spent money on amenities that are not being used. So remove the targets of opportunity that people are going to go after and then put the increase in and we can get the community working together. I guarantee you; you are going to have pushback.

Ms. Schoonmaker: Maybe it's a matter of timing on the playground equipment. Let's not talk about it too much.

Mr. Brown: It's also the message that goes out.

Ms. Schoonmaker: We have to make it very clear that the playground equipment has nothing to do with your budget.

Mr. Mills: It doesn't.

Ms. Schoonmaker: It's a gift from the BCA.

Mr. Brown: They have an overage.

Ms. Schoonmaker: It is the excess funds from the builder.

Mr. Brown: Which they cannot give back to homeowners. So if it's there, it has to be used.

Mr. Showe: Obviously, as your management company, we have been through this a bunch of times, so we will put a presentation together, walk everyone through it and take audience comments. We will also be the ones to take all of the phone calls and walk people through it. You are correct. Your budget is actually revenue neutral because you have more than enough income to cover the cost.

Mr. Brown: We just need to build up our reserves.

Mr. Showe: To keep you level, the reduction has been in your *Pavement Management* and *Beautification Funds*. Those are the items that we had to reduce and those are the big targets for infrastructure going forward. Without that *Community Beautification Fund*, you would not have been able to do the main entrance that has gotten a lot of praise.

Mr. Darby: Jason, as I think you said before, if we had excess expenditures, at the end of the year, those goes into the revenue.

Mr. Showe: Absolutely.

Mr. Darby: So far, we are running about average and the budget reflects that. So this budget is kind of a worst-case scenario.

Mr. Showe: We are always very conservative. Again, you might see some changes between now and the final version, just based on expenses.

Mr. Mills: I'm going to wind up this discussion with my comments. I have been against the increase, unlike in years past, but I really feel that we have no choice and I will go along with the rest of the Board in approving the increase.

Mr. Showe: If that's the Board's direction, we will just resort to the \$2,000 per home assessment and that is what we will put on the mailed notices.

SIXTH ORDER OF BUSINESS

New Business

A. Consideration of Proposal for Fiscal Year 2022 Lake Bank Restoration Work

Mr. Showe: Peter came out and looked at three sites that we asked him to look at, such as the one off of Chatham Court, the Studds property, and one on Ashwell Court. He didn't think at this point that Ashwell needs to be done, but he did feel like the Chatham Court one needs to be stepped up on the proposal process.

Mr. Darby: Is that the Studds property?

Mr. Showe: Correct. So that's been included in the new proposal that we received. It is \$800 more than we typically put in the budget for lake bank restoration, but I think you should get it all done at the same time.

Mr. Darby: We were \$10,000 underspent this year on lake bank restoration.

Mr. Showe: Right.

Mr. Mills: It's going along with what we had said in the Five-Year Plan.

Mr. Showe: The engineer looked at it and it would be our recommendation to go ahead and approve this so we can get a contract going and have it lined up. He is not expecting to come back until November, but we need to have it locked in.

On MOTION by Mr. Brown seconded by Mr. Bosseler with all in favor the proposal from American Shoreline Restoration for lake bank repairs in the amount of \$30,840 was approved.

B. Presentation of Number of Registered Voters – 1,006

Mr. Showe: This is an informational item. We are required to present this every year. As of April 15th, the District has 1,006 registered voters. This District has already transitioned over so it doesn't make any changes to District operations.

C. Discussion Issues

1. COVID Rules

Mr. Showe: Obviously with the Governor's Executive Order, we just wanted to have the Board discuss if you have comfortable removing all of these rules that we had in place at this point. To the extent that I'm aware of, I don't think we have any issues with capacity right now in terms of people exceeding it. So, if the Board is comfortable, we can certainly go ahead and remove these and go back to normal operations.

Mr. Mills: Is our insurance company okay with this?

Mr. Showe: Yes.

Mr. Darby: At the block party, almost nobody wore a mask.

On MOTION by Mr. Darby seconded by Mr. Bosseler with all in favor removal of the COVID rules was approved.

SEVENTH ORDER OF BUSINESS

CDD Action Items/Staff Reports

A. CDD Action Items

Mr. Showe: We can have Will go through the ones we covered.

