

MINUTES OF MEETING
BAYTREE
COMMUNITY DEVELOPMENT DISTRICT

The regular meeting of the Board of Supervisors of the Baytree Community Development District was held on Wednesday, February 1, 2023 at 1:30 p.m. at Baytree National Golf Links, 8207 National Drive, Melbourne, Florida.

Present and constituting a quorum were:

Melvin Mills	Chairman
Richard Brown	Vice Chairman
Richard Bosseler	Assistant Secretary
Janice Hill	Assistant Secretary
April Simmons	Assistant Secretary

Also present were:

Jason Showe	District Manager
Michael Pawelczyk	District Counsel
Peter Armans	District Engineer by phone
William McLeod	DSI Security
Andy Hatton	Field Manager
Jeremy LeBrun	GMS
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. All Supervisors were present.

SECOND ORDER OF BUSINESS

Engineer's Report

Mr. Mills: Is Peter on the phone?

Mr. Showe: I don't believe he's on the phone yet.

Mr. Mills: Can we move along to security?

Mr. Showe: Absolutely.

THIRD ORDER OF BUSINESS

Community Updates

A. Security

Mr. Mills: Bill, do you want to give your report?

Mr. McLeod: Sure. Since the last visit, we had seven administrative visits on the site. The security officers have done two trainings. January's training was safety awareness, which included slope strips and poles. February's training, which was completed already, dealt with First Amendment monitors that might come on the property. Yesterday, we had an incident where a golfer was leaving the facility in their car and was in medical distress at the gate. The car stopped and Matt was able to call 911. He directed the traffic and we moved the car over to the officers parking area. From what I understood from Matt, the car was picked up last night. That's it for my report.

Mr. Mills: Okay. By the way, the officers are getting much, much better. Matt is doing a great job.

Ms. Hill: Oh yeah. We came in at 11:00 p.m. and somebody was jumping right up, checking things out. So, I appreciate that.

Mr. McLeod: I'm glad to hear that.

Mr. Mills: Good job.

- **Engineer's Report (Item 2)**

Mr. Showe: Are you on the call, Peter?

Mr. Armans: Yes, sir.

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

Mr. Armans: Sure. I have a couple of items. The first one is we completed the survey work for the two sites that have drainage issues. We delivered the PDF and the CAD file to Jason for his records. We started working on designing the repair itself. We are looking at some drainage patterns to figure out where the water should be going. One thing that I wanted to bring to your attention, the best thing to do might be to have a catch basin draining to the next curb inlet at the intersection, but that is a little pricier to do. So, we're trying to avoid that at all costs, but we're looking at the overall grade. That may be the only way to do it to get the water not to pool in that corner. But we're still working on that. There is no final determination yet.

Mr. Mills: For clarity, that's 975 Chatsworth Drive, right?

Mr. Showe: No. There are two issues. There's one at Birchington Lane and another at Bradwick Way and Ashwell Court.

Mr. Mills: Oh. Okay. Alright.

Mr. Showe: Yeah. He's completed the task of doing the drawings and the design. So now he has to design the repair.

Ms. Hill: That's the one that's been ongoing.

Mr. Mills: Yeah.

Mr. Armans: The other item is we were forwarded a question about sealing the sidewalk concrete. I forwarded to Jason, a couple of things that we looked into. There's definitely a safety concern with using a material that would become more slip free when it rains. So, I reached out to a professor I know at Oklahoma State University that does research on concrete pretty much his entire life. He gave me material that he doesn't believe would be slippery that I forwarded to Jason; however, we have never used that material before. We don't know what it would act like, so if you want to use it, it could be applied in a pilot area that doesn't have a lot of traffic before its applied to the entire community. That's it for my report.

Mr. Mills: Do you have that material?

Mr. Showe: I handed it out to you. It came in the form of a YouTube link that explains it, which I will forward to the Board so you can see it.

Mr. Mills: Okay.

Mr. Showe: If the Board is inclined to move forward, it's not something that we have any experience with in terms of sealing sidewalks. I think I echo the same concerns as Peter. If you put something on top of the sidewalk, it could create more slippage, which could be a challenge, but if the Board wants, we can get a price to just do one panel or something somewhere.

Ms. Hill: Yeah. It would be worth it to check it out.

Mr. Showe: Just to try it out.

Ms. Hill: Don't you think?

Mr. Mills: I volunteer to do it at my house where they splattered sealer on the sidewalk.

Ms. Hill: Why not?

Mr. Armans: That's it for my report. I don't know if the Board has any questions.

Mr. Mills: Peter, was that a clear sealer or colored sealer?

Mr. Armans: A clear one. I'm not sure if they make that same sealer with color. I don't know.

Mr. Mills: Because the information that I provided to Carolyn before was a colored sealer that you can get in gray. It comes in different colors and said that it was not slippery.

Mr. Armans: There are a lot of products out there that say they are not slippery, but they are more slippery than not having a sealer. People use them around pools because they are worried about slipping around the pool. We have been doing construction for 40 plus years and never used concrete sealer on sidewalks.

Mr. Mills: Are there any questions for Peter from the Board?

Mr. Brown: I have one question regarding the annual reserves for the roadways. Do we have \$130,000?

Mr. Showe: Correct.

Mr. Brown: Someone mentioned to me that may be too low, given what's going on with everything else in the world. Is that something we want Peter to take a look at for next year?

Mr. Showe: If the Board is inclined to have him do that, now would be the right time, because in the March timeframe, we are having the budget workshop and providing you an initial budget. We can have him initially look at that.

Ms. Hill: The other thing is we are going to talk about replacing the sidewalks.

Mr. Showe: Yeah.

Ms. Hill: That's coming out of that same budget.

Mr. Showe: It could be.

Ms. Hill: We are depleting it. So, I think it would at least be worth looking at.

Mr. Mills: Peter, one of the men that did the sealing used to own a blacktop company. He told me to do this throughout the community would probably cost close to \$3 million.

Mr. Armans: I believe it, if you did a mill and resurface.

Mr. Mills: So, if you could give us some updated figures, when it comes budget time, we can include that in our budget.

Ms. Hill: We wouldn't be doing all of it at once.

Mr. Mills: Correct.

Mr. Showe: We need to know the expected life so we could divide that out. Again, it's up to the Board to determine if you want to do that once. Before the Board was doing pieces of it. So, you would do 20% per year.

Ms. Hill: Yes.

Mr. Showe: Or 20% every four or five years and just rotate through. There are lots of ways to do it.

Ms. Hill: We'll come up with some figures to put in the budget.

Mr. Mills: Okay.

Ms. Hill: That also reduces disruption to the community.

Mr. Showe: Correct.

Ms. Hill: Doing everything at once was very difficult.

Mr. Showe: It was a challenge.

Ms. Hill: The old numbers that I had; they were doing like you said...

Mr. Showe: 20% to 25% of the time.

Ms. Hill: Yeah. Of course, Baytree Drive and Old Tramway Drive will not last as long as Balmoral.

Mr. Showe: I can work with Peter on that.

Mr. Mills: Okay. Thank you, Peter.

Mr. Armans: Thank you.

Mr. Armans left the meeting.

B. BCA

Mr. Mills: Jackie, do you have a BCA report?

