

**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, **December 6, 2023** at 1:30 p.m. at Baytree National Golf Links, 8207 National Drive, Melbourne, Florida.

Present and constituting a quorum:

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

Also present were:

Jeremy LeBrun	District Manager
Michael Pawelczyk ( <i>via phone</i> )	District Counsel
Andy Hatton	Field Manager
Rusty Kahoe	ProGreen
Meredith Di Vita	US Lawns
Chris Semko	US Lawns
Bob Eksten	BCA President
Residents	

**FIRST ORDER OF BUSINESS**

**Roll Call**

Mr. Mills called the meeting to order at 1:31 p.m. and Mr. LeBrun called the roll. The Pledge of Allegiance was recited. All Supervisors were present.

Mr. Mills: Alright. I'm going to divert from the agenda slightly, because we have some guests with us today.

- **Agenda – Presentation of Landscape Maintenance Proposals/Vendor Q&A**  
(*Item 6A*)
  - i. **ProGreen**

Mr. Mills: We have representatives from the two landscaping companies that we requested quotes from. So, I'm going to ask them to go first. This is a public meeting. You are

welcome to stay if you would like, but I think it would benefit us and you, if one of you would leave and when we finish the other one, then you come back in. So, I'm going to ask you two to decide who wants to go first.

Mr. Kahoe: I'll go first.

*Representatives of US Lawns left the meeting.*

Mr. Mills: Please provide your name and the company you're with.

Mr. Kahoe: I am Mr. Rusty Kahoe, with ProGreen Services (ProGreen). I believe that Jeremy has our proposal, but I brought copies in case you needed them. I'll just give you a brief overview of ProGreen and then if you have any questions, I'll be available to try to answer them. If I can't answer it, I'll definitely follow up with you. So, a little bit about ProGreen. We are a \$20 million company. We're not the largest by any stretch, but we're not the smallest either. We have four locations right now. Our main corporate office is in West Palm Beach, but we have, of course, an office here in Melbourne, right here off of Suntree. We're literally 5 minutes from you guys. We also have our sister location in St. Cloud, which covers Central Florida. Then we have another location over in Lakeland. We are actually opening up a new Broward location that will probably be online by the end of the year. Strategically, we're actually looking at two other locations for the first quarter of next year, one in Tampa and an additional one down in Port St. Lucie.

Mr. Mills: Rusty, what's your position?

Mr. Kahoe: I was hired on originally as the Business Development Manager for ProGreen. Basically, my territory was from the east coast to the west coast of Florida. But subsequently, earlier this year, they asked me to come over and help manage the Melbourne office. A little bit about myself. I was with Delta Airlines for 12 years, working in operations and project management. I started as a flight attendant. I've literally been just about everywhere in the world. I love to travel. I love people. I subsequently left Delta and went to work for an advertising company. I did international operations for them. I've literally set up operations all over the world. So, if you've ever been in operations or anything like that, you can imagine the headaches and frustrations and all that fun stuff. I left them and ended up starting my own business in Atlanta. I ended up growing that to several million dollars, sold it, moved down here, got into real estate and then somehow ended up back in landscaping. I still do real estate. That's kind of my side gig. I have kind of a diverse background. I'm probably not your typical

landscaping guy, because, like I said, I kind of grew up in more of a corporate environment. So, I tend to look at things more corporately and try to get things done. I'm a taskmaster. That's kind of what I say to everybody. I just get things done. I usually make a list, like Jeremy or any of these who work with me, we make a list and we get things checked off. That's my primary goal. A couple things that I always say to the Boards that I work with, I'm a little bit different in the sense with the landscaping, but we're not necessarily in the landscaping business or in the trust business. I tell that to everybody because I'm serious about that. I tell my guys, my crew members, that you entrust us to maintain your properties and what you guys are responsible for maintaining as well. So, when that trust gets lost, we're done. There are 20 other companies that do what we do. So, it is imperative that we maintain that level of trust, that level of service, that level of commitment and communication, because that's probably the key to a lot of those things, being proactive and communicating. Anyway, so, that's a little bit about me and a little bit about ProGreen. If you have any questions, I'll try to answer anything or if you want me to go over the proposal, I can do that as well. I'm just here to help you guys and figure out what your points of pain are. Andy and I kind of went through everything, so I'm pretty familiar on what services you've been getting, what you haven't been getting and the reason why you're really making the change.

Mr. Mills: Well, I'm going to ask each Board Member if they have any questions and then I have a list of questions, because my responsibility is landscaping.

Mr. Kahoe: Absolutely. You're my new best friend.

Mr. Mills: So, we'll start with Richard. Richard, do you have any questions?

Mr. Bosseler: I do have one question.

Mr. Kahoe: Yes sir.

Mr. Bosseler: As you toured our area here in Baytree, what did you think the weak areas were in landscaping?

Mr. Kahoe: In talking to Andy, just from his perspective, because I think that was critical, as he's working hand in hand with your current provider, one area was being proactive. Things that should be getting caught are getting missed and there was not a plan. There was no 30, 60, 90-day plan. One of the things that I like to do with my Boards, is to sit down and come up with a one-year, three-year, five-year plan. As you guys know, if you're a homeowner, your property ages and there needs to be a plan in place of, one, how are you going to pay for those things and

two, what are you going to do? What kind of improvements you're going to make, whether that's changing out plant material and things of that nature. So, I would say those were the kind of things that I noticed. Operationally, things I saw were just areas that were missed. When I toured the property, none of the flowers up front have been done and I think they've been vacant for a pretty long while. I drive up and down Wickham probably 15 times a day and there are things like that. Just really little attention to detail, those type of things, such as quality. Weeds are always an issue. I think, too, you guys have these little common areas throughout the community and it seems like there wasn't a real good idea of how those were being managed or how those were being serviced.

Mr. Bossler: Thank you.

Mr. Mills: Rick?

Mr. Brown: In your quote, you didn't include the trimming of Palm trees. Were you asked to quote on that?

Mr. Kahoe: I think we had that quoted separately. Typically, if it's a normal Palm, like a Sable or something like that, it's \$35 for us to trim it.

Mr. Brown: Okay.

Mr. Kahoe: We do have our own Arbor Division. The way program is set up, we have different divisions inside the company. So, for example, that falls into the Maintenance Sales Division. We also have our own Irrigation Division and a new Construction Division. If you've been to the Costco here in Melbourne, we did all of that work there. We did all the irrigation, all the plants, everything at that location. We currently have multiple projects going on throughout the State from a new construction perspective, mainly right now, on the west coast. We do a lot with these large warehouse Amazon, FedEx, type centers.

Mr. Brown: So, based upon what you just told me, your company is also able to do tree trimming?

Mr. Kahoe: Correct.

Mr. Brown: That would be an extra charge.

Mr. Kahoe: Yes, sir. We can sit down and go through that with Andy and identify whether you want to just do Palms or Oaks or whatever the case may be. We typically handle that outside of the normal contract.



Mr. Brown: I also noticed that in your proposal, you had quite a litany of available resources for storm prep.

Mr. Kahoe: Yes, sir.

Mr. Brown: I assume that also counts for storm cleanup.

Mr. Kahoe: Yes, sir. We try to publish that ahead of time, because what we found, a lot of times when we do have an event, you may have loss of power or loss of communication. If we can publish as much information as we can about what that cleanup could potentially cost, that kind of gives you as a Board or the Property Management Company, to have an idea of what that's going to look like. Because, as you know, if you've ever been through a storm in Florida, it could be chaos. So, to me, one of the things I always say to my crew, is poor planning equals poor performance. So, if we can be proactive and plan ahead, it allows us to perform.

Mr. Brown: I guess one of the questions that I would have, is that we, along with a number of other communities that you service, what's your availability, especially for cleanup?

Mr. Kahoe: Well, ideally, you're going to triage that. Right? I mean, if you have a situation where you have trees blocking roadways and things of that nature, that's going to take a priority over somebody's tree down in their yard.

Mr. Brown: Right.

