

**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, **May 4, 2022** at 1:30 p.m. at Baytree National Golf Links, 8207 National Drive, Melbourne, Florida.

Present and constituting a quorum:

Melvin Mills	Chairman
Richard Bosseler	Assistant Secretary
Richard Brown	Assistant Secretary
Carolyn Witcher (<i>via phone</i>)	Assistant Secretary
Janice Hill	Supervisor-Elect

Also present were:

Jason Showe	District Manager
Michael Pawelczyk	District Counsel
Peter Armans (<i>via phone</i>)	District Engineer
Andy Hatton	Field Manager
William McLeod	DSI Security
Bob Eksten	President - BCA
Residents	

FIRST ORDER OF BUSINESS

Roll Call

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

SECOND ORDER OF BUSINESS

Engineer's Report

Mr. Mills: Peter, are you with us?

Mr. Armans: Yes, sir.

Mr. Mills: Would you like to give your report?

Mr. Armans: Sure. Before my report, I'm not sure if I'm going to be here for the approval of minutes, but I do have a comment on something that I mentioned last time. On Page 9, it says,

“Every stinking roadway” and that's not what I said. I said, *“Every stich of roadway.”* It changes the entire meaning.

Mr. Showe: Got you.

Mr. Armans: As far as the report, we were asked to do two things. Last time, the Board wanted us to look at the roadways on the south side of the community. So, we walked through basically everything South of Old Tramway Drive and National Drive. Based on the current condition, we wouldn't say that we need to go out and mill and resurface right away. There are some areas that need some crack sealing on Chatsworth Drive. There is some patching that maybe requires some repairs on Balmoral Way and Southpointe Court that may benefit from some microsealing. But as far as doing a mill and resurface on everything, I wouldn't say that we have to do it this year or even next year. We can do some crack sealing to prevent the roadway from further deteriorating. With crack sealing, basically, you will see all of these black lines throughout. It's not aesthetically pleasing, so sometimes communities will do crack sealing and will go over it with the same color. That does extend the life of the pavement as well.

Mr. Mills: Peter, I have a question. I've seen some communities spraying a sealer. Would that help us at all?

Mr. Armans: What that sealer does, it helps the individual aggregate to stick together, so they don't deteriorate as fast. It does extend the life of the pavement. The pavement condition is at a good place to do that as a solution. Usually, that doesn't work if the pavement has further deteriorated. It doesn't help much, but with the current condition, yes, that would be beneficial for the community.

Ms. Hill: I noticed on Balmoral Way where you had put a patch down. It hasn't been more than a year and we already have two big cracks in it.

Mr. Armans: If you want, we can come out and take some pictures or you can send me some pictures.

Ms. Hill: I will.

Mr. Armans: That should be within the warranty period of the work. We can ask the contractors to come back and repair it.

Ms. Hill: I don't know the exact date, but it hasn't been that long.

Mr. Showe: We'll send some pictures to you, Peter.

Mr. Mills: Would you strongly consider that we do a sealer? How much longer would that give us, before we would have to do any grinding and replacement of asphalt?

Mr. Armans: Doing a sealer coat on top can extend the life of the pavement by another maybe three to five years depending on traffic.

Mr. Mills: Would the Board like for him to get us a quote on getting that done?

Ms. Hill: I think that's reasonable. Yeah.

Mr. Mills: Peter, could you get us a quote on possibly getting that done?

Mr. Armans: Are we looking at basically the same area as I just mentioned, everything south of Old Tramway Drive and National Drive?

Mr. Mills: Yes.

Mr. Armans: Okay.

Ms. Witcher: Can we also have the whole development price?

Mr. Mills: We could do that. Could you do that for us, Peter?

Mr. Armans: Yes. You're talking about simply just doing the spray coat on top and some crack sealing?

Mr. Mills: Yes.

Mr. Armans: Do you want us to break it out into two separate?

Mr. Brown: Two separate.

Mr. Mills: Could you do the crack sealing and then on top of that put the sealer?

Mr. Armans: Yeah. You have to do it that way. You have to crack the seals first and then you put the sealer on top. We would basically break the quote into two areas. Each will have both crack sealing and the sealer on top. Crack sealing will have to be by foot and basically an estimate. I'm not sure if any contractor will come out and actually do a total count of the footage of the entire community. I'll ask. With how busy contractors are, they might just give us a per-foot cost. We would just give them a rough estimate of how much it would be, but the bigger number would be the sealer on top. They will give us an accurate square footage for that.

Mr. Mills: I think Carolyn brought up a good point to go ahead and give us a quote on both the entire community, south of National Drive and then also west of National Drive.

Mr. Armans: Sounds good.

Mr. Mills: Okay.

Resident (Bernard Bryan, Chatsworth Drive): Can I ask a question?

Mr. Mills: Sure.

Resident (Bernard Bryan, Chatsworth Drive): If you're losing asphalt, would the sealant help that or would you have to add more asphalt? I'm seeing a lot of asphalt flowing up.

Mr. Showe: I know that Peter can probably address this a little better, but in our experience, when they do the sealer, some of it they can do and some of it they can't depending on the underlying material. Correct, Peter?

Mr. Armans: I'm sorry, I didn't hear the question.

Mr. Showe: There are some spots where they think that asphalt has deteriorated. In those cases, I don't think they can always do the sealer on top of that.

Mr. Armans: Yeah. In those locations we'll have to do a repair first before we do both crack sealing and the sealer on top. We would include that in the quote.

Mr. Mills: I don't want to bring this up as a personal issue, but Bernard is correct. I'm seeing a lot of sand in our gutters that's being washed off of the roadway. It's from the deteriorating asphalt.

Mr. Brown: Is that specific to Chatsworth?

Mr. Mills: Yes. Unless anybody else has seen the gutters.

Mr. Armans: If you remember, we talked about doing core samples to see the structural integrity. Now with what we just talked about, the sealing and the crack sealant does not do anything to the structural integrity. So, if there are some base issues, those will continue to be issues. If there's water coming up through the ground, it will still seek through whatever sealer we put on top. It's not going to keep it from happening, but it does extend the thickness of the aggregates together and that's what gives that little more life. It's not going to affect the structural integrity. Basically, what we're doing is, we're pushing that review of the structural integrity of the roadway a few years ahead to do it when we are ready to do a mill and resurface.

Mr. Mills: I think if we can extend the life of our roads from three to five years, that would give us enough time to get the money accumulated to maybe help offset this inflation figure that we're dealing with.

Mr. Armans: Sure.

Ms. Witcher: I think so too.

Mr. Showe: Okay.

Mr. Mills: Is it the Board's wishes then to have him go ahead and get us some quotes or at least some estimates. You got that Peter?

Mr. Armans: Yes, sir.

Mr. Mills: Okay. Is there anything else?

Mr. Armans: The other thing that we'll have to look at are the lake banks. There was a plan for some lake bank repair as I believe that the current plan that was previously completed, elapsed. There's no more work to do on that plan, so, I think the plan would be to look at the areas where the lake bank is coming close to the property line and we'll prioritize those areas to inspect it to see if those need to be fixed. We scheduled the site inspection work for what I just mentioned, as well as the 20-year needs analysis for May 17th. You will see our crews out there walking the ponds and looking at the structures. Currently, it's been tentatively scheduled for May 17th.

Ms. Witcher: Peter, are we still going to do the back of Ashwell Court no matter what we do on the lake bank?

Mr. Armans: I believe that's the one that Jason and I looked at. Is that correct? We've already given our recommendation on that.

Mr. Showe: Yes. We gave a recommendation that needed to be included. So, that will be part of whatever evaluation we do.

Mr. Armans: Yeah.

Ms. Witcher: I just to make sure that it will be included in the next event.

Mr. Brown: It is.

Mr. Armans: Yes, it will be.

Ms. Witcher: Thank you.

Mr. Mills: Peter, do you have copies of the previous engineer's study on the lake banks?