Ms. Jackie Curly (Kingswood Way): I'm filling in for Bob who is on a cruise. First, I would like to introduce Ms. Roma Zimmerman. She is a brand-new Board Member. She replaced Mr. Mike Sherbin who had to resign due to health issues. She was voted in last month and her first meeting will be on February 9th. Welcome. Second of all, you have probably seen that we have had the Sheriff off and on, on Baytree. That will continue for the many people that are speeding. I actually saw one come up on the sidewalk the other day when I went to the ARC Committee meeting. On Monday morning, they were here trying to catch people coming around the corner. Also, the newsletter will be coming out in March. If you have anything that the CDD wants in the newsletter, you can give it to Maureen by the 16th. Let her know that its coming so she saves room for your article. Once again, we're having a lot of problems with dog feces. Evidently, it's the same person because it's the same florescent pink bag. They were up and down Baytree Drive and one on Old Tramway Drive. So, they probably live on Baytree Drive and walk their dog to Old Tramway Drive and back. Either way, I decided today, when I went for my walk, because they were mowing and I know when they pick up a bag, it costs us \$75, I picked up the bags, all three of them. Every person that I saw, whether they had a dog or not, I

said something to them, *"This costs you \$75. So, if you see someone leaving poop behind, because it's disgusting, carry it back to your home."* Because if I can carry it five miles and bring it back to my trash, they can carry it back to their trash.

Ms. Hill: But that might be a good point to make in the newsletter.

Ms. Curly: We have put it in almost every single newsletter.

Mr. Mills: I covered that the last time and I was asked to take it out.

Ms. Hill: Oh, you were.

Ms. Curly: I was telling people it was \$75 a bag and they were paying for it. I don't know. I spoke to the folks in Balmoral and Southpointe and I think it's going better. I don't know what else we can do other than to get them on video and say, *"Hey."*

Mr. Brown: There are a couple of people who live outside of Baytree that walk their dogs.

Ms. Hill: Really? I didn't know that.

Mr. Brown: Yeah. The guy that had the big lab.

Ms. Curly: If I find out who it is, I will poop on their sidewalk. There's a Brevard County Law to pick up after your dog. It's really gross. Finally, just to let you know, the big thing for the BCA is there will be voting by residents in order for the association to pass the rental restriction of 18 months. So that will be on our agenda for February 9th. I think they will also be mailing it. Extra copies will be provided to the Voting Members (VMs). So, that we have the 309 votes that we need to pass it.

Ms. Simmons: Do the VMs vote for the residents?

Mr. Mills: The residents must vote. I think the meeting is on the 13th.

Ms. Curly: Sorry, I meant February 13th.

Mr. Mills: Jackie, you may also want to get a proxy to be included in case somebody doesn't want to come to the meeting or can't come to the meeting.

Ms. Curly: That's what they are doing. I think they can give proxies to the VMs. It is per resident not per property.

Resident (Not Identified): Do you have an idea when it is going to come out?

Ms. Maureen Ksiez (Balmoral Way): We're going to go around trying to collect the votes.

Mr. Mills: The VMs should be doing that.

Mr. Brown: We can't do anything until the Board does something on the 13th. Right?

Ms. Curly: They are going to vote on it on the 13th.

Ms. Hill: When is the vote actually?

Ms. Curly:: I think it opens up the day of our meeting.

Mr. Mills: I think the Board determines that.

Ms. Curly:: We just got the language from the attorney.

Ms. Hill: Okay. So, at your meeting, you're going to open the vote. How many days do they have to return their ballot?

Ms. Ksiez: I don't know. The attorney probably knows. He is giving us the ballots.

Ms. Hill: Yeah. Because, Maureen, that is important to be included in your newsletter.

Ms. Ksiez: Right. We have a little time. If the Board is meeting on the 13th, I have until the 16th to get it in there.

Ms. Hill: Do you have something online that they can use?

Ms. Ksiez: We can post a PDF.

Ms. Simmons: In Fairway, their big thing was this new App.

Ms. Ksiez: Oh yeah. People signed up for that.

Ms. Curly:: We'll figure it out.

Ms. Hill: If they can go to the website and vote...

Mr. Mills: I don't think you want to do that.

Ms. Curly:: We can't get a signature on the website.

Mr. Mills: Let's focus back on the CDD, because these are BCA issues. Thank you.

C. Isles of Baytree

Mr. Mills: Joanne is back as President of the Isles of Baytree (IOB). She was supposed to come. I don't know why she didn't make it today.

FOURTH ORDER OF BUSINESS

Consent Agenda

A. Approval of the Minutes of the December 7, 2022 Board of Supervisors Meeting

Mr. Showe: We have made some adjustments. We received some small minor changes, which have been made.

Ms. Hill: I have one.

Mr. Mills: What do you have?

Ms. Hill: On Page 27, where it talks about the holiday lights, it was attributed to me. I'm pretty sure that's Mr. Rick Brown.

Mr. Showe: Got it.

Ms. Hill: It was no big deal.

On MOTION by Mr. Brown seconded by Mr. Bosseler with all in favor the Minutes of the December 7, 2022 Meeting were approved as amended.

FIFTH ORDER OF BUSINESS

Agenda

A. Consideration of Sidewalk Repair Costs

Mr. Mills: Jan, since this is your responsibility, we'll let you present it.

Ms. Hill: Okay. Jason was able to contact the sidewalk repair company, Don Bo. The proposal that we have, is for 256 locations where we need to remove and replace the sidewalk, which equals 5,632 square feet of concrete at a cost of \$50,688.

Mr. Showe: That comes up to \$9 per square foot.

Ms. Hill: Okay. In addition to that, we would be grinding down sidewalks at 561 different locations, which would be \$31,305. We only have one bid. These people are out of Palm Bay. Correct me if I'm wrong, Jason, but no one else responded to your request?

Mr. Showe: We typically just used Don Bo. They have been a provider out here for a long time at Baytree. They are very responsive. They give better pricing than other vendors.

Ms. Hill: Okay.

Mr. Showe: The pricing that they gave on a square foot basis and for the grinding, was less than what we've seen at other places. Obviously, it is a lot of money, more than the \$10,000 that was in the budget for sidewalk repairs. I think I let the Board know that it would be my recommendation to fund the \$10,000 from your capital repair and utilize the roadway funding for the rest of it. Andy did an exhaustive search and a report over the last couple of months to get to this point. We obviously were put back a little bit because we didn't want to have them coming in here doing the same work while the sealing guys were here. So, I think that we are at a point where, due to the health and safety concerns, we would like to move forward. Obviously, we will have District Counsel draft a front-end document that will go with it. Typically, we don't do that with Don Bo, but normally they are not this much. If any Board Member is interested, there is a 200-page report that Andy put together that details all of the different locations.

Ms. Hill: I would like to see that.

Mr. Showe: You got it.

Mr. Mills: I have a question, Jason.

Mr. Showe: Yes.

Mr. Mills: The owner of Advantage Concrete used to live in here. Did we send out a quote to him?

Mr. Hatton: I have gotten quotes from Advantage Concrete in the past and they are usually \$15 to \$25 more per square feet. Don Bo would do a soft cut, which is an extensive process. That's why it costs more.

Mr. Mills: It doesn't say in their proposal, but we might want to put it in the agreement about cutting the roots under the sidewalk that cause them to rise.