Mr. Kahoe: Normally what we do as a group, is once we get the all clear, we usually have our guys and gals driving around and doing that triage and then we take an assessment. Of course, some of that is phone calls and pictures and those types of things. That's where, to me, communication is critical.

Mr. Brown: Right.

Mr. Kahoe: I've worked airline accidents before where we had airplanes down on runways. So, you have to be coordinated. You need to communicate and you need to have a plan in place to do that kind of stuff. Otherwise, it's just chaos.

Mr. Brown: Right.

Mr. Kahoe: To your point, if you can make a quick assessment of what needs to get done, we can move assets where it needs to happen and get the community at least up and running and get roadways cleared and functioning.

Mr. Brown: That makes sense. Good. You mentioned that irrigation repair costs are an extra charge, which is okay.

Mr. Kahoe: Right.

Mr. Brown: But in looking at some of the invoices that we paid over the course of the past number of years, most of the irrigation repairs have to do with broken sprinkler heads, which are caused by the people that mow.

Mr. Kahoe: Right.

Mr. Brown: So, how do you determine whether or not it's our responsibility to pay for it or yours?

Mr. Kahoe: Well, normally, in a situation like that, we try to evaluate what occurred. I mean, if it's something where, if our tech, for example, knows that it's right on this curb and we see a mower that's running over it and see the tire tracks or whatever the case may be, we're going to eat that.

Mr. Brown: Okay.

Mr. Kahoe: If it's a situation where maybe it's next to a driveway and somebody drives a hummer, for example and they can't turn into the driveway and they keep running over the head, then after the second time of fixing it, we need to have a conversation of relocating it. So, it goes back to communication and identifying if there is something we're doing or something that the homeowner is doing or something that maybe another vendor on the property is doing. Can we repair those things so that we're not having to fix them all the time in an ideal situation?

Mr. Brown: That's fair. Okay.

Mr. Kahoe: I don't like to say that we're irrigation experts by any stretch, but that's probably our number one area of expertise. Like I said, because we do new construction, we have technicians that are highly trained in that, especially with pump systems and some of the latest pump systems that are out there. Irrigation has turned into a whole other ballgame when it comes to electronics and the VFD drives and all this stuff that's out there. Some companies take a guy that's been on a mower and say, *"Hey, guess what? You're now an irrigation tech, go work on a \$30,000 piece of equipment that you don't really know anything about."* So, we tend to shy away from that. I'll give you a good example. We just picked up a new property over here in Viera and when we were doing our initial walk through with Property Managers, they identified five pump stations within that property. Out of the five, only four were working. So, we actually dispatched one of our senior techs from Lakeland, to come over and go through their entire system, just to make sure we could give them a true assessment of what needed to get repaired to

get that system back up and running. So, those are the kind of things, I think that's critical that we bring to the table.

Mr. Brown: The only other extra that I see in your proposal, was if we want mulch, it's extra at \$65 a cubic yard.

Mr. Kahoe: Yes, sir. You get to pick the color.

Mr. Brown: Pink.

Mr. Kahoe: No. Salmon or watermelon.

Mr. Mills: April?

Ms. Simmons: Rick already asked a few of my questions, but I did see in here, that the Palms are up to 12 feet. So, you do will do Palms.

Mr. Kahoe: Yes.

Ms. Simmons: We have a lot of Oak trees, especially on Baytree Drive. I saw that you will only cut a one-inch diameter.

Mr. Kahoe: Yeah. So, we kind of evaluate that. We had to put a number out there. It may need to be trimmed at the collar or it may not or it may need to be taken all the way back to the trunk. It may just be the tip. So, we had to put something in there, because there's so many trees out there and so many parameters. We kind of use as that, as our measuring stick, if you will. If it's anything less than that, we'll take care of it. If it's anything more than that, we need to really look at it and see what the cost could be.

Ms. Simmons: An inch is like a stick. It's not even a diameter.

Mr. Kahoe: It depends on the diameter too. So, it could be bigger. Some of these branches could be 2, 3, 6, 8 inches, depending on the tree.

Ms. Simmons: Could that be something that we talk about, because in all the other places, I've noticed it's 2 inches?

Mr. Kahoe: Sure. I'm not married to it, but like I said, if that's the difference, we'll be happy to adjust you to 2.5.

Ms. Simmons: Do you do your own spraying?

Mr. Kahoe: Yes. We have our own Ergonomics Department. They're actually at Montecito today.

Ms. Simmons: You already talked about the mulch. That's it for me.

Ms. Hill: I noticed that you install annual flowers.

Mr. Kahoe: Yes.

Ms. Hill: Do you also take care of maintaining or deadheading them?

Mr. Kahoe: Yes.

Ms. Hill: Because that's one of my pet peeves. They put them in and then they forgot about them.

Mr. Kahoe: Yeah. I've actually gone through this with my supervisor and said, *"Hey, if we get this contract, we're going to have a person that's allocated to maintain flowers,"* because you have a lot of flowers. It's critical to me, especially that front entrance, because to me it's kind of like the zoo, it's a landmark in this area. That front signage area is tremendous and it needs to look its best at all times.

Ms. Hill: Right.

Mr. Kahoe: And to your point, I mean, somebody has to be going through those beds and either weed them or deadhead them or even treat them.

Ms. Hill: We get new plants every quarter.

Mr. Kahoe: Right. They start out looking wonderful and then the next thing you know... and I'm thinking, why are we spending our money?

Mr. Kahoe: Right. My goal, is I want it to be a hard decision for you guys, for you to say, *"We need to tear those out."* I want those to thrive in a sense that they look as best they can and you all say, *"Hey, we're going to skip this because they look so good. Let's wait and do it again the next month."* So, that's my idea for some of this stuff. Secondly, in some of the communities that we've seen, they've gone to more of a perennial look and narrowed the bed space down to put some perennials in there., so there are not as many annuals, to cut some of the cost. So, we've made suggestions on doing that as well. That's not to say that you guys have to do that, but we've kind of drawn those suggestions out, just from a cost saving perspective. Again, that's something we would look at over a one-year, three-year or five-year plan. Because right now for mulch, for example, we have a lot of communities that are switching to rocks. So, we're actually working with them and saying, *"Okay, in Year 1, these are the areas that we're going to put in rock and mulch and in Year 2, we're going to have more rock and less mulch,"* so by year five, it's a totally rocked community and we're not spending \$30,000 or \$70,000 or whatever it is, to buy mulch every year. Because we can get that longevity out of the rock.

Ms. Hill: When you put in rocks, how do you keep the weeds and how do you keep it looking good?

Mr. Kahoe: You treat it just like you would weed. I mean, you're still going to have to have some type of maintenance in there, but you're not going to have that reoccurring cost every year of having to purchase new mulch. So, you may have to freshen up a rock bed maybe once every five years or something like that, depending on the amount of water erosion or trees or that kind of stuff. But the good thing with rock, is you can blow it out. If you try to blow a mulch bed out, there goes your mulch. Right? Especially if you have a high detailed area that has a lot of shrubs and stuff and you're having to trim a lot. So, it's counterintuitive to put mulch in those areas, because you're eventually going to rake it out anyway. But to your point, maintenance-wise, there's still some maintenance to it. You just don't have that purchase cost, if you will, of buying that every year.

Ms. Simmons: I have one more question about the mulch. Did you get a square footage? Do you have a ballpark?

Mr. Kahoe: I don't to be honest with you.

Mr. Hatton: 200 square feet.

Mr. Kahoe: Yeah. That's where I kind of rely on Andy to say, "*Hey, what have you guys spent over the last year?*" Then what we do from there, is once we identify what those areas are, we'll go and look and take an assessment of how much mulch is actually there. Is it dirt where we're going to have to really build up that area? Maybe if it was mulched last year or the year before, there's something remaining there we don't have to use as much. So, that number can fluctuate up or down, depending on the last time it was done, so on and so forth.

Ms. Simmons: That's good.