Mr. Viasalyers: We already covered Items 1 and 2. For Item 3, we are still working on getting hurricane shutters for the smaller windows. I know that we were going to work with Jerry on that.

Mr. Darby: Let me talk with you about that afterwards.

Mr. Viasalyers: Okay.

Mr. Brown: Have we ever thought about putting film on those windows on the inside that 3M makes that stops a projectile 150 mph. I have them throughout my house. I don't have to put up shutters. It's guaranteed to stop a projectile of 150 mph, which is a Category 5 hurricane. This way, you don't have to put up shutters. It's just putting a film on the window.

Mr. Viasalyers: Is it transparent?

Mr. Mills: Yes, it's completely transparent. The only problem is that those windows are tinted.

Mr. Brown: I can give you the name of the company that did mine.

Mr. Bosseler: I have a better idea.

Mr. Brown: What's that?

Mr. Bosseler: You can buy it at Home Depot. I did it on my son's house.

Mr. Brown: I have nothing against you, but I would rather have somebody who knows what they are doing.

Mr. Viasalyers: We can definitely explore those options.

Mr. Brown: This way, you don't have to put them up. You just leave them the way they are.

Mr. Breitner: Is that just a film that goes over the windows?

Mr. Brown: It's a film developed by 3M. I had it in through South Florida and it has been through three hurricanes there and three hurricanes up here. I never had to board up anything.

Mr. Mills: It will shatter the glass

Mr. Brown: It will spider the glass, but not break the glass.

Mr. Viasalyers: Kind of like your car windshield.

Mr. Brown: The other thing it does is it stops the sunlight from damaging your drapes. So, your window drapes last longer.

Mr. Mills: I think the windows are already tinted, so it will come off.

Mr. Viasalyers: We can look at that. I will get the contact information from Mr. Brown. Item 4 is the Beautification Fund Plans. Did you want to discuss that one now?

Mr. Mills: Jason informed me yesterday that I have about \$30,000 leftover, which is going to carry over to next year. So, with that, I'm going to redo the rear gate area. I want you to

get him a price so I can give it to the Board on getting stone done on the big monument coming into Baytree.

Mr. Viasalyers: Does that include the \$6,000 for the stone?

Mr. Mills: I think so.

Mr. Showe: I send you the expenses. We will double check it.

Mr. Mills: Okay.

Mr. Viasalyers: I haven't had time to look at it. Sorry. Next is the solar heater for the pool. We kind of nixed that one at the last Board meeting. Next is the rear gate speaker. I've been working with Frank. He has a new speaker that has Bluetooth capability. It will actually give you remote access from the guardhouse. The one he put in kept having static feedback and wouldn't work. So, he got that in yesterday. I spoke with Frank. He is going to come out sometime hopefully this week or next week to get that done.

Mr. Mills: Super.

Mr. Viasalyers: The signage is ongoing. Mel and I are actually going to go to the sign shop after this meeting. We got the letters up and are waiting for them to do some kind of backing against the letters. I know that there have been some disagreements on the letter color, but we are working on that item. Jason is working on Item 8.

Mr. Showe: Yes. I still haven't received a response. Floyd said he was going to talk to the ownership. I will follow up and see where we are at.

Mr. Viasalyers: The District Engineer discussed Item 9.

Mr. Mills: Make sure you add the two speed humps on Kingswood Way.

Mr. Viasalyers: Yes. The District Engineer has his marching orders. We will work with him. I just followed up with the contractor for the Phase 1 monument repair. I accidentally sent them the wrong estimate. I need to send them the right one so they can start the work. I sent them one from 2015. It got mixed into my email by mistake. I don't have a start date on that yet. Regarding the bench installation, when I came in today, I came through the back gate. I noticed one was installed. I didn't have time to check to see if the rest were installed. That should be done this week if it's not done already.

Mr. Mills: The water fountain has been fixed and is back working again in the islands. There was a defective motor. Apparently, the filter part that goes in actually sucked in the plastic and stopped the propellers from working.

Mr. Viasalyers: Wow.

Mr. Mills: So that's fixed and working. Over here by the tennis court, we cleaned that all of that and put sod around. I approved to have stone put in the bottom.