Mr. Showe: Yeah. They always do that for us. If it is a root, they will cut it.

Mr. Mills: Okay.

Mr. Showe: That's the only way that they can re-pour.

Ms. Hill: I did some research. In fact, in this month's invoices, we had a tree removed for \$950. If we're talking about replacing sidewalks in 256 locations, you have to believe that a good percentage of those trees, once you cut the roots, are going to die. So, we're going to be looking at, according to the internet, \$750 to \$1,500 per tree that you have to cut down and take away.

Mr. Mills: To my knowledge, the roots that we have cut, the trees haven't died.

Ms. Hill: No, they didn't die.

Mr. Hatton: It may harm the root, but not the tree.

Mr. Showe: So far, in the 15 years we have done this, we haven't had a tree die that we're aware of, specifically, due to cutting the roots.

Mr. Mills: No.

Mr. Hatton: A lot of those trees, Jan, have already been removed. The sidewalk was never fixed.

Ms. Hill: Oh, okay.

Mr. Hatton: That's what we started with. If the tree is large, we typically will send an email.

Ms. Hill: Okay. So, it's my understanding that \$10,000 would come out of the budget, but where is the rest of the money coming from?

Mr. Showe: It is my recommendation that we utilize the Roadway Fund as there is \$285,000 remaining. We still have one final payment to make on the road sealing after the punch list items.

Ms. Hill: I rode around again and there are still things that need to be done.

Mr. Showe: If you want to get me whatever items you have, we rode around with him today. They were actually here this morning.

Ms. Hill: I will.

Mr. Showe: Sidewalks accomplish a portion of the road right-a-way (ROW) maintenance. So, that is probably a safe source to use. Hopefully, with the sealing that we've done, it won't need so much maintenance on the roads before you are able to build those reserves back up.

Mr. Brown: Is this an all or nothing with the sidewalks?

Mr. Showe: We have not identified them, but they are painted. We have a report saying that these are challenges that we have in the community that could be potential safety concerns. So, I would say, "Yes."

Mr. Mills: I don't think we have a choice.

Mr. Brown: Are you going to take \$81,993 out of the Roadway Fund? My sense is the engineer is going to tell us next year that we need to increase the amount of money that's going into the reserve for that. You have to make the \$81,993 up?

Ms. Hill: That's what I was saying.

Mr. Brown: Then we have another project to run electric out to the main gate, which is probably going to cost \$35,000.

Mr. Showe: These are all things that we're hoping that we have some final numbers for as you go into next year's budget.

Resident (Sandy Schoonmaker, Berwick Way): On Kingswood Way, there is a stretch of sidewalk in front of someone's house that looks terrible, which Jackie can attest to. Is that included in this proposal? It has no problem as far as sinking, but we can't keep it clean, because it's down to the stone.

Mr. Showe: These are sidewalks that have safety trip hazards.

Resident (Sandy Schoonmaker, Berwick Way): Someday they are going to have to address it.

Mr. Hatton: Depending on how much of that aggregate is showing, if its more than a quarter, I wouldn't have it replaced.

Mr. Showe: What is the address, Sandy?

Ms. Sandy Schoonmaker (Berwick Way): It's on Kingswood Way.

Mr. Mills: Being a safety issue, I don't think that the Board has any alternative other than to fix the sidewalks. Because what we don't want to do is have someone fall and get hurt and then we get a liability bill.

Mr. Art Breitner (Kingswood Way): Are there two activities; remove or replace?

Mr. Mills: It says, "*Repair and Replace.*"

Mr. Showe: There are two things. There is a scope for grinding. If the sidewalk has a small lift, they can grind it down and get rid of the trip hazard. If they can't do that, they have to break the concrete, get it out and then re-pour it.

Mr. Breitner: Who determines which activity?

Mr. Showe: Andy did that for the most part in his report, but the vendor is also aware that when he gets out here, if he can't grind it, then he has to fix it.

Mr. Breitner: So, there's no duplication?

Mr. Showe: No.

Mr. Hatton: We have to be in ADA compliance.

Ms. Hill: If the vendor decides that it needs to be replaced rather than repaired, is he going back to you?

Mr. Showe: He'll typically reach out to us to let us know.

Ms. Hill: So, we're not just leaving that open.

Mr. Showe: I don't like the number, but I think it's a fair bid. They have always been creative with us and accommodating the price within their bid.

Mr. Mills: They have done some work for us for free when they were out here.

Mr. Showe: Yeah.

Mr. Mills: If there's no further discussion, I request a motion that we approve the \$81,993.

Mr. Showe: If you can, make that motion subject to District Counsel's inclusion of a document.

Mr. Pawelczyk: A motion to accept the proposal from Don Bo, Inc. in the amount of \$81,993 and authorization for District Counsel to prepare a Small Project Agreement to be executed by the Chairman.

On MOTION by Ms. Hill seconded by Mr. Brown with all in favor the proposal from Don Bo, Inc. to remove and replace 5,632 square feet of concrete in the amount of \$81,993 subject to District Counsel preparing a Small Project Agreement to be executed by the Chairman was approved.

Mr. Breitner: So, if I walk around the neighborhood, there is going to be some activity on the length of sidewalk?

Mr. Showe: Yeah.

Mr. Breitner: What if I walk around and I find something that is a safety problem and it's not marked?

Mr. Showe: Send me an email.

Mr. Hatton: I started marking the sidewalks in March and finished it up in June. Most of the paint is gone with the two hurricanes.

Mr. Breitner: We have a couple of sidewalks that are raised 4 to 5 inches.

Ms. Hill: There are some on Baytree Drive.

Mr. Pawelczyk: When do we expect them to get started on this?

Mr. Showe: We'll let them know. We want to get them queued up even before the document is ready. I don't think they're going to have an issue. As soon as I have a start date, I'll let you know. Even though this is a large contract for you guys, they do work all over. This is probably a smaller contract for them, so they fit us in as they can get time and staff.

Ms. Hill: I did note that their proposal says will get it permitted, but it will be an additional cost.

Mr. Showe: There will be no permits. That is just their standard language, so if a permit is required, we would have to pay for it.

Mr. Pawelczyk: It's in all of our agreements that if there is a permit, you would pay for the cost of the permit.

Mr. Showe: Right.

Mr. Mills: Our community is getting older and there is infrastructure that is going to need to be replaced and we have to address the issue. We don't have a choice. Any safety issues should be addressed ASAP.

- **Isles of Baytree (Item 3C)**

Mr. Mills: Joanne is here.

Ms. Hill: Welcome!

Mr. Mills: Joanne, do you have a report?

Resident (Joanne Wagner, IOB): I'm back on the Board because they didn't replace me. We are replacing the pool chairs, but it is taking a long time. We are also clearing some of the Pepper trees out of some of the preserves. We have no houses for sale. I gave a copy of the rentals to Jackie. It has died down. We did have one die. One owner tried to rent out his house on Airbnb and we put a stop to that. We have people coming in and out because rent is so high. It is \$2,700 for a 1,700 square foot house.

Mr. Mills: Wow!

Ms. Joanne Wagner (IOB): We had one house on Kingswood Way that was selling for \$500,000 to \$600,000. We are still waiting for the light pole to go back in. We still have the same speeders. But other than that, everything is going well.