Mr. Mills: All right. I'm going to be the mouthy one in the organization since I'm involved. This is going to be piggybacking on a lot of what Richard asked you. You drove around through the community. What stood out as the biggest deficiency that you would say we had in your drive around?

Mr. Kahoe: For me personally, it was just messy. There were areas that were half done, especially the common areas. In addition to that, all of the flowers seem to have been changed out, but the others were not. So, it just was kind of haphazard. Again, that may be purposeful. I

don't know, but just from an outsider looking in, that's what I saw. Many of the common areas, when I went through, were just messy.

Mr. Mills: There seems to always be, with any organization, a sales crew coming out and promising everything.

Mr. Kahoe: Right.

Mr. Mills: Then when it gets down to doing the service work, it doesn't jive at all. There seems to be this disconnect between sales and service.

Mr. Kahoe: Absolutely. I've been in this business for 18 years now and you'll see, for first six months, we did great and then it goes downward from there. I'm not only the sales guy. I'm also the operations guy and you will see me regularly. That means to me a lot, because like I said, I make a list of what needs to get done. I'm not going to say we're perfect by any stretch, because we all make mistakes. We're going to break things. We're going to do the wrong things. But my wife and I have what we call, "*Chips in the bank*," where as much as I can make deposits into the bank, when I do screw up, you're going to go, "*Hey, Rusty, it's okay. I know you guys are really working hard out here.*" To your point, I think that's a commitment. Again, it goes back to what I was saying about trust. We have to make sure we're clear on what your expectations are. I think that comes to communication, where we are working with you guys saying, "*Hey, this is a plan. This is what we're doing. These are the areas we're cleaning up.*" So, you will see some progress and some improvement and that's continued moving forward. Because, as I said, as the landscape continues to mature, it has a tendency to get messy, overgrown, those kinds of things. So, it may be, that we need to pull a shrub out or we need to redo these shrubs and put some new shrubs in or whatever the case may be or we may need to relocate the irrigation, because those shrubs have grown up so high that they're not irrigating correctly.

Mr. Mills: Okay.

Ms. Hill: Do they cut back the...

Mr. Mills: I was going to get to that. One of the things that we were privileged to have before, because our current contractor has been somewhat good to us, in that when there was a hurricane and we didn't have the manpower and GMS couldn't provide it, they came and put all of the pool chairs into the pool. We never received a bill for that.

Mr. Kahoe: Right.

Mr. Mills: Do you do those kinds of things?

Mr. Kahoe: That's what I meant by, "*Chips in the bank.*" When I can do things like that. It makes this relationship so much better.

Mr. Mills: Well, it becomes a loyal thing.

Mr. Kahoe: Right. Absolutely.

Mr. Mills: Okay.

Mr. Kahoe: To me, it's like, if we know there's a need there, we try to step in wherever we can. I think you'll see that with my guys, too. I'll give you a quick example. We had a property where the property manager was carrying in a large printer by herself, trying to carry it in. My guys saw her doing that and they stopped what they were doing, grabbed it from her and took it into the building for her. That's the kind of guys that I want working for me. That's the kind of effort that I want to see.

Mr. Mills: You'll pay dividends in the end.

Mr. Kahoe: Absolutely. That's what I mean by, "*Chips in the bank.*" Because there will be a day, where you're going to call me and say, "*Hey, Rusty, you guys screwed up,*" and I'll say, "*Yeah, we did. Here's how we're going to fix it.*" But hopefully during that relationship, we're doing a lot of positive things along that path as well.

Mr. Mills: Okay. When you see that plants aren't growing properly and soil samples need to be done and I said, "*You're in violation of your contract.*" So, they pulled the soil samples and planted the flowers the next day before they even have a chance to modify the soil.

Mr. Kahoe: Right.

Mr. Mills: I'm sure you don't do that.

Mr. Kahoe: No.

Mr. Mills: Okay.

Mr. Kahoe: Yeah. That doesn't go just for annual flowers either. That goes for the turf areas. It could also go for shrub areas. Because of where we are in relation to the beach and everything, we have high pH over here, so you have to factor that into your fertilization schedule. So, you have to factor that in as well when you're doing fertilization on the turf and Palm trees and shrubs and all that stuff as well. So, it's a little bit of a balancing act, but at the same time, if you can put all that down on a calendar, poor planning equals poor performance. Right?

Mr. Mills: Yes.

Mr. Kahoe: So, if you can plan ahead, you should be able to perform that.

Mr. Mills: Exactly. You mentioned the fact, if you break sprinkler heads, you replace them.

Mr. Kahoe: Yes.

Mr. Mills: We have a lot of landscape lighting in the development.

Mr. Kahoe: Okay.

Mr. Mills: That also gets broken by the landscapers.

Mr. Kahoe: Is that because it's in the wrong place or is it from neglect?

Mr. Mills: I think it's probably neglect on their part, not our part.

Mr. Kahoe: Yeah.

Mr. Mills: I'll give you an example. When they planted the front, one light was pushed over completely into the ground.

Mr. Kahoe: It was in the bed?

Mr. Mills: It was in the bed.

Mr. Kahoe: The reason I asked it that way, is because again, if something keeps continuously being broken, let's figure out why. Is it because of neglect on our part? Is there a way that we can relocate this irrigation lighting, sign post, whatever? Can we relocate that to a position where it's not being damaged?

Mr. Mills: Right. Do you use any subcontractors?

Mr. Kahoe: The only subcontractor we will typically use, will be during extenuating circumstances. We have one subcontractor that we use for irrigation. He is a probably a State of Florida renowned pump specialist. If we get to a situation where we can't figure out what's going on with a pump, we will bring him in at our cost. Typically, like, if we have a large sod area or something like that, we may vendor that out to somebody to put the sod in, occasionally on mulch, but very rarely over here. Most of the St. Cloud contractors, have a lot more properties than what we do here. So, they'll manage that a little bit more vendor wise. But for here locally, it's probably going to be us. All of our guys, unless it's a new hire, have a t-shirt that has ProGreen on it, but all of the folks that work for us, have a name tag. So, if you ever have an issue with any of them, it's very clear. You can see who you're talking to. The only exception, I would say, if it's a new hire, you can always tell.



Mr. Mills: Yeah, we don't tell the residents that, because residents will come out and tell you how to do your job. You have one person that you're going to answer to and that's me.

Mr. Kahoe: Absolutely. The guys know that, if they get a request. If it's something that's easy and we can do it real fast, that's not a big deal.

Mr. Brown: Okay.

Mr. Kahoe: But if it's something like, *"Hey, can you cut this tree down in my backyard,"* we'll refer that back to you.

Mr. Mills: That does happen. You talked about rock. I had thought about going with rock instead of mulch, to save us money. The problem is the mulch that we have been currently using, is washable and it washes away.

Mr. Kahoe: Right.

Mr. Mills: The next thing you know, you have it in the gutters and down in the drains. We did it at the back gate and had rock in the front. Then we had a metal, aluminum...

Mr. Kahoe: Can I ask what kind of rock?

Mr. Mills: Yeah. It was river rock.

Mr. Kahoe: What size?

Mr. Mills: I don't remember. Then we had an aluminum barrier put around it.

Mr. Kahoe: Correct.

Mr. Mills: We had the mulch because the plants were in the back.

Mr. Kahoe: Correct.

Mr. Mills: Now you can't tell the difference from where the mulch and rock were.

Mr. Kahoe: Because all of the mulch ran down.

Mr. Mills: Exactly. So, we'd have to convert it all of it at one time, maybe do a section and then next year do another section.

Mr. Kahoe: Correct.

Mr. Mills: Do you put down a weed barrier cloth?

Mr. Kahoe: I am not a big fan of weed barrier cloths, because no matter how much weed barrier cloth you put down, you're not going to prevent weeds. It's going to last probably for about three to four months, if that. Then a bird or a seed or something is going to drop into it. If it's not being picked out, there's going to be a weed.

Mr. Mills: Okay.