Mr. Showe: It's there now.

Mr. Mills: That was \$3,900.

Mr. Bosseler: William, what is the status of Item 11?

Mr. Viasalyers: I'm waiting for Tropic-Care to give us a start date. We've been pounding them for the past several weeks. They haven't been out with the committee yet.

Mr. Mills: I would like to address that with the Board. I had a conversation with Mike and William on Monday with things not getting done. Unfortunately, they are having a very serious issue with getting employees. They come to work, work an hour or two and then walk off the job. That's all they have to do to collect unemployment. So, they are having a serious issue with that and things are behind. They ordered a Palm tree for the front. It has been coming and it finally arrived and is sitting at the nursery right now. Now, we have to get it from the nursery to here. We are running into all kinds of complications getting things here. It's unbelievable. These benches were on order for what? Six months?

Mr. Viasalyers: For a couple of months.

Mr. Darby: A member of the BCA and I noticed that the back pool gate going in does not have a closer on it.

Mr. Viasalyers: We are going to work on that. I was going to address that. I can give an update. We are working with the county. We submitted the application, they approved it and we paid the permit fee. I am meeting with the lady from the county on June 22nd. I don't know if a Board Member would like to join me. Sorry, Mel, that is your oversight. I am going to be meeting with her at 11:00 a.m. We are going to review the trees in question and she will go ahead and submit it to the county.

Mr. Bosseler: William, did you look at the foam at the pool?

Mr. Viasalyers: I am going to look at that. I arrived here late today because of a meeting. I will take a look at that after the meeting.

Mr. Bosseler: Okay.

B. Additional Staff Reports

i. Attorney

Mr. Pawelczyk: Thankfully, I don't have much to report on other than to remind you to file your Form 1, Statement of Financial Interests, which you should have received in the mail recently. Rick, you are in compliance as of June 7th.

Mr. Brown: They received it.

Mr. Pawelczyk: We will remind you. It is due on July 1st. They don't start fining until September. If you have any questions, let Jason or I know. That's all.

ii. District Manager

1. Field Manager's Report

Mr. Viasalyers: I have a couple of items. The sidewalk grinding/replacement project was completed. That was a large undertaking. I would like to thank Jerry for taking the time to go around with me and assist with that project. So that has been completed.

Mr. Mills: There are two on Chatsworth that were not grinded yet.

Mr. Viasalyers: I have to take a look at it. It wasn't on the list. We are working with our handyman to get the back gate completed. He is hopefully going to start that within the next week or two. So, I am going to work with Mel on how we are going to do that process. We will be leaving the gates open for residents to come and go. He is projecting that will take a 24-hour curing period and then we will shut the gates again so we can figure out all of the details. We are working on getting some proposals for painting around the pool and the fence at the Southpointe monument. We are still working on getting the monuments up too. We are working with the vendor to get that done.

Mr. Mills: What about the pool bathrooms?

Mr. Viasalyers: I have an update. We replaced the umbrellas. Those have been switched over. They are heavy duty and should last a little longer. We have some of the other items that Richard requested to be done. I'm working on getting the shelving in. I noticed somebody put a chair in there. So that's done.

Mr. Bosseler: You and I talked about re-strapping the lounge chairs.

Mr. Viasalyers: Yes. Maintenance will do several of them. I just noticed the other day that there was one that broke again recently.

Mr. Bosseler: Okay. So, we are waiting for them to come out.

Mr. Viasalyers: I think four or five chairs were broken. They did that two or three weeks ago. Regarding the water fountain that we put in, I didn't know it had this cool feature. Every time you fill up a bottle, it tells you how many bottles you saved. So far, we are up to 80 bottles saved.

Mr. Mills: Wow!

Mr. Viasalyers: So, it's getting used. Also, we completed the connection with Spectrum. We converted all of the internet and phone lines over. So, the District should start seeing some savings on that every month switching from AT&T to Spectrum. I think that's all I have unless the Board has any questions for me.

Mr. Bosseler: William and I are going to meet next week to talk about more improvements at the bathrooms. In the Ladies Room, the stall doors don't lock. They don't match up anymore. We are going to have to spend some money.