Mr. Mills: We are glad to have you back.

Ms. Wagner: Thank you. I appreciate all of the well wishes.

Mr. Mills: You're welcome.

- **CDD Action Items**

Mr. Mills: Are there any CDD action items?

Mr. Showe: We didn't present one this month. I think the one we did for last month, covered everything and everything is going to be covered between that and Andy's report.

SIXTH ORDER OF BUSINESS

Staff Reports

A. Attorney

Mr. Mills: Mike, do you have anything?

Mr. Pawelczyk: No. Nothing new from me, but I have a quick report on the encroachment issue. First, I want to say Mr. Cody Ray is a good guy. We are trying to find something that he will execute. If the Board is okay, he is not willing to sign an Encroachment

Agreement, which typically has indemnification and whatnot in it. I told him, as we discussed at the last meeting, *"I have to record something because you are in our easement. I know it's not your fault as your builder built into the easement."* What I think he's okay signing is just a Notice of Encroachment that's in the public record. That protects the District, but it removes his legal argument that it's been like that for 20 years. The District has always been using the easement because pipes have been in there since the community was built. So, I think he's okay signing that, but I want him to sign off on this. It's just going to be a Notice of Encroachment. If the Board's okay with that, that's what we'll do because he won't sign an agreement. I understand why. He doesn't want to be responsible for something that he can't control.

Mr. Mills: Will the survey be included with it?

Mr. Pawelczyk: The survey will be attached to the recorded document. I think that's the best way to protect the District.

Mr. Mills: Yeah.

Mr. Pawelczyk: And put it into the public record. When he sells his house or mortgages his house, that encroachment is going to come up. Then they would come to the District and say, *"Remove it,"* and we'll say, *"No. That's up to your Title Company."* Jason and I have discussed it and if there's an issue, it will be in there. I think it's unlikely that the pipe that's in there, if we have to replace it, is going to be an issue. We don't know that unless we were to identify exactly where the pipe is. So, in all likelihood, it's right under the property, but we just don't know. I think it's safe to say that it's not under the encroachment. Because if it was under the encroachment, it would be on the edge of that easement, close to his home. We think we have at least 4 feet there. I don't think it's going to be an issue. If it ever is, we'll just have to deal with it at that time. It's kind of one of those things that we're stuck with. If that's one of the worst things that the builder did, that's not so bad. I know everybody has issues with what the builder did, but from a CDD standpoint, if that's the worst thing we've located in the last 15 years, that's not so bad. So, we'll go ahead and record that. The Board previously authorized us to move forward with some sort of document. We'll have Mel sign it, once it's done and bring it back to the Board for final ratification, if the Board is amenable. Are there any questions?

Mr. Mills: Okay. Thanks, Mike.

B. District Manager

Mr. Showe: The only other item that I have under the District Manager, is we received a request, which I forwarded to Mr. Bosseler. There is a resident asking if the Tennis Pro can come back. Obviously, their agreement expired and I think the Board was not inclined for it continue at that time. It's really a Board decision. The resident can bring a tennis instructor in as their own private guest without having an agreement. Again, it's really up to the Board, but I just wanted to make you aware of it in case you had any questions.

Ms. Hill: You only had one?

Mr. Showe: Just one.

Ms. Curly (Kingswood Way): I know that Bob listened to me about sending something out to residents about starting something, but since he's been away, we really haven't done anything with that.

Mr. Showe: If it's a group of residents playing, that doesn't need an agreement at all.

Resident (Jackie Curly, Kingswood Way): I'm just letting you know.

Mr. Showe: Okay.

Ms. Simmons: That is why the Board decided not to because it was not a resident using the court. Is that right?

Mr. Showe: Yeah. Every agreement that we have is going to allow for outside folks to come in, since it is a public access property and that's the agreement we have. You can't limit an activity to just residents.

Mr. Pawelczyk: The issue has always been taking up court time.

Mr. Showe: Correct.

Mr. Pawelczyk: The previous agreements were always structured so the Board would try to make sure that those lessons were given not during the prime time.

Mr. Showe: Yeah.

Mr. Pawelczyk: Like when Bob and his group were out there. We don't want somebody doing lessons at that time because they always go out there. Not just because its Bob, but they should not be out there when residents are. So, lessons were structured during those times.

Mr. Showe: The agreement allows that person use of that court for designated times.

Mr. Pawelczyk: Correct.

Mr. Showe: Versus residents being fully able to bring their own coach out, use the courts in accordance with the rules and they have their own private agreement with that coach. That's

fine. You're allowed to have guests on the court as a resident. Again, I just wanted to make you aware. If there's no action from the Board, we can certainly move on.

Mr. Mills: Move on.

C. Field Manager's Report

i. Discussion of Electrical Costs

Mr. Hatton: We were trying to get some quotes to have the pool resurfaced. The first one is from TS.

Mr. Showe: The only one I gave them was the new one because they have seen the other ones before.

Mr. Hatton: The new one is from Orlando Pool Deck Resurfacing. There is about a \$16,000 difference in the two bids. I have a third guy giving me a quote.

Mr. Mills: So, do we want to hold until we get the other quote?

Mr. Hatton: Yeah. The first one from TS was for a textured pool deck, like you have at your house. The other quote is for a complete resurface of the deck. They apply a product similar to paint. Its brand new. We can revisit that once I get the third quote. He was here last week.

Mr. Bosseler: This bid came in at \$9,886, just under \$10,000.

Mr. Hatton: Yeah. The other one was \$25,800.

Mr. Mills: Is your recommendation that we wait until we get the next one?

Mr. Hatton: Yeah.

Mr. Mills: Okay.

Mr. Showe: We are just keeping you up to date.

Mr. Hatton: We talked at the workshop about cleaning the tennis courts. I just received an email from our maintenance team for a quote of \$1,747 for a low-pressure power wash.

Mr. Bosseler: In my opinion, it just needed sweeping. There is a lot of debris there from the mulch.

Mr. Hatton: They may have blown it off today. They did some of the power washing just inside of that front gate when they did the playground equipment and they kind of left a mess there. We got that cleaned, but there was a drainage problem with the tennis court towards the back corner.

Mr. Mills: That's where the water lays.

Mr. Hatton: Its sitting back there quite a bit.

Mr. Showe: It was a request from the same tennis folks. We also are getting a quote from Ken Horn who does a lot of the pressure washing just to see what a comparable quote would be.

Mr. Mills: Okay.

Mr. Showe: It may be time, depending on the quotes, to have our company come out to see what the full resurface is, if you want to add that going forward. Every four to five years, we end up resurfacing the entire court to give it a fresh look. You may not be at that point yet.

Mr. Hatton: Not quite. They have to deal with some stress cracks. We did get the new shade structures in today. So, hopefully I'll get them installed on Monday when I'm here. We have a lot going on. On Monday, Eau Gallie, the electrician is going to come out for the front electrical. Right now, everything is working out there.

Ms. Hill: I have a question. The Southpointe monument light is not working.

Mr. Hatton: Okay.

Ms. Hill: Is there a reason that Southpointe did not get geraniums like everybody else?

Mr. Hatton: Yes. We didn't have irrigation because there was no electric panel there. There were originally no moisture plants that take very little water.