Mr. Showe: I think we've got it. We're still trying to track it down based on the amount of emails.

Mr. Mills: It would be interesting to see from when that was done to current, how much erosion has taken place.

Mr. Showe: Yeah. The plan that they did ended with the year that we just did. It was a five-year plan. So, we felt that it would be better to get fresh eyes on it with a new engineering firm, but we're still trying to track that down. I've also gotten in touch with the vendor, because

he does his own evaluation once we give them a recommendation on how to best do it based on this professional expertise. So, I'm going to see what he thinks.

Mr. Mills: Yeah. Because with the storms coming the way they are, I'm sure that the erosion is quicker than it had been in the past.

Mr. Showe: It could be.

Mr. Bosseler: Jason, maybe we can get it in a form that we can all get a copy of.

Mr. Showe: Yeah. Is that it?

Mr. Mills: That'll be good.

Mr. Bosseler: It goes to 2020.

Mr. Showe: I think that might be the one we received. I'll scan that in.

Mr. Bosseler: You can handle that?

Mr. Showe: Absolutely.

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

Mr. Armans: No, unless you have any questions for me.

Mr. Mills: That's it, Peter. Thank you very much.

Mr. Armans: Thank you. Take care.

THIRD ORDER OF BUSINESS

Community Updates

A. Security

Mr. Mills: Bill?

Mr. McCleod: First of all, I'd like to thank the Board and the community for the pay raise you gave the officers. That was well-received. I'm really appreciative of the relationship that we've built with Baytree and I think it's showing in the performance of our officers. If anybody has any comments or issues with me or the officers, please contact either your Board Members or GMS, and they will get in touch with me. Some of you already have my number. I'm more than happy to take your calls if there's an issue for what you're paying. There shouldn't be any issues. So, I really appreciate your trust in us. We certainly love being here. With that being said, since the last time I was out here, we've only done two management visits. The reason being, and this is no excuse, is we took on a very large account. It's quite frankly killing me honestly. We had indicated that we would get out here as much as we could. That would pick back up now that we've got that account settled down. We also have been without field supervisors for a little while. With the labor market, the way that it is, we were very finicky about the supervisors we've

put out in the field. But we're starting to see an uptick in the quality of candidates that we're getting. So, you'll see more visits out here. Matt has done a couple of trainings. One was the customer service training. The other was emergency preparedness. That's it unless you have any questions for me.

Mr. Mills: I only have a statement to make. The guards are doing a great job. I think you've taken care of that one issue.

Mr. McLeod: Yes.

Mr. Mills: I want to basically bring up an old situation that happened years ago. We had a resident who got a guard fired and the Board knew nothing about it at all. So, if any resident demands that a guard be fired, please let Rick know.

Mr. McCleod: Absolutely. We'll go through Jason first, because we understand, having officers here for a while has its pros and cons, but most of the time there are a lot of pros. Them knowing you and who your guests are, who you want here and who you don't, that's a plus. A minus is they get a little comfortable at times and we have to be careful a little bit, but outside of that, I think we have a good crew out here, so I appreciate that.

Mr. Brown: Absolutely.

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

Mr. Brown: No.

Mr. Mills: Thanks, Bill.

B. BCA

Mr. Mills: Bob?

Mr. Eksten: I had a couple of things. I'm not going to go recap our last annual meeting, but I do want to be upfront about something. We've had a lot of complaints about the signs, about the fact that we have a lot more signs than we used to have. Some are stop signs that have been very effective. I personally think the speed humps are fine where we have them. I know you decided not to have one on Balmoral Way, which I think was the right decision, but when you look at the speed humps, there are too many signs. The example I had, was if you go on Old Tramway Drive, as you leave the Clubhouse on National Drive, just glance to your left and you'll see a speed hump ahead sign. Right after the speed bump sign, there is a 15-miles-per-hour sign. It is unnecessary to have the speed hump ahead sign because we're all residents that use the roads

in here. There may be exceptions, by the way, for what I'm proposing. We're all residents, we have frequent visitors and we all know that the speed humps are there. You can either slow down or not, that's your choice. We hope that you slow down. For those that are speeding, they are finally realizing that this kind of hump can spill your coffee. But in most cases, the extra speed hump sign ahead sign is totally unnecessary. You can see both signs very easily and again we residents know where the speed humps are. Your frequent guests do as well. The lawn care guys go over those things rapidly. I find that most people are well within the speed limit. So, my proposal is for the CDD to take a look at each individual speed hump to see if both signs are necessary in all cases. We have five sets of speed humps. At some, it makes sense to have those signs there. For example, the second sign as you are coming in on Baytree Drive, there aren't homes right there, so the second sign is really not an issue. But for a lot of other people, they see that sign right in front of their house and I received a lot of complaints about that. So again, on an individual basis, I would suggest that the Board look at that and if that second sign is deemed unnecessary, we can consider taking it out.

Mr. Brown: I don't think there's anybody on this Board that disagrees with what you are saying. The unfortunate thing is that the speed hump signs, the amount and the location are required by the State Department of Transportation.

Mr. Showe: Those are all built in the Florida Department of Transportation (FDOT) standards. The distance between the first sign and the speed hump, is based on the speed of the road. So, if the speed hump is this many miles an hour, it's required to have the first sign there and the speed limit sign is required by FDOT standards.

Mr. Eksten: I knew that was the case and I was hoping that Mike would have closed his ears.

Mr. Showe: It's too late now. You should've asked him to leave the room.

Mr. Eksten: There were requirements in the past, for example, at the swimming pool, we had to have the wheelchair/handicap accessible ramp. We don't have that anymore because it was not necessary. Personally, I don't think that the State will come in and say, "*Okay you guys need to put that sign back up.*" I'm not saying everyone because for example, on Kingswood Way, there's one sign where the actual speed hump sign is right behind a tree. In that case, you need that speed hump ahead sign, but I feel that the one on Old Tramway Drive is just a technicality.

Mr. Showe: We can certainly take a look and see what the engineer would recommend in terms of it. The county definitely wanted us to keep at least the FDOT standards on whatever those were since they are public roads.

Mr. Mills: Bob's not the only one that's heard that. I've heard people saying that we have too many signs. What legally can the State do to us if we take down the speed hump ahead sign?

Mr. Pawelczyk: I think more of a concern would be not what the State was going to do, but what your liability would be for not putting signs in, in accordance with the FDOT standards.

Mr. Showe: Correct. If somebody goes over that and hits it.

Mr. Pawelczyk: If someone goes over it, hits it, runs into a house and kills two kids, you're negligent for taking down the sign that was in accordance with the FDOT standards. There's a whole manual on uniform traffic control devices that the engineer has to use and cities use with respect to signage and markings.

Mr. Mills: So, basically, due to legal and/or liability issues, I guess they have to stay.

Mr. Eksten: I understood that was a legal requirement, so frankly it serves no real functional purpose.

Mr. Pawelczyk: It won't be the first legal requirement that serves no functional purpose.

Mr. Eksten: My second issue has to do with signs also. At had a previous CDD meeting, I had requested that the BCA to be allowed to purchase with BCA funds, the sign identical to the sign that exists right now at the front gate. The reason for that is we have a lot of social events and a lot of concerns and issues that we put on that sign. We will pay for all of the costs involved. What we are looking for is the CDD's permission to put a sign in between the sidewalk and the curb, on the resident's entrance to the front gate.

Mr. Mills: Bob and I looked at that yesterday. There is electricity on that side, so that wouldn't be a problem. It looks like we have enough space between where the antenna is for the transponders to put a sign and maybe angle it towards the driver. We were going to talk about this at the workshop. Do we have any quotes yet?

Mr. Eksten: I know Jason knows that Mr. Mike Sherbin on our Board has information as to where to get a quote.

Mr. Brown: How many quotes?

Mr. Showe: We gave them the same vendor that we used for our sign. For what we paid for those, the fact that they've been there as long as they have, still look really great and are still functional, it was worth it.