Mr. Kahoe: Eventually, whatever you're going to go try to do in that bed, you're going to be tearing that wall back out anyway. I mean, there's a time and a place for that kind of stuff, but overall, in general terms, I'm not a fan. You will not see me trying to sell you on doing that. If we are doing a paver area or something along those lines, that is a totally different story. But if you're looking at just putting some type of ground cover material over that, whether it be rock, mulch or something like that, especially mulch, because you know it's going to wash out, it's going to get blown out and then the weeds are just going to be there anyway.

Mr. Mills: Okay. Basically, I helped design that entire front entrance from the beginning to the gatehouse.

Mr. Kahoe: Good job.

Mr. Mills: Would you work with me in helping do that? Do you have a design department that would work with us?

Mr. Kahoe: Yes.

Mr. Mills: Do you provide the plans?

Mr. Kahoe: Yes.

Mr. Mills: One of the things that we've told them about, is they've mulched right up to the trunk.

Mr. Kahoe: Correct.

Mr. Mills: You're supposed to keep away at least a foot, foot and a half away from the trunk.

Mr. Kahoe: Absolutely.

Mr. Mills: That hasn't happened. That's another issue that we have.

Mr. Kahoe: Well, it happens a lot, in the sense of the shrubs, because they will put 3 inches of mulch next to the base of a shrub and then wonder why it has fungus in it all of a sudden. Right? You just can't do that. You have to be strategic. It's not just, "*Hey, let's dump a bag of mulch everywhere.*" There's a plan. But to your point, there are certain plants that should not be in certain areas. That goes with Palm trees and things of that nature, especially with some of the diseases that are associated with the Palms. We've learned through the University of Florida and some of the studies that they're doing, with all of the different diseases, where we're having entire Palm populations getting wiped out because of the different mites and stuff, we learned that anytime there's a body of water in a ditch, you cannot put a Palm next to it because

it's going to go away. So, certain things like that, we have a good partnership with the University of Florida and try to educate and learn as we go along, because people have great ideas. It may not be the right plant for that place, because over time it may get too big, too wet or too dry.

Mr. Mills: Alright, getting down to a business decision, would you consider including mulch in your quote? The reason I say that, is every other vendor included mulch in their quotation.

Mr. Kahoe: Yeah, I can go back and look at that. Again, if I can get her two and a half inches, I can get you probably 200 yards of mulch or rocks.

Mr. Kahoe: Again, my goal is to look at your landscape and how can we improve it over a one-year, five-year plan. Right? So, if there are ways that we can save money, I'm all for that, because it allows us to do so much more for the community, where we have areas and can say, *"Hey, let's spend \$20,000 here versus putting mulch out everywhere."* Right? Yeah, mulch looks nice, but if we can do things as a community, do a better job of maintaining it and have a plan in the future, I'm all for that.

Mr. Mills: I would need to redo the back gate. I have the money to do that.

Mr. Kahoe: Right.

Mr. Mills: But I won't do it because of the lack of upkeep.

Mr. Kahoe: Right.

Mr. Mills: We have Schillings at the back gate that have been in for five years.

Mr. Kahoe: Right. It can be wet material.

Mr. Mills: Whatever.

Mr. Kahoe: Yeah. To your point, though, regarding the mulch, there is a mulch binder. I'm originally from Florida, but I spent the last 20 years in Atlanta, prior to moving back down here. We had a lot more hills up there and we use a mulch binder a lot up there, which is basically a liquid. I don't know if you guys have ever seen it. It looks like milk, but when you spray it on there, it actually adheres and dries transparent. We use that a lot in the hilly areas and things like that. So, if you have an area that's mulched that has an erosion issue or when it rains, you can get that binder for next to nothing. It's literally just a spray that is applied to hold it in place.

Mr. Mills: When you cut down a tree, do you provide the grinding of the stump or have a subcontractor do that.

Mr. Kahoe: No, we handle all of that.

Mr. Mills: Alright. You know, like I said before, what you say up front and the actual end result, sometimes doesn't work.

Mr. Kahoe: Absolutely.

Mr. Mills: Would you consider reducing your price for a 90-day period, so we can see how you perform?

Mr. Kahoe: It depends. I need a number.

Mr. Mills: Let me finish. Then at the 90-day period, if everything seems to be good, we'll repay you back your original quotation.

Mr. Kahoe: We need to flush that out a little bit more and I'd have to take that back. I didn't tell you this earlier. We're owned by one individual that is down in West Palm Beach, but he's up here once a week checking on us, checking on the properties. So, that would be something that I would have to take back to him and say, *"Hey, this is what they're proposing. Are you comfortable with this?"*

Mr. Mills: We could defer this for 90 days.

Mr. Kahoe: Yeah. If you want, we can talk further and see what that looks like. I don't want to say no, but that's above me.

Mr. Mills: Alright.

Ms. Hill: Did you have any recommendations?

Mr. Kahoe: Yeah. I think we sent all of those in. Correct?

Ms. Hill: I didn't see any.

Mr. Brown: I didn't see any.

Mr. Kahoe: If not, I can get you those.

Mr. Mills: Okay.

Mr. Kahoe: Like I said, we have Montecito, which is right down the road. I know you guys are probably familiar with them.

Mr. Mills: Yes.

Ms. Hill: Yeah.

Mr. Kahoe: We just contracted with them.

Ms. Hill: It's nice to hear from the people who you're actually servicing.

Mr. Kahoe: Yes, ma'am.

Mr. Mills: I have no further questions.

Resident (Not Identified): What is your turnover with your employees?

Mr. Kahoe: I'll be upfront. I don't care what service business you're in right now, it's tough. We work really hard to find the right people and train them correctly. I'm not going to say that they're going to do the right thing all of the time, because a lot of these guys are young, in their early twenties and thirties and landscaping is a tough job in the Summer.

Mr. Mills: It is.

Mr. Kahoe: I did it for a while. But to me, it's us holding people accountable, because at the end of the day, I hold myself accountable for things like that. If we have somebody that's not living up to our standard, they shouldn't be on your property.

Resident (Not Identified): Okay.

Mr. Kahoe: But again, that also comes back to communication, if you see somebody doing something that they shouldn't be doing, such as driving too fast, we have probably 200 trucks on the road at any given time during the week, with the size of our operation and they all have GPS and cameras, which provide alerts. For example, if somebody is speeding, it will actually send alerts to the managers on who is doing that. We would then have a conversation with the employee, because they will lose their driving privileges, which is tied to their pay. So, there are things in place like that. Like I said, typically on a property this size and this scope, we will have a supervisor on duty here while our crew is onsite. Now, they're not going to be here the whole time, but they will usually come in in the morning, make sure everybody's set up and ready to go and then they will check back in with them. The good thing is that you're 5 minutes from my shop and I manage by walking around. I do not sit behind a desk. Like this morning, I've already been to three properties, checking on crews, making sure everyone is where they need to be, talking to Board Members, making sure everything's good and we don't have any issues. But service is tough right now.

Resident (Not Identified): Okay.

Mr. Kahoe: To be honest with you. It is not like it used to be.

Resident (Not Identified): It is nice that you're honest.

Mr. Kahoe: If you guys go to Target, I think Target has a sign saying that they pay \$15 an hour. So, for us just to talk a little bit about our business, a typical landscaping person that had experience and made \$10 an hour a couple of years ago, would now be making \$20 an hour. I

equate it to being a farmer, in a sense. I don't know if you ever watch farming, but the price of corn probably hasn't gone up \$10 in the last 20 years; however, a combine is now a multimillion-dollar piece of equipment. It's kind of the same thing in the landscaping business, where some of our mowers are \$20,000 to \$30,000, depending on the size. If you look at the contracts, they haven't gone up to keep up with that cost. So, it's a challenge. Labor costs have gone through the roof for just about everybody. I don't think it's just landscaping.

Mr. Mills: Do have any questions from us, Rusty?

Mr. Kahoe: Timeline wise, I assume you guys are looking at January 1<sup>st</sup>. Is that still the plan?