Mr. Viasalyers: Another thing that I would like to add is we are going to switch over the lights in the Ladies Room to timer switches. Whenever residents aren't using them, they just go out after 15 minutes. I know there has been some concern about them being on all night.

Mr. Mills: When you walk in, do they come on and then stay on for a little bit and go off?

Mr. Viasalyers: No. There will be a little switch.

Mr. Mills: Why don't you get motion detectors?

Mr. Viasalyers: I thought it was Jerry's recommendation to do that.

Mr. Darby: I just noticed that. The way I found out is I wanted to get a garbage can and the pool access was shut off, but the bathroom lights were on. It just didn't make sense to have bathroom lights.

Mr. Mills: With motion detectors, when you walk in the lights come on and then when you walk out, you can program them to go off in five minutes, ten minutes, fifteen minutes, etc.

Mr. Viasalyers: We can do that.

Mr. Mills: Maybe that is the best thing to do.

Mr. Darby: I had some experience with that. Some people like to read a newspaper in the stall and the lights go out.

Mr. Viasalyers: It is hot in those bathrooms. We are going to work with our maintenance staff to get the hydraulic closer on the back pool gate that you had requested.

Mr. Darby: William, previously we approved a "*No Parking*" sign.

Mr. Viasalyers: Yes. I have to get that done. It's on my list.

Mr. Darby: I mentioned that I finally got my decorative posts. Did I also mention that a sign was missing at Balmoral Park? I noticed a street sign on Baytree Drive and Bradwick Way. It is really fading. You can barely read it. I don't know if there are other signs in the community that are in similar condition. When you do your walk around, take a look.

Mr. Viasalyers: I will get a count and then we will get a price together. It usually depends on the order, but they are around \$60 each to replace. The more you order, the cheaper they are.

Mr. Showe: Is there anything else for William? Hearing none,

EIGHTH ORDER OF BUSINESS

Treasurer's Report

A. Consideration of Check Register

Mr. Showe: In your General Fund, we have Checks 164 through 180 in the amount of \$53,297.37. In your Capital Project Fund, we have Check 116 in the amount of \$9,085. In the Community Beautification Fund, we have Checks 43 through 54 in the amount of \$15,324.25 and May payroll in the amount of \$738.80, for a grand total of \$78,445.42. William and I can answer any questions on those invoices should you have any.

Mr. Darby: I'm good.

Mr. Mills: We're good.

Mr. Showe: Then we need a motion to approve.

On MOTION by Mr. Brown seconded by Mr. Darby with all in favor the Check Register for April 28, 2021 to May 31, 2021 in the amount of \$78,445.42 was approved.

B. Balance Sheet and Income Statement

Mr. Showe: No action is required by the Board. We are doing okay in terms of actuals to expenses. You are 99% collected on your assessments, so we are in great shape revenue-wise.

Mr. Darby: On the assessments, we are almost \$5,000 from being fully collected.

Mr. Showe: Yes.

Mr. Darby: At this point, will the remaining be collected?

Mr. Showe: Oh yeah. There are probably a couple of houses. Some people don't pay until the end. Some wait until that April date to pay. Some people don't pay, and it will get picked up

by tax certificate sales. You guys are almost always at 100%. I don't think there are any issues with that. You are at 99% at this point. That's better than most Districts.

NINTH ORDER OF BUSINESS

Supervisor's Requests

Mr. Mills: Rick?

Mr. Brown: Okay. We talked about how the golf course's contribution to the infrastructure costs of Baytree was promulgated back in the late 1980's, early 1990's. That is how long that's been in existence. Correct me if I'm wrong, Jason, but I interpreted what I read in that document that the Clubhouse was considered two homeowners' properties and the gatehouse had something like 60 cars a day, but you corrected me and said it was 90 cars a day. So, being the kind of guy that I am, I asked the security people whether or not they kept any records of when people come into the front gate, *"Do they say that they are going to the golf course or where they are going and do you put that into some kind of a file?"* It turns out that they do. From January 1st to May 31st, 23,421 cars entering the property through Baytree Drive, went just to the golf course. That equates to 56,210 cars a year, which is well above my 60 cars per day and Jason's 90 cars per day by 71%. Now, the golf course gives us 2.7%.

Mr. Showe: 2.25% of our total infrastructure costs.