Mr. Mills: How much did we pay for them? Do you remember?

Mr. Showe: I think they were \$4,000 or \$5,000 each.

Mr. Brown: They were the equivalent of \$4,000 a year for the holiday lights for the next 10 years. Does that make sense?

Mr. Bosseler: No.

Mr. Brown: I have no problem. It's our land. Do we need to have an agreement?

Mr. Showe: Probably.

Mr. Pawelczyk: Yeah. We could do just a simple License Agreement. I talked to Bob a little bit about that after the last meeting. If the Board is inclined to move forward, you could just authorize us to prepare all of that, so we don't have to wait for the next meeting. If we have to bring that back we will.

Ms. Hill: Are you going to be able to read all of that information? I guess if you go through enough times, you can get it.

Mr. Mills: Are you okay with it?

Mr. Brown: I'm fine with it.

Mr. Bosseler: I'm fine with it.

Mr. Mills: I'm fine with it.

Ms. Hill: Yeah.

Mr. Mills: Go for it.

Mr. Eksten: Just to step back, I didn't ask Mike to get a second bid because I figured that you guys did all of the homework for the first one.

Resident (Not Identified): Currently, I think Andy is changing the signs.

Mr. Showe: The guard at the front changes the front sign. We manually do the one at the rear.

Resident (Not Identified): Okay. That's what I thought.

Ms. Hills: I thought that Paula did it.

Mr. Showe: We put the CDD one up. Paula may do the HOA side of it.

Mr. Brown: Yeah, Paula does the HOA one.

Resident (Not Identified): I think that we need to make clear who would be maintaining it.

Mr. Showe: I think this would be a BCA sign, so the CDD wouldn't have any maintenance responsibilities for it.

Mr. Pawelczyk: The CDD will pay for the electric. Is there electric going to the sign?

Mr. Brown: Why does there have to be electric.

Mr. Showe: It's probably not worth it to get electric.

Mr. Pawelczyk: I just want to make sure that the agreements say that the CDD will pay for the electric. I don't want to set up a meter for it.

Mr. Showe: No, no, no.

Mr. Pawelczyk: Okay. Easy enough.

Mr. Showe: Yeah.

Mr. Mills: It's like I told Bob.

Mr. Pawelczyk: Bob told me that there will be LED lights.

Ms. Hill: Okay.

Mr. Mills: Bob and I talked yesterday at lunch. We're all in this together. We're all residents.

Ms. Hill: Yeah.

Mr. Mills: And the way it was before, the CDD was here and the BCA was there. That's now gone. We're all here for one purpose and that is to get along together, to work together. Go for it, Bob. Get it done but try to get it exactly like the one we currently have.

Mr. Eksten: That's what I thought. It would be aesthetically pleasing. There is one other thing that I thought I would bring up. Actually, I've got an update. I talked to Mel and some other people about the pavilion. The way that it was set up originally, there were all of these requirements and fees and whatnot that we are using for the pavilion that were unenforceable. We're not going to be able to have somebody down there to see if somebody exceeds the four-hour limit, that they clean afterwards, whether they did this or that. The way it reads on the BCA website right now, is if you want to reserve it exclusively, you can pay a \$25 fee and \$75 refundable damage deposit. That would ensure you having it posted in advance for this groups private use of that pavilion for residents first. For everything else, it belongs to the residents and the residents are free to use it as they see fit, as long as they keep it clean. There is a camera at

the pavilion, so if somebody gets carried away, hopefully we have that on camera. So, if the CDD is okay with that, I believe the one optional thing is if you want to reserve it for a special occasion, you pay \$25 and the refundable deposit.

Ms. Hill: That is basically to cover the expense of cleaning up.

Mr. Mills: Yeah.

Ms. Hill: We want to make sure that whoever is using it, isn't trashing it and walking away.

Mr. Pawelczyk: The way that it was set up, I remember, the pavilion was open to anybody to use it, but if Mel is having a party there and he didn't reserve the pavilion, then Rick can go there and sit there with his family. But if you wanted to reserve it, you would need to pay. I don't think the Board really solved this.

Ms. Hill: No, they were more concerned about somebody coming and trashing it.

Mr. Pawelczyk: At least we have a camera now.

Mr. Showe: Actually, the way he describes it is exactly what's in the rules. If you're an owner of a residential unit, it's \$25 to rent with a \$75 deposit. Only residents can book it unless you're an annual member. So, the annual member fee is in there as well if somebody wants to book it for an event.

Mr. Pawelczyk: Right, that's what it states.

Mr. Showe: Beyond that, it's first come, first serve.

Mr. Pawelczyk: Well, the only thing that we would ask, is to make sure the same rates that we've approved are on your website.

Mr. Eksten: That's what's on there right now.

Mr. Pawelczyk: Even the annual member has to pay an annual member fee?

Mr. Eksten: I don't think it says, "*Annual Member.*" That's the only thing that's not there.

Mr. Pawelczyk: Well, Jason can you get that for you. The reason we want to do that is, because that is technically a public facility. Brevard County taxes it as a public facility, which means that we don't pay ad valorem taxes on it. The reason we don't is because it's open to the public, meaning if Mr. Mike Pawelczyk who doesn't live here wants to use it, I could pay the annual member fee of \$1,500 and then I can pay \$25. So then technically it's open to the public. We just want to make sure that the rates are there, so that land is not taxed improperly by the Brevard County Property Appraiser.

Mr. Showe: Correct.

Sandy: Jason, my husband who is on the Master Association, will put the exact wording of what we want to put on the sign.

Mr. Showe: Okay.

Mr. Pawelczyk: Just so it's consistent with our rules. You can even put, "*If there any questions on annual membership, call the District Manager.*"

Mr. Mills: I think, Bob, what you were asking though is for the \$25 fee to be done away with. Right?

Ms. Hill: No.

Mr. Eksten: No.

Mr. Pawelczyk: He is saying keep it the same.

Mr. Mills: Okay. Got it.

Mr. Pawelczyk: I think, Bob, the point was that people are just using it anyway.

Mr. Brown: Have we ever thought about tying the annual membership fee to what our ad valorem taxes are?

Mr. Showe: Part of that is, it has to be set at a rate that ties to that amenity.

Mr. Pawelczyk: Yeah.

Mr. Showe: They don't necessarily have access to all of the roads, so we can't charge them the full assessment rate. We have to come up with something that's representative of the use that they get of that facility.

Mr. Pawelczyk: The use of the cost of the facility.

Mr. Showe: Right.

Mr. Brown: But they do have access to all of the roads because we can't stop them from coming in. They do have access to the security because they have to come through security.

Mr. Pawelczyk: Maybe we should see if someone purchases an annual membership.

Mr. Showe: Yeah.

Mr. Pawelczyk: Then we'll fix that. Because the reality is, for \$1,500, that's a big jump to your budget, if somebody is going to come in here and rent the pavilion on a regular basis. I think the pavilion rules also include limitations on how often you can rent them. If not, we can always add that, if we need to.

Mr. Showe: We have these annual user fees in all of our Districts that have amenity facilities.

Mr. Pawelczyk: Very few take advantage of that.

Mr. Eksten: It is just a thought. No problem.

Mr. Showe: It's a steep price to rent the facility for a day.

Ms. Hill: That's why I don't think we should advertise it.

Mr. Showe: We don't. It's not out there, but it has to be part of the rules.

Mr. Pawelczyk: Frankly, if someone wants to spend \$1,500 a year or whatever that rate is, fine. If the District owned this clubhouse, there would be a non-resident annual membership fee. Frankly, if someone who lives way over there, wants to pay \$1,500 or \$2,500 a year to use the facility, they're not going to use it every day.

Mr. Brown: It will pay for the Christmas lights.

Mr. Eksten: I think, that's it. I appreciate the Board considering our proposals.

Mr. Mills: No problem at all, Bob.