Ms. Hill: Okay.

Mr. Hatton: Now that's all been repaired. Since the panel is there, the irrigation is up and running. When we switch out the new stuff, they will get regular irrigation.

Ms. Hill: Even the ones by Balmoral didn't have any flowers.

Mr. Hatton: They probably do now because they sprayed Miracle Grow.

Ms. Hill: Everybody else's was red and then you get to ours. There were plants there and leaves, but no flowers. They haven't factored in us in the back.

Mr. Hatton: Its all the same process. It has some shade and sunshine. I know that we talked with Mike and Tony about some soil replacements.

Mr. Mills: I talked to Mike. When they pull out these geraniums, they are going to do a soil test. Whatever the soil test requires, they are going to do and replace the soil.

Ms. Hill: Good.

Mr. Mills: That's in the works.

Resident (Jackie Curly, Kingswood Way): I just want to clarify, the Southpointe monument lighting wasn't working, but it's working now?

Mr. Hatton: There's no electricity there for the entire sign.

Ms. Curly: Right.

Mr. Hatton: I worked with Florida, Power & Light (FPL) to rework that panel. FPL had to pull the meter. So, that's all permitted. It was a long process, but now there's a new panel.

Ms. Curly: It was completed and there should be light?

Mr. Hatton: Yes. There should be light. If there's not a light, it will be taken care of on Monday.

Ms. Curly: Okay. Do we now have irrigation?

Mr. Hatton: The irrigation is working.

Ms. Curly: So, they are going forward with the plantings.

Mr. Mills: The winter plants will be pulled at the end of March and new plants will be going in.

Mr. Hatton: Yes.

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

Mr. Hatton: Yes. We were talking about the flooring in the guardhouse, which is a mess. We are working with Phil and getting quotes for that. He is also going to throw some numbers at us for a new countertop. However, to stop the floor from being ruined again, I talked with Mel about getting a glass mat for the chair in there instead of plastic. That is the reason the last one was taken out. It was curling at the edges. The glass ones won't do that. We need to make sure that the floor is flat before I put a glass mat in there. We are going through all of the breaker boxes. I will walk through, make notes and speak to the electrician.

Ms. Hill: That's great.

Mr. Hatton: We'll get numbers for that. It will likely be the same process.

Ms. Hill: It looks good. You can see that it all got cleaned up.

Mr. Mills: The front monument is the same way.

Mr. Hatton: Yeah. They are all damaged because they are outside and then they get drenched with irrigation water.

Mr. Mills: One thing we need to ask Eau Gallie is when they replace the boxes, can they use fiberglass or Lexan?

Mr. Hatton: Yeah. It still has to pass code because the box has to be grounded.

Mr. Mills: Maybe what we need to do is when it is installed, we need to paint on top of what is already there.

Mr. Hatton: Yeah. That's not a bad idea. We probably should talk with them about it.

Mr. Mills: Yes. Alright. Are there any questions for Andy?

Ms. Simmons: I do. Andy, I'm looking at all of the light poles here and I noticed that two of them have no lights.

Mr. Hatton: Yes. We have some that don't even have poles anymore. I'm still talking to FPL and Eau Gallie. The ones that say, "*Baytree CDD*," are CDD poles.

Ms. Simmons: I think the two that don't have lights are CDD lights.

Mr. Hatton: One of them is and the one on Baytree Drive is an FPL light. You will see numbers on it because they replaced those poles. Eau Gallie needs to replace the CDD ones. They are trying to find the fixtures; however, all of those fixtures are labeled FPL. Therefore, they have to go through FPL to get them, but FPL doesn't have them. We are on the list and as soon as they get them, they will be replacing those. There are inserts that we can include on the bottom of the poles to deter weed whackers from chopping them down.

Ms. Simmons: Yeah. I saw one or two of them.

Mr. Hatton: They are pricy. They are similar to the ones we have on the street signs. I haven't been able to source them, but I've seen them. So I know that they exist. I think FPL has access to those.

Ms. Simmons: That's good.

Mr. Mills: Okay. Very good.

Mr. Hatton: It's a slow process.

Mr. Breitner: Andy, just so you know. I was out a week-and-a-half ago and I had a couple of guys from the company when a pole was down on Kingswood Way.

Mr. Hatton: Yeah.

Mr. Breitner: They were there for a couple of hours. They marked the grass. I hope they fix the grass.

Mr. Hatton: They will have to repair it. They will need to know the pole is at. The wires are right there.

Resident (Not Identified): Did you say that new shade structures were installed at the tennis court?

Mr. Hatton: I just took possession of them.

Mr. Showe: We just got them in our office earlier this week and I brought them out today. Andy will install them on Monday.

Mr. Hatton: I'm hoping to have some time to do it on Monday.

Mr. Showe: Unfortunately, much like everything else, it took about four months to get them in.

Mr. Hatton: It's on my list of things to do. We got the new switches for the water fountain at the pool. Those were done and it looks great.

Mr. Showe: Yes.

Mr. Hatton: I did adjust the water pressure.

Mr. Showe: We finally received those last week after nine months of waiting.

Mr. Hatton: I think we ordered those on March 28th.

Mr. Mills: Let's move on.

SEVENTH ORDER OF BUSINESS

Treasurer's Report

A. Consideration of Check Register

B. Balance Sheet and Income Statement

Mr. Showe: In your General Fund, we have Checks #498 through #536 in the amount of \$124,363.80, Check #17 from the Pavement Management Fund, Checks #125 and #126 from the Capital Projects Fund in the amount of \$36,357, Check #18 from the Pavement Management Fund in the amount of \$114,494 and November and December payroll in the amount of \$1,847 for a total Check Register of \$277,061.80. Andy and I can answer any questions on those invoices should you have any or a motion to approve.

Ms. Hill: I have a question. There was a tree that we paid to have removed. Where was the tree and why was it removed?

Mr. Showe: I believe that one was on Kingswood Way. It was removed in order for a resident to replace their driveway. Mel and I discussed it. I also received an alternate quote from Tropic Care, which was double the cost from the landscaper the resident was able to procure. By using the landscaper that the resident recommended to remove that tree and replace it with grass, saved the District some money and helped the resident all at the same time. We have a list of other trees that residents asked us to remove that fall into trees that we normally fix and remove with the sidewalk repairs. This one fell outside of that scope and there was a timing concern with the resident needing to get their driveway repaired. They had some personal issues and this tree

was in the way of that. So, in order to expedite it, we went ahead and removed it. The quote from Tropic Care was far more than the \$950 that their vendor quoted.

Ms. Hill: Do we know who that vendor is?

Mr. Showe: Absolutely. Depending on the quote that we get from Tropic Care, we can also reach out to that vendor and get a quote on the same thing.

Mr. Mills: Absolutely.

Mr. Bosseler: Back in November, we replaced shower valves. I presume that was at the pool.

Mr. Showe: Yeah.

Mr. Hatton: The two on the back side of the pool.

Mr. Bosseler: It was \$774.

Mr. Hatton: We just had one done at Montecito too.

Mr. Mills: Maybe we need to get a plumber's license.

Mr. Bosseler: Then we did the swing gate for \$9,800 and a month later we replaced the back gate for \$7,700.