Mr. Brown: Which was done way back when. It seems to me that, that is a big difference. Maybe the golf course should be contributing more for our infrastructure costs, especially as it relates to roadways since that is a lot of cars. However, on the other side, in order to see whether or not we even have a case, we have to spend \$15,000 on a consultant to determine whether the calculations done by the original engineer for the developer are correct.

Mr. Pawelczyk: You are correct because the conditions have changed so it benefits the property.

Mr. Brown: So, I guess I'm caught between sort of a dichotomy, if we spend \$15,000, which we don't really have, but they pay us \$20,000 a year for the road infrastructure and they have more cars coming in here than anybody else. It is something that I think I would like to put on the agenda for the July workshop. I'm not looking for a decision now, but I want people to start thinking about this. I know that we have a fairly decent relationship with the golf course, but I think that everybody needs to pay their fair share. Now, I know that part of this increase in the use of the golf course may be related to COVID from January through May, but they did a

study over the course of the past three years and it has been going up on a regular basis from 2019 to 2021. So, the golf course has a good reputation. They put some money into it, God bless them, finally, but I'm just saying that maybe there is an opportunity, for lack of a better terms. Everybody needs to pay their fair share, but I don't want to upset the relationships with them, but that is a lot of cars coming through. They only come down through Baytree Drive, which is the main drag to Old Tramway Drive. Down Old Tramway Drive to National Drive and then the remainder on National Drive. We just paved National Drive for \$100,000 a couple of years ago. So, it's just something I think we need to consider. I will leave it at that and get some more research for the consultant.

Mr. Mills: I thank you doing that Rick, but I think we also need to look at, which we can do with this new system, is the number of times residents come in and go out of the gate. We can do that.

Mr. Bosseler: I can ask Matt if he has any way to determine the number of times the resident gate was used.

Mr. Mills: Matt, wouldn't be able to do that.

Mr. Showe: With our transponder system, he would be able to tell. The golf course is paying the equivalent of about 10 residential homes in here, based on just the dollar amount. So, if you take what you guys pay as an assessment, they pay about 10 times that for the golf course. So as a comparison, we could try to figure out if there's a way to look at the number of trips, but the number of trips is not the only indication of the benefit that they receive. So, you would have to go through your operation and maintenance (O&M) budget to look at all of those factors and determine what level of benefit they get from all of that.

Mr. Brown: Maybe I'm making a mountain out of a molehill, but it's just something that struck me. That's all.

Mr. Mills: I think Sandy said it earlier. They are making money now. I don't think we really want to "*Piss*" them off.

Mr. Brown: No, but I know that the guards still get a lot of crap from a lot of the golfers. I see it on a daily basis in the reports that I get from security and that ticks me off but be that as it may. The other thing is a resident brought up at the last meeting about the bridge on the golf course between Holes 17 and 18. I know that we had sent some request to the golf course about,

"You are on our property. It's your bridge, but everyone uses it and you come across our property to maintain it." I think Mike said that he received nothing back from them.

Mr. Pawelczyk: Jason sent it.

Mr. Brown: Okay, I'm sorry.

Mr. Pawelczyk: I reviewed it with Jason. We worked on it together. He sent it out. I don't know if we received a response.

Mr. Showe: I did not receive a response to confirm that the bridge might need repair.

Mr. Brown: Well, I drive across it every Wednesday and Thursday and sometimes on Saturday. Since the last meeting, I have been paying particular attention as I go over that bridge. It is not the greatest looking bridge in the world, that's for sure, but I don't get a sense of wobbling. I get out of my car and walk on the sides and shake it to see whether or not I'm going to fall in and Copperheads eat me alive.

Mr. Darby: Jason, I think in the response to Mike's letter from the golf course, they did acknowledge that they were responsible for maintaining that bridge.

Mr. Pawelczyk: That is correct.

Mr. Darby: They have to inspect it.

Mr. Brown: So then we are okay. Forget I even said anything. A resident was concerned about it so I said, *"I drive across it. Let me just see."*

Mr. Pawelczyk: Not just that they will, but they are responsible for maintaining the bridge and the path that runs across the CDD parcel.

Mr. Darby: I assume that you did not get a response to your May 11th letter?