Mr. Eksten: Thank you.

Mr. Mills: Thanks so much.

Mr. Pawelczyk: We should have a motion to authorize the preparation and execution of a License Agreement from the District to the BCA, with respect to the sign at the front entrance, subject to a final review by the Chair.

Mr. Mills: Sounds good.

<p>On MOTION by Mr. Mills seconded by Ms. Hill with Mr. Bosseler, Mr. Brown, Mr. Mills and Ms. Hill in favor and Ms. Witcher dissenting, authorizing the preparation and execution of a License Agreement from the District to the BCA for a sign at the front entrance, subject to a final review by the Chair was approved. (Motion Passed 4-1)</p>

C. Isles of Baytree

There being none, the next item followed.

FOURTH ORDER OF BUSINESS

Consent Agenda

A. Approval of Minutes of the April 4, 2022 Meeting

Mr. Showe: I received some changes, so we would take a motion to approve the minutes as amended.

On MOTION by Mr. Brown seconded by Ms. Hill with all in favor the Minutes of the April 4, 2022 Meeting were approved as amended.

FIFTH ORDER OF BUSINESS

Agenda

A. Consideration of Resolution 2022-04 Approving the Proposed Budget for Fiscal Year 2023 and Setting a Public Hearing

Mr. Mills: Let's do the budget before the resolution.

Mr. Showe: I need to walk you through the resolution because the resolution itself is pretty mechanical. The resolution sets the Proposed Budget, which is attached as Exhibit A. If you make changes to it, it will be the changed version or whatever you approve today. It also sets the public hearing, which is August 3, 2022 at Noon, which is a regular meeting day. We typically move that budget meeting up to Noon. It will be here. It also directs us to transmit that to Brevard County and also place it on our website. To give some history on the budget, we talked about this a little bit at the last meeting. The biggest changes we made from the version you've seen before, are that we increased the *Roadway* total to \$130,000, which gets split between the Isles of Baytree and the CDD and increased the *Community Beautification Fund* back to where it was. When you factor all of those in plus the capital projects, it comes to an assessment increase of \$202.18 from the prior year. So, it's really up to the Board at this point if you want to go through those line-by-line. I think, we went through most of it at the last meeting, but we can certainly take whatever questions or comments you have on it at this point.

Mr. Brown: It is, what it is.

Ms. Witcher: I have one comment. I received my water bills from the City of Cocoa and they are increasing it by 6.5%. Have we figured that into the budget?

Mr. Showe: We did a 10% increase on all of the utilities, but I don't know that we've received that notification. I can check with our staff. Let me see what we did there.

Ms. Witcher: Okay.

Mr. Showe: For water and sewer, we put in a slight increase, but not a huge increase. We can take a look at that.

Mr. Mills: So, you're recommending that the assessment go up.

Mr. Showe: The budget as it's built right now has an assessment increase of \$202.

Ms. Hill: How much did we increase it last year?

Mr. Brown: \$100.

Mr. Mills: \$115.

Mr. Showe: It went from \$1,880 to \$2,000.

Ms. Hill: Okay. Now we're talking another \$200.

Mr. Showe: Correct. The majority of that is based off of two things. You're adding \$30,000 to *Roadway*, which wasn't there before and we added to the security contract based on the approval at the last meeting. Those are the two big increases.

Mr. Mills: If we back out the \$30,000 and just go with \$100, what does that do to the budget?

Mr. Showe: Taking the *Roadway* back to \$100?

Mr. Mills: Yeah.

Mr. Showe: Let me see.

Mr. Mills: The reason I'm saying that is, if we decide to have the road sealed, I can't see it costing us \$130,000 for a one-time event for three to five years.

Mr. Brown: I have no idea.

Ms. Hill: I don't either.

Mr. Brown: That's a crapshoot.

Ms. Hill: Especially with oil.

Mr. Showe: That drops it about \$65. Again, there are some other factors that go into it, so when you do that, it changes the split between the CDD and Isles of Baytree. It's not exact, but it will be about a \$65 increase.

Mr. Brown: Every \$100 increase in the assessment basically equates to \$4,610. That is based on 461 homes times \$100. I don't like increasing the assessment any more than anybody else does, but I also want to be realistic. We've never done sealing and spraying. You're talking about every road in Baytree?

Mr. Mills: Yes.

Mr. Brown: I have no idea what that's going to cost. If it costs less than \$130,000, then the \$130,000 that we're increasing it to for the future, just makes our fund for road repaving solid. We don't have to go back and increase the assessment because we didn't plan for the increase.

Ms. Hill: You do a budget every year, so if you increase it, then we've got it and if it's more than we need...

Mr. Mills: Then next year we won't have to do anything.

Ms. Hill: Right, but we're sitting in an inflationary environment.

Mr. Mills: I know. That's my concern.

Ms. Hill: I know that's hard for other people, but if you go into the grocery store or to the gas station, it's easy to say that all of our bills are going up, which is true.

Mr. Mills: I'm going to ask the audience, what is your opinion of the assessment increase of \$200 more a year?

Mr. Brown: It goes from basically \$2,000 to \$2,200. With that \$200, we're increasing the amount of money that's in the *Community Beautification Fund* and the amount of money that we have to set aside for the road that we are responsible to repave when necessary. The security contract went up too. What we haven't talked about, even though you've put in a little increase, was Tropic Care and the landscaping.

Mr. Showe: Yeah. We put some inflationary increases in for all of our vendors because we expect that it's coming both for the pool, Tropic Care and the lake vendor. Anything that deals with chemicals, we expect an increase from.

Mr. Mills: Speaking of Tropic Care, Mike wanted me to give him a call, which I did when I got back from Europe. He said that Tony wanted to talk to me. I asked, "*Do you know what it's in reference to,*" and he said, "*No, but it's nothing important.*" So, I don't know.

Mr. Showe: Yeah.

Mr. Pawelczyk: I think you should give the information to the residents as to why you need to do it. It will have to be a clear case.

Mr. Mills: We did that last time.

Mr. Showe: We would do it again. We would do a similar presentation.

Mr. Pawelczyk: Because you just did it recently, I think you need to make sure that you can do it and spell out why you are doing it.

Mr. Mills: Well, I'd like to correct what Rick said. The original budget for landscaping was set years ago at \$100 per household. It didn't go up \$35,000. It went up to meet what it was before because it was cut back to \$12,000.

Mr. Showe: That was to balance the \$100 increase we had last year.

Mr. Mills: Right.

Mr. Showe: So, we did make some cuts there that weren't there previously.

Resident (Not Identified): I think it's defensible including adding it due to these big maintenance bills coming up. I have an erosion problem behind my house that needs to be addressed, so I think it's very defensible.

Mr. Showe: As we stated, we would do the same type of presentation that we did last year. We would explain and tell the Board's story.

Mr. Brown: Yup.

Ms. Hill: Not only that, but I was here when we didn't raise anything for so long.

Mr. Mills: I know.

Ms. Hill: And then we had to make a huge increase. I think that's a lot more onerous than doing a little bit at a time and keeping current.

Mr. Brown: Yup.

Mr. Eksten: I know exactly what you're talking about. Mel was on the Board with me at that same time. The problem was, the first time that we proposed an increase to do things like beautification, we had 50 people in this room objecting to it. They were all very much up in the air about raising their rates, their non ad valorem taxes were as high as they were and so forth. It was not based on fact. That's why I said that I'm for the increase, just so you know. There are many good reasons to do it. You just need to get that point across.

Mr. Mills: Does anybody else in the audience have a comment?

Resident (Not Identified): Yeah, I have a comment. It just happened that the timing frustrated a lot of families. I know that a lot of public School Boards were getting ready to increase the millage. There's a vote coming on that this fall and a ton of increases coming. So, you may get a lot of people in here looking at the big picture from their household perspective. So, I'm okay with the increase, but I'm telling you, there are going to be a lot of families. I just want to give you a heads up.