Mr. Hatton: Those were both approved by the Board. One was higher than the other because they installed one gate and then installed all of the electrical, the loops in the ground, at one time.

Mr. Showe: That was the proposal that the Board approved several months ago.

Mr. Mills: Yeah, we did. Okay. Is there anything else? If not, we need a motion to approve it.

On MOTION by Mr. Bosseler seconded by Ms. Hill with all in favor the Check Register for November 1, 2022 through December 31, 2022 in the amount of \$277,061.80 was approved.

EIGHTH ORDER OF BUSINESS

Supervisor's Requests

Mr. Mills: April?

Ms. Simmons: Okay. I have been going around looking at all of the street poles. I haven't done Old Tramway Drive, but I've done Kingswood Way to Wickham Road. I'd rather get all of them recorded at one time because some need to be replaced where its actually broken through and the integrity of them are really bad.

Mr. Hatton: Yeah. That's going to be the same issue with FPL.

Ms. Simmons: Yeah.

Mr. Hatton: If it's the ones that they maintain, they may have some pushback.

Mr. Mills: Can't we use that as a safety situation? Because if a resident is walking and we have a windstorm, as fragile as those posts are, they could blow down and hit someone in the head.

Mr. Hatton: That's exactly what happened. They blew down after the storms.

Ms. Simmons: They actually sway when you touch them.

Mr. Mills: I would force the safety issue.

Mr. Hatton: Likely right now, they will just take them down.

Ms. Simmons: There are only three or four so far. I looked at a hundred of them.

Mr. Hatton: We'll get that taken care of.

Ms. Simmons: I'll do them all at one time. I did actually have some questions about IOB lights. Is that part of the CDD or is that totally different?

Mr. Showe: No. IOB is not part of the Baytree CDD, but we have a Cost Share Agreement with them where they share a portion of our costs for Baytree Drive, Kingswood Way, some of the guardhouses and some of the streetlights. That's the only involvement we have with them. Everything inside of their gates they are responsible for.

Ms. Simmons: I talked about the two that had no lights on them. Basically, all I'm doing is documenting them. Some of them had fiberglass tape on them. I don't think they would even paint those. It looks like the sun will just wear them down at some point. They are probably going to be replaced at some point.

Mr. Hatton: I'm trying to get somebody to come out, but I wish that I had a list to give to them.

Ms. Simmons: I have it all documented and how bad they are. Some of them are really bad and some are just okay.

Mr. Brown: That's good. Could I ask a dumb question? If an FPL light post falls down, can we replace it with one of ours?

Mr. Showe: No.

Mr. Brown: Why not?

Mr. Showe: It is their utility. We lease them specifically from them. So, in that lease document, they own, operate and have all rights of everything in there.

Mr. Brown: Does that agreement also say that they maintain them?

Mr. Showe: Yup.

Mr. Brown: They are not. So, they are violating their contract.

Ms. Simmons: Once I get that report...

Mr. Brown: The reality is talking to FPL is like talking to a wall. We've been dealing with them for over 20 years. They never respond unless you call 911, which is nuts. If we put up our own light post when theirs falls down, what is the recourse that they have?

Mr. Pawelczyk: You're right. You are not the only community that has this problem.

Mr. Brown: They just think that everything is fine.

Ms. Hill: How did we get ones that belong to the CDD?

Mr. Showe: The reason we got ones that belong to the CDD is there were not FPL utilities to tie into at those locations. The cost of FPL running their power to that location, was more expensive than us just buying our own pole and connecting it to power that we had locally available.

Ms. Simmons: We have to make sure that Tropic Care is not weed whacking them. I think there's one on Kingswood by someone's house, but that is the only one.

Mr. Mills: That's an impossibility.

Mr. Brown: They weed wacked the wires that went to the holiday lights by the Space Coast Credit Union. That's why the lights went out. They don't have a clue about what's going on. So, if we could find those light poles, what's the harm in us putting them up and having a licensed electrician to make sure that the wiring is done per code and see what happens?

Mr. Hatton: In my experience with contracts, it wasn't necessarily a light pole. It was the HVAC equipment. We couldn't get them to come and fix it. People were sweating. We hired a company to come in and they repaired it. We had problems down the road and the company that normally maintains it, wouldn't maintain it anymore because we had someone else repair it.

Mr. Mills: That's fine by me. They don't do anything anyway. I just assume have Eau Gallie come in here and handle the light poles. They are licensed electricians just like FPL.

Mr. Breitner: It's a little complicated because it was down by us on Kingswood Way. It was not the light; it was just the pole.

Mr. Mills: I understand that. Well, we just have to keep working on it. That's all we can do.

Mr. Pawelczyk: You can try to meet with someone. FPL does have local government reps. It is just getting with them is very difficult. When I worked for the City of Ft. Lauderdale, it was difficult to get FPL. The only way that I could get a meeting was through relationships. So, if we can't get a meeting, maybe we can get some sort of engineer. I know that FPL is trying to replace a lot of these concrete poles. They are doing it down in Broward County.

Mr. Mills: I remember when Cocoa Beach had a problem, they went public. They were going to buy the power from FPL and maintain everything within Cocoa Beach. FPL got on their butts and fixed the issue.

Mr. Pawelczyk: Yeah, that's why I'm thinking if Jason can't get that meeting, maybe we could generate a conversation. Have the Board appoint a Board Member to act as a liaison at this time, because you are all reasonable and have business experience. You have all been involved in these types of situations in your professional career. It might help to say, "*Look, we just have to figure this out.*" Maybe you'll get more attention for a couple of months or for longer than that. Maybe that couple of months will help resolve some issues.

Ms. Hill: Okay.

Mr. Pawelczyk: I hate to nominate Jason.

Mr. Showe: It's all good.

Mr. Pawelczyk: I think it's worth a try.

Mr. Showe: We'll start pushing a little bit.

Mr. Pawelczyk: I think there's a local government rep for this area. You can find out who that is.

Mr. Mills: Is there anything else?

Ms. Simmons: No. That's it for me.

Mr. Mills: Alright, Jan?

Ms. Hill: We still have some repairs that the sealant people need to still do. Jason and I are working on that.

Mr. Showe: Yeah. We met with them today. They got as much near Southpoint as they are going to get. I know that it's not perfect and there are still some dots on there, but I think it's much improved over what we had before. There's definitely a stretch on Baytree Drive from Old Tramway Drive to the first house on the right, if you're heading out the entrance. It's really

rough. We showed them that today. Obviously, there are some issues in Chatsworth that Mel has as well.

Ms. Hill: Well, on Baytree Drive, there is a stretch that is solid black.

Mr. Showe: Oh yeah.

Ms. Hill: All the way to where the speed bump is.

Mr. Showe: We showed them that today. Obviously, we'll still retaining that final payment from them until they get everything cleaned up.

Ms. Hill: Yeah. We are going to have to do sidewalks and gutters. The more they do, the less we're going to have to do. That's our money.

Mr. Mills: Alright. Rick?

Mr. Brown: Nothing.

Mr. Mills: Richard?