Mr. Mills: Well, I thought we could probably do it today, but you need to get back to us.

Mr. Kahoe: If you want, let me know what your thoughts are on the 90-day piece.

Mr. Mills: We're paying \$100,000 now?

Mr. LeBrun: For the budget?

Mr. Mills: Yes.

Mr. LeBrun: For the landscape contract for Fiscal Year 2024, the budget is...

Mr. Mills: The one before it, for 2023.

Mr. LeBrun: Oh, for last year's budget.

Mr. Mills: It's either \$90,000 or \$100,000.

Mr. Hatton: It's just over \$100,000.

Mr. LeBrun: For Fiscal year 2023, the Adopted Budget, the landscape contract is \$98,398.

Mr. Mills: So, you're going to lose \$29,000 for three months.

Mr. Kahoe: We're going to defer it for three months. Let me talk to my group and see where we are, because like I said, we want the contract, otherwise we wouldn't be here. So, let me see what they're willing to do.

Mr. Mills: Okay.

Mr. Kahoe: We're talking about January, February and March.

Mr. Mills: Yes. The beginning of April.

Mr. Kahoe: Okay. I would order two and a half inches of mulch.

Mr. Mills: Yes, include the mulch.

Mr. Kahoe: Okay. I need to write all of this down. Otherwise, it doesn't exist.

Mr. Mills: We have a lot of competition, as you'd know, west of I-95. This is a seasoned community. It has nice, mature trees. We want it to be the community of choice.

Mr. Kahoe: Right.

Mr. Mills: The only way that we can do that, is to get a landscaper who lives and breathes landscaping and who will make this a pristine community.

Mr. Kahoe: Just so you know, too, a little bit about our team, my direct boss is the Senior Vice President of Operations. He's been in the Florida landscaping business for 35 plus years and is probably one of those guys who can walk into any situation and say, *"This is what's wrong with this."* It's kind of like my dad with cars. My dad was a mechanic for years and could listen to a car and tell you what's wrong with it. Randy, my boss, is kind of that same guy. We were meeting this morning at two of our other properties, just going through it, because he likes to see an assessment of what the properties look like. So, he kind of measures those two and says, *"Hey, are we improving?"* We want to make sure things are improving. We don't want to go in the other direction. So, he does that as well. He's pretty hands on in that respect as well, which is tremendous for us.

Mr. Mills: Okay.

Mr. Kahoe: Alright. So, we're saying \$100,000.

Mr. Mills: It was \$129,000 or whatever your proposal was.

Mr. Kahoe: So, we would defer \$29,000.

Mr. Mills: To April 1.

Mr. Kahoe: Are we going to get that in one lump sum?

Mr. Mills: In three months, we'll pay that back to you.

Mr. LeBrun: We can structure it.

Mr. Mills: We can structure that any way you'd like to have it. You would probably want to pay it back in one lump sum.

Mr. Kahoe: More than likely, but if you need us to spread that out, we could possibly do that.

Mr. Mills: Oh, that's even better.

Mr. Kahoe: Well, like I said, let me kick this back to them. Let me figure out if they're okay with that.

Mr. LeBrun: Also, just for the timeline, there would be some time that we would have to go back and forth with whoever the Board selects. If they decide to make a change, District Counsel would prepare an agreement, which they would have to agree to and we could bring that back to the Board. We also have to provide a termination notice to our current provider, if we were to switch, as there was a 30-day termination provision. Rusty, feel free to jump in, but we need time to see when you would get started.

Mr. Mills: February 1<sup>st</sup> would probably be the date.

Mr. Kahoe: That's what I was asking.

Mr. LeBrun: So, we can bring all of this back to the Board at the January meeting.

Ms. Hill: Would the new number that he comes back with include the mulch?

Mr. Mills: Yes.

Mr. Kahoe: And then monthly, do you guys prefer an Executive Summary Report with all of the activities that occur?

Mr. Mills: Yes. I think Andy and I both should have that.

Mr. Kahoe: Okay. Because I typically do that for my CDD properties. I think it helps a lot.

Mr. Mills: Yes.

Mr. Kahoe: So, you guys can ask questions, typically, I try to break it down and say, *"This is what we did throughout the month."* I actually put date ranges on there so you can see that. Then I say, *"This is what we have coming up. These are the proposals that we've sent in that either haven't been approved or projects that we think need to complete."* So, it's kind of a comprehensive monthly report.

Mr. Mills: That would be great.

Mr. Kahoe: Then if there are work orders or things like that, we can put those in there too, showing how those have been completed.

Mr. Mills: That would be great.

Mr. Kahoe: Okay.

Mr. Mills: Alright. Thank you, Rusty. We appreciate your time.

Mr. Kahoe: Absolutely.

*Mr. Kahoe left the meeting.*



**ii. US Lawns**

*Mr. Kahoe left the meeting.*

*Representatives of US Lawns joined the meeting.*

Mr. Mills: Would you like to introduce yourselves?

Ms. Di Vita: Yes.

Mr. Semko: Good afternoon. My name is Mr. Chris Semko and I'm the General Manager at US Lawns. I'm kind of the point guy of everything that goes on here. All operation aspects will be running underneath me. This is Meredith, our Business Developer. We're excited for the opportunity to be here and thank you guys for allowing us to be here. In your packets, we have a PowerPoint slide that basically explains a little bit of who we are. I'm going to go through a little bit, so you guys have a true understanding of it. US Lawns is a franchise company. We're a national brand, but we're also locally owned by each individual owner. We have been in Brevard County for over 20 plus years and our shop is 10 minutes from this location. I have experience working with CDDs all over the area. I'm new to US Lawns. I've been here for over four months, but I've worked with Andy at several other properties and other CDDs. I have a lot of fun stories.

Mr. Mills: I feel sorry for you.

Mr. Semko: I can say, really, the biggest thing that separates us from our competition and something that we preach and believe in, is partnership. Working with Andy for so many years and working with Board Members such as yourself, partnerships are the biggest things that separate us. You can hire any landscaper that you want. There are hundreds of them out there that have a trailer and a truck and everybody making all kinds of promises. But I can tell you, the good, the bad and ugly that goes to our industry. We're not a perfect company, but we work through those things with you and have a plan for success to help you guys. So, realistically here, the biggest piece, I think always in anything that we do, is partnership. Nothing really truly works without that. We want to work within the budget that you guys are within and to be completely open and transparent with the process and understand the CDD. All of the pricing is set up, but in regards to budgeting for the future, when you have increases, there's not going to be any kind of sudden increase that comes out of nowhere. You'll see what's happening from a year-to-year basis. You have a property that has been here for a long time. So, I think the biggest and most important thing too, is you have to start planning and budgeting. We would work with you guys, looking at all the landscaping from the front entrance to the areas on the Boulevard and

areas that are controlled by you guys and saying, *"What is the plan to replace the plant material that's here? What are some before and after pictures so you guys can start seeing and visioning what it can be for the next 20 years."* Plant material in general, only lasts about seven years, but with good fertilization and irrigation, it lasts 10 years, because the weather could be cold or hot. We are experiencing that right now. So, that kind of affects it. We want to go through this area and make sure that you guys have a serious plan. The biggest thing is what we do right here. We also come up with a plan of execution for the property. You guys will have detailed maps so you'll know what section is being trimmed on a week-to-week basis. That way, you will understand exactly where we are. There will be irrigation inspections and irrigation reports, our reporting system that basically shows everything. We're licensed to do everything. We do tree work. We do everything. Everything is done in house. We don't outsource anything. So, it's literally like a one stop shop. We basically take care of everything and our team basically does it. You will have a dedicated Account Manager who will work under me. I'll be available to come to every CDD meeting to talk about everything.

Mr. Mills: Really?

Mr. Semko: Yeah.

Ms. Di Vita: Someone on our team can be at any meeting.