Mr. Brown: There's a lot of controversy over the School Board.

Resident (Not Identified): Yes.

Resident (Not Identified): Wasn't there an increase last year?

Mr. Mills: Yes. There was a \$115 increase. I remember you saying, "*\$100, come on let's get real.*"

Resident (Not Identified): I'm just saying now, you are doing a 10% increase. I'm not disputing the need or anything, but you better communicate it well because you are going to have a lot of angry citizens. So, you better have a lot of transparency about why you are doing it. Because having an increase two years in a row, is going to anger everyone.

Mr. Mills: I hear you.

Mr. Bosseler: Do we have time to discuss it at our workshop?

Mr. Mills: We have to do it before the workshop.

Mr. Showe: You want to start this process as high as you're comfortable with and you can always bring it down from there. So, you can spend the next two or three months reviewing the budget. If there are areas that you want to cut or tweak, we can make reductions before the letters go out to your residents and you can make reductions up until the day of the public hearing to adopt this budget.

Mr. Mills: Got you.

Mr. Showe: I will point out that there's frankly not a lot of fluff. There are not a lot of reserves in there.

Mr. Mills: No.

Mr. Showe: We even cut a lot of the capital projects back. The one thing we did, the transfer into the Capital Projects Fund, I made that \$65,000 because that's the high watermark in your plan right now. That way, at least, you've got the assessment set to cover those capital projects for the next few years. Again, if prices rise on other things, you're back to where you are. If the Board recalls, when we did the budget last year, the initial projection we had was much higher. I'm trying to pull that right now.

Mr. Mills: It was \$120, I think.

Mr. Showe: The original budget that I presented had \$2,027 as the assessment and we cut it down to \$200 or to \$2,000.

Ms. Hill: I went through line by line. You're looking at insurance going up and taxes going down.

Mr. Showe: Yeah. I think if you go through there's not a lot. The security increase was the big operational expense.

Ms. Hill: Yeah.

Mr. Brown: What we still don't have a reserve for is in the event of a hurricane. The last hurricane that hit Baytree cost us almost \$50,000 to have somebody come in and gather up all of the landscaping debris. That has to come from somewhere.

Ms. Hill: Well, we've got reserves, but that would wipe them out.

Mr. Mills: Yeah. That's one of the reasons we adopted the line of credit, in case something like that would ever happen.

Mr. Showe: Theoretically, although you have a Roadway Fund, those are all assessment monies. That doesn't mean it's reserved only for the Roadway Fund. If you had an emergency, I'd be the first one to come in here and say, *"This is where the money can come from."*

Mr. Brown: Yeah. That is a good point.

Mr. Showe: I completely agree. You've got some reserves. I don't want to make it sound like you don't, but the things that you have allocated are for specific projects. There's not a lot of extra monies beyond that. The operating is still pretty tight. We tried to make it as tight as we could and realistically give you a budget for next year.

Ms. Hill: We were visiting friends in a community similar to this on the other side of the state. One of the things that we noticed is that they had let their roads go since the last time we visited and there were potholes. We said, *"Hmm, the message that sends is not good."* You do not want us to not take care of things and let them deteriorate because that leaves a bad taste in people's mouths for your entire community.

Mr. Mills: I would like to convey to the group, the audience, some of the capital improvement projects and the cost, so you can get a realistic idea here. For lake bank restoration, we've allotted \$30,000 through FY 2023 through 2026.

Mr. Brown: That's based on a five-year-old plan.

Mr. Mills: A five-year-old plan. Sidewalk and gutter repair were \$10,000 for 2023. For 2024, it goes to \$14,500 through 2026. Drainage maintenance is \$8,000 for this year and \$10,000 for next year through 2026. Curb tree trimming replacements is \$4,000 for this coming year and then it goes to \$6,500 up through 2026. For tennis court lights, there is nothing until the year

2025 and that's \$2,000. Pool refurbishing is zero. Recreational area improvements are \$5,000 for this year and that was for, if I remember right, the playground equipment.

Mr. Showe: No. The playground equipment's in the current year.

Mr. Mills: Okay.

Mr. Showe: I don't know that we allocated anything specific there. It was just for general improvements or things that we might want to do.

Mr. Mills: Okay.

Mr. Bosseler: We've got to face that the pool is 20 years old.

Mr. Mills: Yup. The deck needs to be done. Maybe what we should do in a footnote, when we're talking to the residents, is note that the deck of the pool has to be done.

Mr. Showe: Yeah. There are certain projects that aren't in here that factor into what could be increased costs as well.

Mr. Mills: The pool furniture needs to be replaced at some point in time, but nothing was reserved until 2026. Gate operators is zero. So, there is a total of \$57,000 for capital improvements for this year.

Mr. Brown: Keep in mind that those gate operators are 20 years old and when they go, they're about \$40,000 to replace.

Resident (Not Identified): I would say that you're probably trying to convince the wrong people.

Mr. Brown: We're preaching to the choir.

Resident (Not Identified): I think probably you're going to have to make the hard decision to pay the price.

Mr. Brown: That's a good point.

Ms. Hill: We're depending on everybody to get the word out and make our case for us.

Resident (Not Identified): I'm not going to tell anybody.

Mr. Showe: Well, if it's like most years, they will get the letter that we send out and they will call me and I'll go over it with them and invite them to the meeting where we'll have the presentation. We typically put the presentation on the website in advance so people can look at it.

Mr. Brown: Do you think Peter can get us to the quote for the sealing in the spring by our next meeting?

Mr. Showe: I hope so.

Mr. Brown: Because that's up in the air, especially if we're talking about sealing every road in Baytree. Personally, if it came out to less than \$46,100, then I would say I don't have a problem dropping the increasing assessment from \$200 to \$100 because that's something that we can budget for over the course of the next three to five years.

Mr. Bosseler: Yeah. Hopefully, the sealant will extend the life.

Mr. Showe: But even if he can't get it by next meeting, we have until August to get a number. I'm hoping he can get it by then.

Mr. Bosseler: How much do we have in the bank for roads right now? I can't seem to find it.

Mr. Mills: It's \$400,000. Isn't it?

Mr. Showe: It's on Page 13 of the budget. So right now, at the end of this year, we project to have \$457,000.

Mr. Bosseler: Okay. Good.

Ms. Hill: Yeah, but you're only putting in \$75,000.

Mr. Showe: Well, it's \$100,000 total between the Isles of Baytree and ours, which is the cost-share split that we agreed to.

Mr. Brown: Which is what we've done for the last umptieth years. Based upon what the engineer was saying, we should increase it next year.

Mr. Showe: Well, it also is helpful to know that started at \$60,000 and we bumped it up to \$100,000 and now we're putting it to \$130,000. So, over 10 years' worth of those increases, you've really only increased the assessment twice.

Mr. Brown: The other key ingredient here would be what you can find out from the vendor who does the actual lake bank restoration, what his costs are now to redo one foot of lake bank. We're going to have that on an ongoing basis. Peter is going to do the next five-year plan.

Resident (Not Identified): As a new resident, there are a lot of things that I didn't know. I see you trimming the Palm trees, using all of that equipment to get up in the Palm trees and painting all of the signs and the posts black. Also, for the last three days, maybe four days, a gentleman is cleaning the sidewalks, spraying them down, the ones that are our responsibility as a community, not the ones in front of your house. It's like all these little things people see that's where their money is going. So, I don't have a problem with the \$200 increase as a new resident because I see the amenities and how we are keeping up with them.

Mr. Mills: The sidewalks are another issue that we're going to have to tackle in the future, because as we wash them, they're disintegrating. So, at some point in time, we're going to have to put money in the budget for the replacement of sidewalks.

Mr. Showe: I think so.

Resident (Not Identified): You can't just keep shaving them down.

Mr. Mills: No, you cannot.

Mr. Eksten: When we send this information out, you might want to say that we're aware of the fact that this is necessary to do. I would maybe acknowledge that so that people are not oblivious.