Mr. Bosseler: Yeah. I have one item. Occasionally, it comes up that we should look at pickleball and the possibility of putting a court in. Over the holidays, I ran into a lady from another District in the county. She informed me that they put in two pickleball courts and the local residents complained that it was too noisy. They had to come to an agreement with the county and ended up removing the pickleball courts. So, they spent this money and lost the case, sort of speak. So, before we get into pickleball, I would ask Mike if he would research it. This lady told me that according to a State Law, you can't have pickleball within 1000 feet of the closest resident. Our closest home is 500 feet, so, I don't want to go any further.

Mr. Pawelczyk: There's no State Statute that we could find. That's the only way we could beat the State Law. In Brevard County, pickleball courts require a conditional use permit, which means that you have to go to the county and they could put conditions on that approval, i.e., 1,000 feet away from the closest resident. The other thing you can do, if you are allowed to do it, you could put something on the tennis court on a trial basis to see how loud it really is, before investing all of that money, but it requires approval by the Board. It's just an extra step or you can go through either the Planning and Zoning Board or some sort of DRC to put conditions on the permit. We exchanged some emails with Jason and I'm sure that Brevard County has had someone install pickleball courts. Before conditions were put on that approval, I think that would be proven down, because if they are putting a condition of no pickleball court within 1,000 feet of a resident, there's no reason to go through this process.

Mr. Mills: Right.

Mr. Pawelczyk: But we didn't pursue anything further.

Mr. Mills: Alright. One of the things that I wanted to draw our attention to is I noticed that there are a lot of walkers walking in the street and not on the sidewalk. That's a real serious liability issue. I've heard that its softer to walk on the roads than concrete. Well, if you are 250 pounds, you are not going to dent that pavement to make it soft. So maybe we need to get out a notice to the VMs.

Ms. Schoonmaker: A lot of the walkers on our street, come through your neighborhood. Tell your people not to walk in the street. I tell my people not to do that.

Ms. Hill: When I was going around house-to-house, people were telling me that they were walking in the street because the sidewalks were unsafe. So now we are fixing the sidewalks so there won't be an excuse to walk in the street.

Ms. Schoonmaker: Can we wait until the sidewalks are fixed?

Mr. Mills: The point is, if someone gets hurt...

Ms. Curly: I suggest that we wait to make a decision because the sidewalk repairs are going to start soon.

Mr. Mills: There you go.

Ms. Hill: I leave the house at 5:30 a.m. when it's dark and I go off of Old Tramway Drive onto Baytree Drive and there is a group in the middle of the street.

Ms. Curly: There is a group in Suntree that runs.

Mr. Brown: They leave their water bottles in the street.

Ms. Hill: I had to really slam on my breaks not to hit somebody.

Ms. Curly: They run all over.

Mr. Mills: Also, if you noticed, you have seen the Sheriff's Department in here recently. I had a very lengthy conversation with Lieutenant Haggerty at the West Precinct. I begged and pleaded our case with regard to people speeding, not stopping at stop signs and the light. He suggested to me that we hire police. He said, "*I will do you one thing first. I will have people come in,*" which they have. I talked to them the other day. They issued tickets. I ask that there be no warnings, only fines. The Sheriff Deputies told me that they are not issuing warnings. They are issuing fines. He said, "*Let us know if you're going to do this. I would like for you to hire us back at least for 30 days and see if that makes a difference. It would be \$55 an hour. That*

includes everything; the cop, the car, everything. Specify that you want tickets and no warnings. I will see that, that happens.” In fact, he told the cops, “*I want you to go in there and raise hell and give tickets.*” So, it would be my suggestion, based upon his input, that we try this again on a limited basis for 30 days or maybe even 60 days to see how it goes and that we only do it sporadically. Let them decide what days they are coming and not have the same day every week or the same time and let’s see what happens.

Mr. Brown: Do we specify what time we want them?

Mr. Mills: We can specify what time we want them to come.

Mr. Brown: How many hours?

Mr. Mills: I gave Jason the application that we file.

Mr. Showe: It’s a three-hour minimum.

Mr. Mills: That’s perfect because we can do it from 7:00 a.m. to 10:00 a.m.

Mr. Breitner: Did we get feedback?

Mr. Mills: I asked for that and he said that he would try to get as much feedback as he could get.

Mr. Breitner: What I mean by feedback is from those people who were ticketed to know whether they were Baytree residents or not. If the people that get tickets are non-Baytree residents, there’s not much we can do about it.

Mr. Mills: No. I asked them to focus on National Drive and Kingswood Way and Chatsworth Drive and Old Tramway Drive because they just plow through Chatsworth. They don’t even look. They were sitting there this afternoon and I don’t know if they have anybody or not, but I would like for the Board to approve the Sheriff’s Office to enforce for either 30 or 60 days.

Mr. Brown: Let's do 30 days.

Ms. Hill: 30 days.

Mr. Brown: I suggest three hours per week.

Mr. Showe: Do you want one rotation per week for 30 days?

Mr. Brown: For less than \$600.

Mr. Mills: I would rather see us do two sessions per day; one in the morning and one in the afternoon.

Ms. Simmons: I agree.

Mr. Mills: For four weeks.

Ms. Curly: Why aren't you doing Kingswood Way? That's where all of the complaints are coming from. We're getting a lot of complaints on Kingswood Way, right about where the Sheriff actually lives.

Mr. Mills: We can attach a notification to that application stating that we want them to focus on Kingswood Way, National Drive, Old Tramway Drive and Chatsworth Drive. That's where we want them to focus. He promised me that he would make sure that they give tickets and no warnings.

Mr. Showe: So, I guess the question from the Board is do you want one patrol per week or two per week?

Mr. Mills: I say two per week.

Ms. Hill: I agree.

Mr. Mills: And alternate.

Ms. Hill: Different days, but early in the morning when the mothers are taking their kids to school.

Mr. Mills: Oh yes.

Ms. Hill: I know this from riding my bike.

Mr. Brown: Two months?

Mr. Showe: I heard one month.

Ms. Hill: One month.

Mr. Mills: Twice a week.

Mr. Showe: We can do 7:00 a.m. to 10:00 a.m.

Mr. Mills: Then I would do 3:00 p.m. to 6:00 p.m.

Mr. Showe: And two per week; one in the morning and one in the afternoon per week for 30 days.

Mr. Mills: Right.

Ms. Simmons: I was driving my daughter to school and someone passed me on Baytree Drive. They went around me. I couldn't believe it.

Mr. Mills: What caused all of this for me was Linda and I were in one of our classic cars coming in on Baytree Drive and there was a young couple behind us riding my bumper. All of a

sudden, they started to go around me. I go over to the center of the road and they hollered at me with profanity, gave me the finger, etc. I just kept in the middle of the road.

Ms. Simmons: You should've followed them.

Ms. Hill: Yeah. Be careful.

Mr. Hatton: I talked to a couple of residents. They weren't aware of how to get in the back gate. I let them know how to do that. I don't know if we need to inform the residents. A lot of them think it's a Sheriff's device and it's not. Those are siren activated. They have to run three to seven seconds on that. I let those guys know, but I don't know if they'll spread the word.

Mr. Showe: I'll put it in the application.

Mr. Mills: Yeah, put it in the application.

Mr. Hatton: Just so they know.

Mr. Mills: Jason, if you are going to be in contact, it's with Lieutenant Haggerty.

Mr. Showe: There's normally a contact for when you email that in and I'll add that Lieutenant to it.