Mr. Semko: For any CDD that we provide services for, I've always attended every CDD meeting because it's an important aspect of landscaping. It's one of the largest parts of your budget. We want to make sure that we're communicating. We want to make sure that there's a monthly report. You also receive a Landscape Report, which will have recommendations. So, that's a little bit of about us and what we do. We have an irrigation license. We have everything under the sun. Probably the biggest thing that separates us, is we've been in this area for so long. We've been with our customers for over 10, 12, 13 years. So, we believe in that partnership aspect, because we don't want to just be here for one cycle or one contract. We're looking for the future aspects, like how we can build long term.

Ms. Hill: Did you give us a list of who you've been with?

Ms. Di Vita: There are some references on there. I can also provide some more that we have come up with over the past couple of weeks. We also take care of Space Coast Credit Union right here on the corner. We do all their landscaping, fertilization, irrigation upgrades, a lot of extras.

Mr. Mills: That's a negative already.

Mr. Brown: That's not necessarily a positive.

Ms. Simmons: We're not thrilled with that.

Mr. Mills: You didn't plant all of that shrubbery on the other side of the fence, did you?

Ms. Di Vita: We only maintain it.

Mr. Mills: We're just joking.

Mr. Semko: What I can leave with you guys, is really the partnership. That's what we want to do. We want to have a partnership with you guys.

Mr. Mills: Okay. I know we probably all have questions since we've all reviewed your proposal. I'll start with Richard. Do you have anything?

Mr. Bosseler: Yes. Did both of you tour our properties or just you?

Mr. Semko: No, we both did.

Ms. Di Vita: We both did and another one of our Account Managers as well.

Mr. Bosseler: Maybe you could give us two or three of your top, right off the bat items that we are really suffering from here in the community. What did you see?

Mr. Semko: Your turf quality is terrible. That's the first thing I will point out. There are a ton of weeds. Realistically, having a healthy fertilization program, is probably top priority because, the grass may be green, but it has a lot of weeds. So, I think getting the weeds in order, is a priority as well as the detail. I think the detail in general, there are some trees that are a little low. There are some landscape beds that are kind of trimmed, but not really trimmed. This place should look pristine. You guys pay a lot of money in fees and I think you should have a property that looks really good. So, those are the top two things that I would do right away and really come up with a plan. To me, it just kind of seems like they kind of chased their tail a little bit, like, wherever there's an issue, they'll run and do that. I remember when we were here looking at the property with Andy, originally, I was like, *"Man, the Palm trees look terrible"* and literally a week later, they were trimming the palms. So, it was kind of like, did Andy call them or was that told in advance? We would lay out a schedule, like, *"Hey, this is what the annuals are doing. What kind of annuals do you guys want? What kind of flowers do you want?"* We'll give you choices. We'll give you options. A lot of landscape companies come in and will probably try to tell people what to do. We like to come in and give options and partner with you guys and say, *"What look do you want here? Here are some options. This is what works. Here's a good time of*

*the year to trim the Palms. Here's a good time of the year to mulch.*" Some people just mulch, per the contract on a certain date. We like to mulch maybe a little bit before the holidays, so you have that look for Thanksgiving and Christmas. To me, landscaping must have a plan that moves, where a community can shine through that.

Mr. Bosseler: Okay, thank you.

Mr. Brown: I noticed that you quoted that you trim the Palm trees once a year and that's fine. But I assume you also have the ability to do tree trimming at an extra charge.

Mr. Semko: Yes, sir.

Mr. Brown: Okay. What about storm preparation and storm cleanup? Do you have the facilities to handle that?

Mr. Semko: Yeah. The good thing about that is our shop location is 10 minutes from here.

Mr. Brown: Right.

Mr. Semko: So, you'll be one of our first responding areas. We'll basically come here and set up a plan, tell you guys 24 hours, 40 hours in advance what the plan is. There'll be a whole list of things that we'll be doing. Really, the biggest thing is safety. That's, like, a big thing that we preach at our company. All of our guys are uniformed. They all have safety vests on, to make sure the community is safe. So, as soon as we're safe enough to get on the roadways, we'll come here right away, make sure the roadways are cleared, pull things off of the road, start piling things up and assess the property. That's really the biggest things we'll do first in any of those kind of scenarios. Then we'll provide you with a report saying, *"This is what needs to be done as a plan of action."*

Ms. Di Vita: Prior to the storm coming, we'll get with either Andy or the Board and say, *"Here's a sheet for you to sign, stating where we're at hourly."* Once you sign that, you're a priority community, at that point, and you're at the top of the list. In past storms, our owners would all receive a list of where we're going. All of us get out on the road as soon as the storm clears, taking photos, prepping for insurance. Then our crews start coming around behind us. They start doing the cleanup, take more photos and then as a team, we put together insurance packets, if needed, for the insurance companies, for any major damage.

Mr. Brown: Okay. Kudos on your proposal. You indicated that as far as irrigation repairs, if it's your fault, you eat the cost. Most of our repairs for the irrigation system have been sprinkler heads that get cut off.

Mr. Semko: Yeah. I can say in general, if we damage something, we repair it and we don't charge you as a customer.

Mr. Brown: That's fine. That's why I said kudos.

Ms. Di Vita: We can usually tell, too, if it's our fault.

Mr. Mills: Landscape lighting as well?

Mr. Semko: Yes.

Ms. Di Vita: Any damages caused by our crew and our team.

Mr. Mills: Okay.

Ms. Di Vita: We take responsibility for everything.

Mr. Brown: That's all I have.

Mr. Mills: April?

Ms. Simmons: For your fertilization, is it all granular?

Mr. Semko: Yeah, we do a lot of granular. Pretty much all granular is what we do, because we think that's the best product to put out besides spraying. When you see people spraying, that means the rain is diluted. So, what we do is slow release granular. You'll see a guy on a spreader actually spreading chemicals and weeds. That will be sprayed.

Ms. Di Vita: Its safe for pets.

Mr. Semko: There will be a sign.

Ms. Simmons: How flexible are you with the annuals? I know last year, our vendor, at one point, provided us with geraniums that were so small, it took forever for them to get big and beautiful. I think you asked them not to do it and they said, "*We can't. We already ordered them. You guys have to do it.*" They threw away all of these beautiful red geraniums.

Mr. Semko: That goes right into the partnership work. So, if the flowers look good, you don't take them out. You basically rotate the flowers based on when they're starting to turn in the other direction. I come to you guys probably a month before when I think they're probably going to turn, because it will be based on temperature or if there's too much rain, I'll say, "*Hey, guys, here's a flower change. Here are some options. What do you guys think? What have you guys*

*traditionally done here in the past? What's worked,"* instead of force feeding you into something that makes you uncomfortable.

Ms. Di Vita: We don't bring anything on property and store it. We go straight to our nurseries, depending on what they have. We have them all around the state. Certain nurseries had issues this past year with Pentas and other annuals just weren't doing well, weren't surviving. So, we'll find something different. Because we've partnered with them for a very long time, they're very honest with us. The quality of that we take very seriously.

Mr. Semko: Being in the landscape industry for over 20 years. I can say over the last five or so years, nurseries in general have been gone out of State to a lot of different vendors, especially when Texas went through their ice storm, they pretty much bought out probably 50% of the nurseries here in Florida. So, a lot of relationships and partnerships that we have had with nurseries, there's some that went another direction, but there are other ones that we stayed with, we continued that relationship and we're able to get good quality flowers.

Mr. Mills: That's important.

Mr. Semko: Yeah, it's really important.

Ms. Di Vita: And it goes the opposite way, too. If we planted something and it's not surviving or it's not working, I'm going to figure out the source, whether it's an irrigation issue, but that's part of that's on us. Quality is very important, so we want to make sure we're on top of that. If it needs to be replaced, we'll put in a replacement.

Ms. Simmons: I just learned about a mulch binder. Is that something you guys can do?

Mr. Semko: A mulch binder?

Ms. Simmons: It keeps the mulch from washing away.

Mr. Semko: Yeah. There are different methods and theories. That's one name for it, but there are all kinds of theories and methods. I think it really has to do with the type of mulch that you pick. If people stay away from pine bark, which typically floats, it's a good thing to do. A lot of the mulch in general, that mattes down, is like chocolate mulch or dark black mulch. I know people like red mulch because that kind of pops, but red fades and dies, after three or four months in some good rain.