Mr. Mills: I will go over the letter with Jason.

Ms. Hill: Yes.

Mr. Showe: This Board in the past has typically done a legal notice and I think you've typically done almost a supplement to that. It doubles the mailing cost, but it does explain to the residents in a little less legal jargon because those letters are confusing as there is some statutory language that's required to be in those letters. I think in the past we've supplemented those letters with just a note from the Chairman on where we're at, why we're doing it and just explaining it. We could certainly do that again.

Resident (Not Identified): If you believe in the budget and you have good, substantiated numbers for why it needs to be done, I wouldn't spend my time trying to justify it. Take \$100 or \$50 out of here. I have 34 years' experience with budgets. If you want to cut something, you've got to cut it so that you can take the \$200 off. We've had two years of increases. Now, if you believe in this, and it isn't going to work, then you stand and you say it isn't going to work. Nobody comes to these meetings. Nobody knows what the hell goes on here.

Mr. Brown: They do in August.

Mr. Mills: They will in August.

Ms. Hill: They show up in August.

Resident (Not Identified): All of a sudden surprise, surprise, but if you look at the community, look at how it works...

Mr. Mills: Why don't we do this..

Male_31: If major capital is necessary, stand with it. You don't try and give them a \$100 assessment here or \$200 assessment there. That's it. This is the budget. If you have

recommendations that are meanable, let's talk about it, but don't say, "*Oh, we need to cut this and put \$500 into that.*" Stand with it. Be polite about it and say, "*This what we need to do.*" By the way, there's nothing in here for hurricanes. A hurricane is going to cause a lot of damage.

Mr. Mills: That's exactly right. For the audience's purpose, Jason, we'll go ahead with the resolution and adopt it as it is, with potential changes that we can make in the future.

Mr. Showe: Sure. We can just keep it as a standing agenda item between now and August and the Board can discuss and make any changes you'd like between now and the public hearing.

Mr. Mills: Have all of you read the resolution?

Ms. Hill: Yes.

Mr. Mills: Then we need a motion to approve it.

On MOTION by Mr. Brown seconded by Ms. Hill with all in favor Resolution 2022-04 Approving the Proposed Budget for Fiscal Year 2023 and Setting a Public Hearing for August 3, 2022 at 12:00 p.m. at this location was adopted.

B. Consideration of Encroachment Agreement for 8175 Belford Way - Added

Mr. Showe: We sent this out via email, so that the Board could discuss it. We've been made aware of an encroachment issue on Belford Way. If you go to the original plan of the house, it clearly is not encroaching on a drainage easement, but when they surveyed the house now, it is encroaching. They had a survey done and then we made them do it again to make sure that it appears to encroach. At that particular property, there's supposed to be 10 feet between the two homes, five feet on each side as a drainage easement. In this particular house, it encroaches about three feet into the drainage easement. Now, there's still 10 feet between the houses.

Mr. Mills: Is that the new resident that just moved in there?

Mr. Showe: I don't know. The gentleman that I've been talking to, I think his mother passed away and he inherited the property. He was about to sell it and then this whole issue came up. We still want the engineer to come out and take a look at it and make sure that he doesn't see anything on-site that would give us concern. Mike, do you want to touch on that?

Mr. Pawelczyk: Frankly, I really don't know how they were able to finance it in the first place, because the house is clearly built in the easement.

Mr. Showe: Correct.

Mr. Pawelczyk: This is the exhibit, my agreement draft, but the exhibits show the encroachment. It is very minor. The engineer does not believe that there's an issue with this drainage easement. Apparently, there's a pipe within that easement that runs underground from the roads to the lake. Our engineer's only concern was, *"What if we have to get in there and get that pipe?"* Okay. Well, this agreement says, *"If we do any damage to your property in doing that, that's your problem."* So, even if there wasn't an encroachment here and we had to fix this pipe, we're notifying both owners. Jason is going to notify both owners, *"We're going to do this. Here's what we're going to do."* In this case, we would have to give them a special notice to remind them. If you approve this encroachment, we'll record that in the public records and it will be valid forever. It will be almost like an easement. You hear me all the time saying, *"Don't allow people to build stuff on your property..."* Well, I know that this is not a new house. It's been there for a very long time, but whomever built it made the mistake. The Encroachment Agreement does not allow them to expand the encroachment any more than what it already is. In other words, they can't take their screened patio and make it go back to the lake and encroach further into the easement. So, the good thing about it, is that most of the encroachment, I guess the larger part of the encroachment, is the screened patio, which doesn't have a lot of weight. That was the other engineer's concern, if there was a lot of weight on that property on the pipe, but you're not really doing any further investigation on exactly where the pipe is.

Mr. Mills: Will they been able to get a loan now with that encroachment?

Mr. Pawelczyk: Yes.

Mr. Mills: Okay.

Ms. Hill: So now they can sell the house, if they want?

Mr. Pawelczyk: Yes, they can sell it.

Mr. Showe: It is my understanding they had it in a pending status, pending however this worked out, dealing with the encroachment issue.

Mr. Pawelczyk: We told them that it had to go to the Board and there was nothing we could do about it. Jason and I did our due diligence, obviously with Peter's help, and we don't have any objection to the Board approving this. The other side of it is, what else could you do?

Ms. Hill: I was going to say.

Mr. Pawelczyk: Are you going to make them move the house? Probably not. That would be a ridiculous political decision probably for all five of you. So, that's why we prepared it. We think that we have enough protection in here for the District in the event there is an issue with it.

Mr. Brown: Very good.

Mr. Pawelczyk: So, unless there are any further questions, a motion to authorize entering into the Encroachment Agreement with Ms. Cheryl Marlette for the property at 8175 Belford Way would be in order.

On MOTION by Mr. Brown seconded by Ms. Hill with all in favor the Encroachment Agreement with Ms. Cheryl Marlette for 8175 Belford Way was approved.

C. General Election Qualifying Period and Procedure

Mr. Mills: Jason, do you want to go over the Special Districts qualifying procedure?

Mr. Showe: Sure. I'll go over this quickly. This is more of just an announcement. We typically like to announce these at all of our Districts. You've got three seats that are coming up for election this year; Seat #5, which is Ms. Witcher's, Seat #3, which is Mr. Brown's and Seat #4, which is Ms. Hill's. In order to qualify for those positions through the General Election process, anyone interested would need to go to the Supervisor of Elections. All of the forms that you need to fill out are in the agenda package; Form 1 and the Oath of Office. The qualifying period is Noon on June 13th through Noon on June 17th, but you can qualify now, should you choose. That's the official qualifying period. Then it's either a fee of \$25 or you can get 25 valid petitions. All of that is coordinated through the Supervisor of Elections and all the information is there in your agenda. So, you will just need to contact the Supervisor of Elections if you're interested in qualifying for those seats.

Resident (Not Identified): Is that information also on the website for people who aren't here?

Mr. Showe: It's in the agenda. As a District, we don't put it out because we don't coordinate the process. It's not our process to coordinate, but it's in the agenda. We do refer people to the Supervisor of Elections.

Ms. Witcher: I'm not going to be running again. So, if you can, let the Air Force gentleman, Jeremy knows.

Mr. Mills: Yes, Carolyn. I'm supposed to have a meeting with him next week.

Ms. Witcher: Would you let him know, please?

Mr. Mills: I will definitely do that. Thank you.

Ms. Witcher: Okay. Thanks.

Mr. Showe: That's just an announcement.

SIXTH ORDER OF BUSINESS

CDD Action Items/Staff Reports

A. CDD Action Items

Mr. Showe: Regarding the recreation area, we are eagerly waiting for the playground equipment.

Mr. Bosseler: The playground equipment was moved to mid-June, between mid-June and the end of June.

Mr. Showe: Funny you say that, that's about the same time we expect to get the buttons in for the water fountain. Those keep getting pushed back to June.