Ms. Mills: I have his cellphone number.

Mr. Showe: Perfect. We'll coordinate. I'll have you review it to ensure that we're in accordance with the Board's direction.

Mr. Mills: There was one other thing that was brought up by a resident with regard to the safety of pets. Jason is looking into this as far as our insurance company.

Mr. Showe: Yeah. The insurance company is going to give me a recommendation. He actually called me right before the meeting. We will work through their recommendations.

Ms. Hill: What do they recommend?

Mr. Mills: There is a fruit on a Palm that is very poisonous to animals. If a dog eats one or two, it will actually kill them.

Ms. Simmons: Is it in the grass or on the sidewalk?

Mr. Mills: So, we're looking into suggestions for our insurance company.

Mr. Showe: Before I went into the meeting, he was going to provide me with some sample documentation on just some general pet safety information. He doesn't think that we should put out signage. He would like some general information on the plants and animals that you should avoid, as you're walking around in Florida that we can put on our website and send it out. So, that's the recommendation that I'm working with them on right now.

Mr. Pawelczyk: It's hard to say that the District should be responsible for every single thing.

Mr. Mills: It's ridiculous.

Ms. Ksiez: Whenever I get it, I'll put it in the newsletter.

NINTH ORDER OF BUSINESS

Public Comment Period

Mr. Mills: Alright. We'll open it up for resident input.

Mr. Breitner: Quick question. It seems that every week, there are problems with the gates. I don't know whether it's the sensor or the motor that lifts the gates up and down. At least once a week, the gates are open all the time. Sometimes, it's on the exit side and sometimes on our side. I don't know whether there is a setting issue with the sensors. The nose of my car actually has to be almost past the gate before it goes up, which I guess is not a bad idea because it makes you slow down.

Mr. Brown: The resident's gate coming in is a brand-new gate. There's a brand-new motor and everything.

Ms. Hill: It catches my car before I get to the gate.

Mr. Showe: The challenge that we have, which is why we have to install them on the vehicles, is because with that type of device, every vehicle is different. It catches it in a different place and works in a different place. That's the nature of the system that you have.

Mr. Breitner: A couple of times, it didn't go up and I started to back up.

Mr. Showe: You should not be doing that.

Mr. Mills: No. Not at all.

Mr. Showe: They have been directed not to do that.

Mr. Mills: Artie, what kind of car do you have?

Mr. Breitner: A Camry.

Mr. Mills: A lot of these windshields have Ferrous Oxide inside of them for tinting.

Mr. Showe: Sometimes the age of them factors in. My best bet would be for you to meet with Andy out there at 10:00 a.m. on a Monday when he's here and if there's a problem with the transponder, we'll switch it out for you.

Mr. Breitner: I don't want to make a big deal, but there's no problem with it at the back gate.

Mr. Mills: Then your transponder is fine.

Mr. Hatton: It depends on how they adjust those antennas because it shoots a beam and picks up the transponder on the car. Trucks don't have an issue.

Mr. Breitner: It is what it is.

Mr. Showe: There is a lot of variances on vehicles. Sometimes even when they update models, you'll have one car that's the same and they just change the model and it makes a 10-foot difference in how that transponder works.

Mr. Breitner: I understand.

Mr. Hatton: As far as the gates being stuck up and down, they are mechanical and sometimes a belt goes.

Mr. Breitner: I sort of figured that it wasn't the sticker on the car because the back gate has no problem.

Mr. Showe: Sometimes if you see the gates open, check back in about 15 minutes, because we have those SOS Systems on there. If the police activate those SOS Systems, the gates stay open for about 15 minutes.

Mr. Mills: A weed whacker will do the same thing.

Mr. Showe: A weed whacker imitates that same frequency. So, if you see them open, wait about 15 minutes to 20 minutes and if they are still open, give us a call and we can call for repair if needed.

Mr. Mills: Do we have anything else from the audience?

Ms. Curly: Yes. Summer is coming and our playground is gorgeous, but it is really hot. I noticed that the playground on St. Andrews and the one behind Viera High School, have a big canopy for the kids. I'm wondering if we might increase usage of our playground if you could find it in our budget to install one of those big shades. Because last summer, Rick and I took pictures to put on the website and the metal was so hot that you couldn't even touch it. I know that's a lot of money to spend, but it might be a good idea.

Mr. Bosseler: I'll get some bids.

Mr. Showe: I will get you a quote, but you will not likely believe how much it is.

Mr. Mills: No.

Mr. Hatton: A lot of times, they will have to be taken down for hurricanes.

Ms. Curly: I didn't see them taken down.

Mr. Showe: They probably should have been.

Mr. Mills: I would just like to share this little story that I heard the other day from Tropic Care. They hired a new employee to come on board to work with the crew. He stole their vehicle. Thank God they had GPS on it, because they found it on 192. They finally called the police. First day on the job, fresh out of jail and he does this. Is there anybody else?

Resident (Maureen Ksiez, Balmoral Way): I just want to thank the Board for putting those trees at the end of Balmoral Way. It looks much better.

Mr. Mills: That is my focus. In fact, Andy and I rode around on Monday. We are going to push all of the trees back in all of the preserves to where we feel comfortable and not get bothered by St. Johns. We are trying to make it a lot more attractive than it is.

Ms. Ksiez: The flowers are gorgeous.

Mr. Mills: Thank you.

Ms. Ksiez: I know that you did not like the color at first, but they are gorgeous.

Mr. Mills: I asked them to leave them in for another month and they said that we couldn't because they ordered the flowers ahead of time.

Ms. Curly: Is it okay for residents to ask them for flowers that they remove?

Mr. Mills: I wouldn't know why not. I can ask them to let you know.

Ms. Hill: They've given me flowers before.

Mr. Mills: Under the new contract with this flower company, the flower company is not tearing them out. Tropic Care is. So, I will get a hold of Tony who owns Tropic Care and ask him if it's okay for residents get those flowers when they tear them out and see what he says.

Ms. Ksiez: They are gorgeous.

Mr. Mills: They are beautiful.

Ms. Ksiez: Good. Thank you.

Ms. Curly: I don't know if I should bring this up here or the BCA, but I've been approached by two different people. We have a couple of registered pedifiles in our community. One of them, their parents live on National Drive, within 1,000 feet of the playground and they are concerned.

Mr. Mills: I knew about the one on Baytree Drive, but I didn't know about this one.

Ms. Curly: There's one on Ashford Court.

Mr. Bosseler: The parents live where you said, but the person lives elsewhere.

Ms. Curly: I know that. He is not supposed to be within 1,000 feet of a playground. He is visiting his parents who are less than 1,000 feet. So, I didn't know legally...

Mr. Mills: That's a BCA issue.

Mr. Showe: Actually, that's a law enforcement issue. You would have to call the Sheriff's Office.

Ms. Curly: When he had surgery, his parents came to ask the court if they could stay with him because he does visit them.

Mr. Showe: That's a law enforcement issue. We certainly wouldn't have any standing.

Ms. Curly: Okay.

Mr. Mills: Is there anything else? Hearing none, we need a motion to adjourn.

TENTH ORDER OF BUSINESS

Adjournment

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


Secretary/Assistant Secretary


Chairman/Vice Chairman