Mr. Showe: I did not.

Mr. Brown: Since I have been spending more time in the guardhouse, I have some ideas for some improvements, but I'll bring that up at the workshop.

Mr. Mills: Speaking of the workshop, Jason and I talked last week. Does the Board want to have a workshop in July or would you like to take a month off? July is a vacation month for a lot of people. I just thought that I would put it on the table for discussion.

Mr. Brown: I have it on calendar.

Mr. Darby: I'm okay with it.

Mr. Bosseler: I have no problem with it.

Mr. Mills: Okay. We will have it. It kind of gives us some focus on where we want to go. It is July 19th correct?

Mr. Showe: July 13th. That is also the day your notices will be going out.

Mr. Mills: Do you have anything else, Rick?

Mr. Brown: No. I'm good. Thank you.

Mr. Darby: I'm good.

Mr. Mills: I only have one other thing. Did you ever send out the letter to the homeowner on Old Tramway Drive that was discharging their pool water into the lake?

Mr. Showe: I will follow up with that.

Ms. Schoonmaker: You are not supposed to do that.

Mr. Mills: No. There is supposed to be no discharge at all.

Ms. Schoonmaker: So they can just discharge into the street.

Mr. Brown: That's what I've been doing for 20 years.

Mr. Mills: This person actually dug a ditch.

Ms. Schoonmaker: What do they do legally when their pool is full from the rain?

Mr. Pawelczyk: Every County is different, but I will share a similar experience that occurred in Miami-Dade County. We researched it and Miami-Dade County has probably one of most active county environmental agencies in the State, if not the most active and stringent. Their rules are you can discharge into the stormwater system if you meet certain criteria. Without giving specifics as to what those criteria are, the way that I analogized it was as long as you didn't put chemicals in your pool in the last week, you can discharge into the stormwater system. Now the problem that comes with discharges is people don't want to do it, so they will run it right down the lake bank. What happens when you run 5,000 gallons down the lake bank, you erode the property, killing grass and you are the next property on the list for lake bank erosion. Maybe our engineer has an idea as to what we could recommend in those situations, but I believe that you can discharge directly into the stormwater system, but I don't know what the regulations are.

Mr. Mills: The problem with discharging chlorinated water into a lake, is you are going to kill fish.

Mr. Pawelczyk: That's why the rules in Miami-Dade County are set up whereby as long as it is not chlorinated and the chlorine level is below a certain amount, it's fine.

Mr. Showe: I will reach out to the engineer to see what Brevard County's policies are.

Mr. Mills: This person didn't use a hose. This person actually dug a ditch across our property and discharged the pipe right into the lake.

Mr. Pawelczyk: You are not allowed to do that.

Ms. Schoonmaker: At this point, should I say, "*Please do not discharge excess pool water directly into the lake?*"

Mr. Brown: I would go with that.

Mr. Pawelczyk: I would wait to see what Jason finds out.

Ms. Schoonmaker: Alright. We always have people discharging into the conservation area also. They have to put it someplace.

Mr. Mills: The conservation area isn't an issue to my knowledge. Years ago, when I was on the BCA Board, we discussed that same issue. You can discharge into the street and stormwater management, but you cannot put it into the lakes that have fish.

Ms. Schoonmaker: I will just wait for Jason.

Mr. Mills: If there's nothing else, we will open it up to public comments.

TENTH ORDER OF BUSINESS

Public Comment Period

Mr. Mills: Does anyone have any comments? I want to thank you all for your attendance.

Ms. Schoonmaker: I just wanted to thank this Board because you are very open to discussions. You understand that sometimes I say things that you don't agree with and you say things that I don't agree with, but we keep it civilized. It is such a joy to have that kind of relationship going on. So I just want to thank you all.

Mr. Mills: I just want to commend you for at least agreeing to have speed humps.

Ms. Schoonmaker: I see no recourse.

Mr. Showe: Thank you for letting us allow the lake guy to get onto your property and fix that lake.

Mr. Mills: Exactly. It is great to come to the Board meetings now. I dreaded coming to Board meetings in the past. I'm glad all of the residents are coming and giving input. So thank you. If there are no other comments? We need a motion to adjourn the meeting.

TENTH 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