Mr. Bosseler: I hope you get it done by the summer, so in the fall the kids can use it.

Mr. Showe: Yeah. As far as the beautification, I think they've cleaned up all of the conservation areas. Right?

Mr. Mills: There's a few that I am not happy with. I'm going to meet with Andy.

Mr. Showe: At the last meeting, I finally got some information from Florida, Power & Light (FPL) on the streetlights. They basically said that they are not painting them. If you want to paint them, we can paint them. According to the invoice, we pay for 135 lights. I reached out to two different vendors. One is Anchor who's actually done some work in here before. They provided a quote of about \$20,000 or \$15,000 depending on if you do one coat or two coats and there are different warranty options. Then there's also a handyman who provided a quote of about \$200 a pole, which comes to about \$43,000. Again, it's really up to you guys if you want to take any action right now. You have this information for the future should you choose, but FPL is not going to do anything to beautify the poles.

Mr. Brown: Do we have this in our budget?

Mr. Showe: Not right now.

Mr. Mills: I think maybe we should just let it go. If FPL is not interested in preserving their poles, why should we?

Mr. Showe: There is the case to be made for that. It's their property.

Mr. Mills: It is their property and if they don't want to paint them, tough.

Resident (Not Identified): There's also a liability issue, because there is electricity in those poles. If we do paint them is there liability?

Mr. Pawelczyk: We don't paint them. We hire a licensed contractor to paint them. So, we don't have any liability.

Resident (Not Identified): Is there any liability for the electricity?

Mr. Pawelczyk: Only if the District is negligent. It's not the District painting the pole. It's really all about limiting the risk. You own property and there is a risk to owning property, whether you live in a CDD or in an HOA. Your job is to limit the risk. The good thing about having a CDD, is we have sovereign immunity so our liability is limited. We also limit our liability through our contracts. If you enter into a contract with a contractor, they have insurance. They're responsible for their employees. The other thing is, under the law, you don't have to tell a paying contractor who is painting FPL poles, that they may be electrified. Because the law does have a factor. That's like a, "*You should have known,*" because our agreement is going to say, "*You will paint 200 electric FPL poles.*" It's going to be in there anyway, so I'm not too worried about that. My concern is to make sure that you have permission from FPL to paint the poles because you don't want them coming back and saying, "*Why are you painting our poles?*" That's the only concern.

Ms. Witcher: Don't they have to use a special paint? That's why we weren't allowed to touch them to begin with.

Mr. Showe: They did not seem concerned about the type of paint we would be using when I asked the question. Only that they would not be painting them.

Ms. Witcher: Okay. Is there a reason that they were using a special paint? Was it something to do with the electrical pole?

Mr. Showe: I think we painted our own poles. Those were not FPL poles. Those were CDD-owned poles.

Mr. Pawelczyk: I don't know if FPL requires a special paint. I've had Districts who wanted to paint the traffic signals within the District and FDOT required certain paint type approvals to paint those poles.

Mr. Showe: We will reach out to them.

Mr. Pawelczyk: We would just need permission to do it. FPL issues a License Agreement to do anything on their property.

Mr. Mills: I would say that the only reason for painting these poles was for aesthetic reasons, and I think that the \$20,000 could be used elsewhere.

Ms. Hill: Yeah. Especially considering that we're worrying about other more important things.

Mr. Showe: Ultimately for the Board, you have a price, so if you change your mind in the future, you at least have a scope for that project.

Mr. Mills: So, is the Board amenable then that we're not going to do it?

There was Board consensus.

Mr. Showe: We'll just proceed on.

Mr. Mills: Perfect.

B. Additional Staff Reports

i. Attorney

Mr. Pawelczyk: I don't have anything further than what we haven't already discussed. I will work on the License Agreement over the next week or two. I'll send it directly to Mel, Jason and Bob and we can get that process moving pretty quick. Bob, if you have the location or you guys have a location, send it to us.

Mr. Eksten: Yeah.

Mr. Pawelczyk: And incorporate that in there. Otherwise, the Form 1s are coming. You should get them in the mail this month. If you are qualifying for the General Election, take one with you, already filled out, because they will make you fill out another one. It just makes it easier for you. Otherwise, I don't have anything further.

ii. District Manager

1. Field Manager's Report

Mr. Hatton: Mel's fountain is repaired, as of this morning. It's working beautifully. You got the lights. Mike and I talked about loose extensions on it that were broken off probably by the landscape crew. We received the material this morning. I'll pick those up and get them ready to put on the fountain. I will make sure that we have some extras. We are still doing the ongoing

sidewalk repair review. Mike is taking care of all the annuals. Some of those dead ones were irrigation issues.

Mr. Mills: They aren't going to replant those?

Mr. Showe: Yeah. That's part of the contract. We'll hold them to that.

Mr. Mills: Is there any date on when they will be put in?

Mr. Hatton: They've already pulled a bunch, and I've noticed that they replaced some at the back gate. There were a bunch of dead ones. They pulled those out and rearranged the ones that were alive. They want to make sure the water is working before replacing them.

Mr. Mills: Another thing that I wanted to get with you on, is they are letting weeds grow into the flowers. It looks terrible.

Ms. Hill: It appears that Southpoint is not watering their plants at all.

Mr. Hatton: That was a solenoid issue. Mike is aware of it. Blue H2O was out on Monday. Michael is going to talk to them. There are soft lights for the guardhouse out back. Those are on order. They are due to arrive next week. They only bought one for the back one. I know some of the front ones have already been replaced. I will finish up the last few. There is a new sign out at the courts as well as the fishing signs.

Mr. Mills: They are here?

Mr. Hatton: They are here. We just have to figure out where you guys want to put the rest of them.

Ms. Hill: It is going to make everybody so happy.

Mr. Mills: Let me know when you're here next week other than Monday. If not, the following Monday.

Mr. Hatton: I can be here on Tuesday because I need to work on the sidewalks. Mondays are tough to get everything done, so I have to make a day.

Mr. Mills: Tuesday morning won't suit me, but Tuesday afternoon should.

Mr. Hatton: I will more than likely be here.

Mr. Mills: Okay.

Mr. Hatton: There's a lot more to do.

Mr. Bosseler: I'd like to meet you on Tuesday as well over at the pool. We've got some stains going on.

Mr. Hatton: Yeah. I have to talk with our maintenance team about the power box. Whenever they can fit it into the schedule, I'll do that. We have the hardware for the sign. The rope is stuck up the flagpole. We have to find a vendor that can get up there. The rope was stuck. It fell off of the wheel and wrapped around the axle.

Mr. Showe: We're trying to get a vendor with a lift that can go up there and unhook it.

Mr. Mills: How about our electric company?

Mr. Showe: We're going to check with a couple of different folks. That's on the list.

Mr. Hatton: There's a reason it came off, so if there's any repair or troubleshooting needs to be done...

Mr. Mills: Maybe the rope wasn't thick enough.

Mr. Hatton: It could be. The last thing I have is the guards brought up the fact that there were issues locking the sliding doors up there. The ones on the exit lane, I got locked today. The one at the entrance lane is locking but we need a new door.

Mr. Mills: We got proposals to get those doors replaced. Do you remember what they were? I want to say it was about \$5,000 for the two of them.

Ms. Hill: That seems pretty reasonable.

Mr. Mills: That was last year. The reason they were so expensive, was because they wanted thermal payne and high-impact glass. So, maybe that's what's running the cost up.

Mr. Showe: It was \$7,100 for a Guardian impact multi-slider door.

Mr. Mills: Yup.

Mr. Brown: You can just put in regular slider doors and put film on the inside, like we've done all the other windows.

Mr. Hatton: You can, but you have to be careful though. It can void a warranty if you film a door. It has to be the right film.

Mr. Mills: Maybe we can just do high-impact glass and no thermal payne.

Mr. Mills: I'll get Andy the contact for that.

Mr. Hatton: Do you want them both done?

Mr. Showe: Yeah, I think so.