Mr. Mills: It looks bad.

Mr. Semko: But we can explore any option to make sure that you get the long-lasting impact of your mulch.

Ms. Di Vita: We don't blow the mulch either. It's all bags, so it's hand laid. We don't bring trucks in and blow, as it creates a big mess. So, we do all bags.

Mr. Brown: What do you think about switching from mulch to rock.

Mr. Semko: Rock is more expensive. It could be a good option, depending on certain areas. You can highlight rock in certain areas. It can reduce the amount of mulch that you use over a certain period of time. So, it can help budget wise. Rock replenishment probably is somewhere between 15 to 20 years and you have to touch it up just a little bit. But sometimes, generally, you can see somebody's house has a good depth of rocks. They've had it 15 years and there's nothing wrong with it at all.

Ms. Simmons: Does it kill the plants? I'm not a fan of rocks.

Mr. Mills: No.

Ms. Simmons: It doesn't? I'm thinking that it gets so hot.

Mr. Mills: In fact, it holds the moisture better than mulch does.

Mr. Semko: Yeah. The tricky thing with mulch is a lot of people in our industry put in too much around the plant material and it tends to choke the plant.

Mr. Mills: Yup.

Mr. Semko: You have to lay mulch out around a tree or shrubs in the correct depth. You have to be somewhere around one and one and a half inches. If you do anything more than that, it's not good for the plants.

Mr. Mills: Do you take up the old mulch and put down new every time or do you just sort of build on what's there?

Mr. Semko: We try to build on what's there, but it really depends on selective areas. If there's too much, we'll break it away and make sure that the base is good. There are certain areas you can see on the property that they over mulched.

Mr. Mills: Okay. Jan, do you have anything?

Ms. Hill: Well, in the past, we've had annuals and they haven't been maintained. So, do you pinch the heads and deadhead them?

Mr. Semko: Yeah, every service, basically, I would provide a highlighted map that basically is a go to area that everyone sees. The annuals at the entrances and the monument areas, would be areas our crew basically patrol every week and basically pinch. If it's a Marigold, we take off the dead head. That's not something extra. That's part of the service that we're

supposed to be doing. Another thing that we do, too, is we make sure that we lace the beds with Osmocote. Weeds can be an issue in Florida, so you have to water them a lot. So, we put a pre-emergent in there, that basically minimizes the weed activity. When doing that, it basically gives us less work to do, because you're basically not pulling as many weeds out by hand. You can't spray chemicals because there are flowers there. So, we try to make sure that the beds stay fresh.

Mr. Mills: Anything else?

Mr. Bosseler: In the proposal, do you trim the hardwood trees?

Mr. Semko: Yeah.

Mr. Mills: It's an extra charge.

Mr. Semko: An extra charge up to a certain height.

Mr. Mills: 8 feet. Isn't it 10 feet or 12 feet?

Ms. Di Vita: It would be 12 feet for sidewalks and roadways?

Mr. Semko: Yeah, whatever the contract says, is exactly what we do.

Mr. Mills: Okay.

Mr. Semko: I know what you're thinking. A lot of landscapers will go back and say, "*Oh, we have to charge extra for that.*" It's not a big deal and we can do it. We're not here to make extra money off of it. We're here to just make sure that it's serviceable and it's not hitting anybody's head as they're riding their bike.

Ms. Di Vita: Anything extra would be major work such as thinning of the Oak trees and hardwoods, as it would require a lot more work outside of just our regular crews that are here. But that would be something in a proposal, that would be outside of the low hanging trees.

Mr. Mills: Yeah, we do have them thinned every year before hurricane season.

Ms. Di Vita: Okay.

Ms. Simmons: Here it does say 8 feet.

Mr. Semko: Yeah, we can change it.

Mr. Mills: Okay.

Mr. Semko: Because basically you're just standing here. I don't have to get it on a ladder or I don't have to get it on a lift. It's reachable. 12 feet is reachable.

Mr. Mills: Alright. Do you have anything else?

Ms. Hill: No.



Mr. Mills: I'm the one that's in charge of landscaping, at least as of today. It might change. But anyhow, I have a couple of questions. One of the people in the audience mentioned labor. We've always heard COVID can't get people to work. What is your turnover rate?

Mr. Semko: Right now, we have great turnover in this area. We have a high retention rate of employees.

Mr. Mills: Oh, you have your high retention rate.

Ms. Di Vita: Retention not turnover.

Mr. Mills: And low turnover.

Mr. Semko: Low turnover. Realistically, also, we signed up for the H20 program, which is a huge thing for the summertime, to get additional workers. Based on the cost of living in this area of Brevard County, it can be a challenge in regards to getting labor. But we kind of went around that and proactively planned to make sure that we can service all of our properties for the future and other properties coming up. So, really getting top talent to stay, we pay people well. We don't underpay people. We're one of the highest paid in the county, probably keeping our best guys.

Mr. Mills: May I ask you what you pay your employees per hour?

Mr. Semko: We probably average around \$19 to \$20 an hour.

Mr. Mills: Wow.

Ms. Di Vita: We have guys receiving in the high \$20s, that have been with us for 15 years. We have some people that have been with us the entire time that this franchise has been open. A lot of our crew, a lot of our drivers, our Production Managers, have been with the company for a very long time. I will say since I started three years ago, we are always actively looking. We are not losing employees, which has been very nice. A big change from the COVID time, I started during COVID and I've seen a huge difference, especially with us. I hear in the market, a lot of people are having a hard time getting employees. I just don't see that with us anymore. The H20 program, we do every year. According to their visas, they can only work for us. They're here for the big growing season of nine months. We have a lot returning people from other countries. This next year, we've already requested over 36 to come and join us for the Summer months. That's on top of what we have now. Like I said, our team stayed pretty consistent and we haven't really had an issue.

Mr. Mills: Are your foreign employees documented?

Ms. Di Vita: Yes. It's all through the US government. They can't stay. When they're done, they get airfare back.

Mr. Semko: They're all E-verified.

Mr. Mills: It was interesting, because I asked the guard at the front gate, if we have many undocumented people coming in. We do. They don't have a driver's license or an ID. They have nothing and they're driving a vehicle.

Ms. Di Vita: So, with all of our drivers, we make sure that we have really good drivers who can safely drive our trucks. But yeah, our owner follows all of those big rules. We do not pay cash. We don't have day laborers. They have to come and fill out the right paperwork, in order to receive a paycheck. They pay taxes. We do not bring people in for a day or two and say, *"Oh, here's some cash for you."*

Mr. Mills: Good to know. What is the height that you recommend for mowing grass? Is it 3 inches?

Mr. Semko: For St. Augustine or Bahia?

Mr. Mills: St. Augustine.

Mr. Semko: It depends on the facts for Bahia. Somewhere in between. If you talk industry standard, they'll say somewhere between 4 and 5 inches. If I look at this property, I'd probably do somewhere between 4.5 and 5 inches. I wouldn't go any lower than that, because, again, of the hot, dry periods that we get, because you want a strong thatch and root system.

Mr. Mills: Did you hear that, Andy?

Mr. Hatton: Yeah.

Mr. Mills: We're lucky if we get 2 inches.

Ms. Di Vita: Really?

Mr. Mills: Oh, yeah. They scalp it. It's unbelievable. I think you pretty much answered my questions. Oh, there are areas that are definitely going to need soil testing before you plant anything.

Mr. Semko: Yeah, we would definitely do that.

Mr. Mills: Then periodically, do you do that if you see that plants aren't performing the way that they should be?

Mr. Semko: Yeah. If there are products that we're putting down and we're seeing areas that are troubled or Andy or you guys come to us and say, *"Hey, this is an area we've had*

*trouble,"* we would test that area more frequently to make sure what we're doing works. The biggest thing that separates certain areas, people actually don't put the right fertilizer down. If you're actually putting the right product down, you shouldn't have problems. Sometimes people blame the soil, but if you actually put real granular down, it would do just fine.