Mr. Mills: They've been on there ever since the guardhouse was put in.

Mr. Hatton: They get a lot of traffic.

Mr. Brown: Probably the tracks need to get done too.

Ms. Hill: I'm just asking because one of my neighbors contacted me, Jason. What about the lights?

Mr. Showe: That's been fixed.

Mr. Hatton: There was a photo eye issue. Actually, the reason it didn't come up the other day was, I turned the power off, figured out it was a photo eye issue and left the breaker off. That was on me.

Ms. Hill: So, it was the photo eye.

Mr. Hatton: Correct.

Ms. Hill: Thank you.

Mr. Mills: Alright. Very good. Is there anything else for the Field Manager? Hearing none,

SEVENTH ORDER OF BUSINESS

Treasurer's Report

A. Consideration of Check Register

Mr. Mills: Treasurer's Report, Jason?

Mr. Showe: Sure. We have the approval of the Check Register. In your General Fund, we've got Checks 340 through 362 for \$96,551.55. In the Community Beautification Fund, we have Check 55 for \$2,600 and March payroll for \$923.50 for a total of \$100,075.05. Both Andy and I can answer any questions you have on those invoices. If not, we need a motion to approve.

On MOTION by Ms. Hill seconded by Mr. Brown with all in favor the Check Register for March 1, 2022 to March 31, 2022 in the amount of \$100,075.05 was approved.

B. Balance Sheet and Income Statement

Mr. Showe: As far as the Balance Sheet and Income Statement, no action is required by the Board. We are doing pretty good as far as the budget to actuals, as far as the projected rates. We are good there and are 96% collected on our assessments through March. So, we're in great shape there.

Mr. Mills: Jason, do you see much of a carryover to next year's budget?

Mr. Showe: We have not anticipated any in the budget, so whatever comes in will be extra. But again, without knowing what repairs and the upcoming hurricane season and

everything else, it's hard to make any projections right now. That's part of the challenge when you do a budget. We're in May now. We actually made this budget in April and we're trying to project until next September. There's not really a whole lot of science to it.

Mr. Mills: It will be nice to know so we have a good picture.

Mr. Showe: As we get closer to August, that picture will become a little clearer. So, if there's carry forward that we can allocate, that will be available to reduce the assessment

Mr. Mills: Good.

EIGHTH ORDER OF BUSINESS

Supervisor's Requests

Mr. Mills: Jan, do you have anything that you want to bring up?

Mr. Hill: No.

Mr. Mills: Richard?

Mr. Brown: No, sir.

Mr. Bosseler: Jason, I have one thing. I can't put my finger in it, but have we trimmed all of the bushes and limbs from the Space Coast Credit Union along Kingswood Way that was hanging over?

Mr. Showe: Yes.

Mr. Bosseler: Can we send that bill to the Space Post Credit Union?

Mr. Showe: No, because the trimming was on our property. Anything that comes over your property is yours.

Mr. Brown: Even though it's from somebody else's property.

Mr. Showe: 100%. That applies to your house as well.

Mr. Bosseler: I just want them to know that we had to take care of their garbage.

Mr. Mills: I have a question for Andy. Where are we with the mailbox pad on Bradwick Way?

Mr. Showe: It's been approved and we are waiting on the vendor.

Mr. Mills: It's been two months now.

Mr. Showe: They're doing million-dollar projects throughout the county, so our \$1,400 mailbox pad is not a high priority on their list. What will happen one day, based on this vendor, is it will just show up and be there. They try to fit it in as best they can with everything else.

Mr. Mills: I personally want to thank the VMs and the BCA for solving the dog poop problem. Threatening the camera, I think worked.

Resident (Not Identified): Yesterday when I was walking by the back gate, someone had put their poop on the middle of the bench. I was like, "*Can you believe that?*"

Mr. Mills: There's a good article for you Rick, in the next newsletter.

NINTH ORDER OF BUSINESS

Public Comment Period

Resident (Jackie): Are we on public comments?

Mr. Mills: We are on public comments.

Resident (Jackie): I'm not sure if this is the Board or where I take this. I've been getting some emails from some dissatisfied neighbors from Old Tramway about the permanent lights that are on one the houses and the sign that's advertising for the permanent lights.

Mr. Brown: 8192 Old Tramway. It's a BCA issue, unfortunately.

Ms. Hill: They did it on the corner of Southpoint and Balmoral.

Mr. Brown: There's nothing in the Bylaws or Covenants that addresses outdoor lighting other than landscape outdoor lighting. This is going to come up at the ARC Committee meeting on Monday.

Resident (Jackie): Okay.

Mr. Brown: Whether we can do anything with that homeowner, probably not. Actually, there is more than one house in Baytree that put in the soffit lights that come in every color under the rainbow.

Resident (Jackie): Do they have to take Christmas lights down by a certain date.

Mr. Brown: Yeah, but are these holiday lights? How do you determine that?

Ms. Hill: They advertise permanent holiday lights.

Resident (Jackie): "*Permanent holiday lights,*" is what the signs says.

Mr. Brown: There is a provision relative to holiday lights.

Resident (Jackie): First of all, I didn't know you can put a sign in your front yard advertising.

Mr. Brown: You can't. I'll take a picture of that sign and send it to Paula. For your information, when you're walking, Jackie, if you see something like that, like a sign, take a picture of it and email it to Paula with the address. She sends them a letter.

Resident (Jackie): Okay.

Mr. Brown: No signs are allowed, other than for-sale signs.

Ms. Hill: But those permanent lights are showing up.

Mr. Brown: More and more, and that's why I think we need to address it at the ARC Committee and then make a recommendation to the Board.

Resident (Jackie): I didn't know which Board to bring it to.

Mr. Brown: Yeah, that's all part of the BCA.

Mr. Showe: For easy reference, anything that's on a private property lot, would be the BCA. The CDD is responsible for all common area. That's how we always break it down for people.

Resident (Jackie): That makes more sense to me. Thank you.

Mr. Showe: Absolutely.

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

Mr. Bosseler: I have one more thing. It's the end of the school year and we had an issue on Saturday night at midnight down at the pool. Three teenagers threw all of the furniture in the pool including the tables and umbrellas. Fortunately, security they saw them on the camera and called the police. The police came out and made them put everything back.

Mr. Showe: And they cleaned it.

Mr. Bosseler: Yes. They got it all clean. Then the security guy saw a mother talking to the police. So, they apparently they called somebody's mother.

Mr. Showe: Awesome.

Mr. Bosseler: If you got nothing to do this Friday night or Saturday night, swing down around the pool. Thank you.

Resident (Jackie): This is probably the BCA, but since we have Rick here, and it's happening right now, the kids are putting out their graduation signs soon. Do we care? I don't think we should care. I just wanted to be sure.

Mr. Brown: As long as they're down by Christmas.

Mr. Mills: I think we all need to be cognizant of the fact that school is getting out.

Mr. Showe: Yes.

Mr. Mills: The pavilion and the pool are going to be an active site for all teens.

Ms. Hill: Oh, yeah.

Mr. Mills: A year ago, I was with our previous yard guy and went back by the pool. There was a lovely lady with no clothes on standing right there by the pool. That's what is happening. There was one girl and two boys.

Mr. Eksten: Just so you know, last Sunday, my wife and I were in our car going to church and Sunday morning when I was driving on Old Tramway Drive, I saw a young lady probably 18, 19 or 20 in a thong.


Resident (Jackie): Was she in a bathing suit?

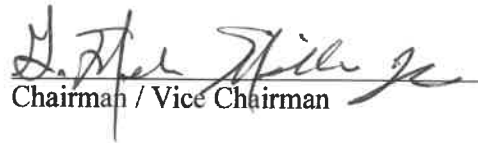
Mr. Eksten: I couldn't tell.

TENTH ORDER OF BUSINESS

Adjournment

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


Secretary / Assistant Secretary


Chairman / Vice Chairman