Mr. Mills: The Schillings at the back gate have been there for five years and look terrible.

Mr. Semko: Schillings are slow growers.

Mr. Mills: Yeah, but they look terrible. In fact, I have a special fertilizer that I use at my house. I took them back there and they burst out. I told the current provider, *"This is what you need to get."*

Mr. Semko: Right. This is about partnership.

Ms. Di Vita: It is.

Mr. Mills: Alright.

Ms. Di Vita: We have dedicated Account Managers. Everything goes through them. They are not on the crew at all. They also have a Production Manager underneath them and a Crew Leader underneath that. So, there are lots of bodies that are in this to help and be a partner with you guys. Our owner is very involved as well. Our office staff is amazing. There is constant communication between all of us on a daily basis. Whatever we need to do for that partnership, we do.

Mr. Semko: Our company is just in Brevard County.

Ms. Di Vita: Our franchise.

Mr. Semko: Yeah, our franchise.

Mr. Mills: I have a business question to ask you. Would you consider reducing your price to \$100,000 for the first 90 days, so that we can look at you and you can get a feel for us? Then in May, depending upon how we get this worked out, we would pay you back in increments of 30 days.

Mr. Semko: I think it's something that we would look at. We can work with you guys. It's a partnership that we want to do.

Mr. Mills: I'm very leery, because a lot of people will say sales in one thing and there doesn't seem to be communication between sales and service. There is a disconnect there. It's in every organization. I had it in mine. You have to constantly create that connect, but you would

have a salesman go out and make promises and then service comes in and says, "*Oh, I didn't know I was supposed to do that.*"

Mr. Semko: Right.

Mr. Mills: That's the reason I asked the question.

Mr. Semko: That's why I'm in sales, operations, marketing, everything.

Mr. Mills: Yup.

Mr. Semko: I definitely see all aspects. That would be something we can definitely look at.

Mr. Mills: Alright. Andy?

Mr. Hatton: Just so that I'm clear. The only difference would be, for those first three months, it is basically the monthly payment.

Mr. Mills: Yes. The difference is in the monthly payment. I think you're at \$134,868. You can't make that \$134,800? What is the \$68 for? Good Lord.

Mr. Semko: I also want to add that we're starting to do different kinds of community events. I would bring in drinks and come up here at the Clubhouse. If anybody has any issues, any kind of landscaping issues, we can do seminars. The biggest thing is we want to partner with the community. I know we're just doing the common area, but we can help people and residents basically educate homeowners, do those kind of seminars. We can call it, "*Cookies and tea with Chris,*" and do some type of presentation.

Mr. Mills: Oh, that's neat.

Mr. Semko: So, we can do things like in the Spring and Winter, tell people what's going on.

Mr. Mills: That's a great educational process. The only thing is and you need to know this, Andy and or I or the Board, are the ones you answer to.

Mr. Semko: Correct.

Mr. Mills: A resident can't tell you, "*I need for you to do this. Make it shorter.*"

Mr. Semko: Yes.

Mr. Mills: Because we have had that happen.

Mr. Semko: I've been doing this 20 years. The only people that I talk to, are the people here in this room, right here in this area.

Mr. Mills: Yes.

Ms. Di Vita: Our crews know that. They'll pretend that they can't speak English when that happens sometimes.

Mr. Mills: Alright.

Ms. Di Vita: They will play that card.

Mr. Semko: I may have interrupted before we finished telling them that they would be reimbursed in three months.

Mr. Mills: Yes.

Mr. Semko: I didn't know if we got that far.

Mr. Mills: Yeah.

Mr. Semko: As long as everything was drawn up in writing, you'll be fine.

Mr. Mills: Alright. Does anybody else have any other questions?

Mr. Bosseler: No.

Mr. Brown: No.

Mr. Mills: Thank you very much for coming.

Ms. Di Vita: Shoot us an email and we can type this stuff up for you guys, if you have any further questions.

Mr. Mills: All you need to do is get back to Andy with regard to the pricing.

Mr. Semko: Okay.

## **SECOND ORDER OF BUSINESS**

### **Organizational Matters**

#### **A. Election of Officers**

#### **B. Consideration of Resolution 2024-02 Electing Officers**

Mr. Mills: Election of officers. Do you want to facilitate this?

Mr. LeBrun: Sure. Each year, the Board traditionally held an election of officers, even if not a new person was elected to a chair. There are a couple of different ways that the Board can do it. If the Board's happy with the current status of Chair, Vice Chair, Secretary, areas of oversight, someone can make a motion to keep the officers as is.

Mr. Brown MOVED to retain the same officers as evidenced by the adoption of Resolution 2024-02 Electing Officers and Ms. Hill seconded the motion.

Mr. LeBrun: Are you guys are electing to keep everything as it currently stands?

Ms. Hill: Correct.

Mr. Brown: Correct.

On VOICE VOTE with all in favor retaining the same officers as evidenced by the adoption of Resolution 2024-02 Electing Officers was approved.

**C. Discussion of Board Members' Areas of Responsibility**

Mr. LeBrun: So, we'll carry on with the same officers and the same areas of oversight.

Mr. Mills: Does anybody want to change responsibilities or is everybody happy with what they have? I think it's working out very well. By the way, Richard, thank you for spreading the fire ant stuff, because I asked Andy to do that and he already did it. Thank you.

Mr. Bosseler: I didn't want anyone stepping on fire ants.

**THIRD ORDER OF BUSINESS**

**Engineer's Report**

Mr. Mills: Alright, Engineer's Report.

Mr. LeBrun: Peter, are you on?

Mr. Mills: Peter? Mike. Are you still there?

Mr. Pawelczyk: I am still here.

Mr. LeBrun: Since Peter is not on the line, did you want to go to community updates?

Mr. Mills: Yes.

**FOURTH ORDER OF BUSINESS**

**Community Updates**

**A. Security**

Mr. Mills: Security. No one is here.

**B. BCA**

Mr. Mills: Bob?

Mr. Eksten: I have a couple of things. We had our budget meeting on November 13<sup>th</sup>. We passed our budget. The good news for residents is we're not increasing our homeowner fees from \$95. I think it's been about 15 years now since we've not had an increase. The budget comes in at \$43,795, which is taking care of our current needs. Then we still have our discretionary funds

and the \$20,000 that we have to keep in a cash reserve that's been approved by prior Boards. The second thing would be the December Happy Holiday social event. I think it went off very well. Attendance was somewhat lighter than last year, but the Marines were very, very happy, once again, with all the toys they received. I think those who came, I think we all had a nice time. So, kudos for everybody connected with that. Mr. Paul Davis won the 50/50 and donated it right back to the Marines, which was very nice of him. He also invited us to come to an event on January 26<sup>th</sup> at 3:00 p.m. I have two other things. I'm continuing to get a lot of complaints from residents about the golf course maintenance of their property. I had pictures sent to me recently showing things that were cut down on fairways and just left on the side of the fairways. I know in November, when we had the one rainfall, some people continued to have some drainage issues. If you look out the window, it used to be years ago that was all nicely trimmed out here. It's terrible looking. There are weeds all over the place. If you walk out the pro shop door, there was a tree that they took down year or two ago. There is still a stump there, an ugly thing. Behind that, used to be a hill that was mowed and maintained. That's all weeds now. If you go around the community, like behind my house on the lake, the CDD side of the lake is nicely trimmed. It looks great. The golf course side, has weeds that are very high and looks disgusting. It does impact homeowner property values. If I were selling my house right now, the view of the lake is about maybe half of what we used to be able to see, because of all the leaves. It's unsightly. Our governing documents, states that the golf course should be a good neighbor to Baytree. If you guys are talking about it later, that would be great. I'll defer to my comments on that, other than to say that the BCA is a partner to the CDD, in its the efforts to get the golf course to become a better neighbor like they should be. Okay, that was number one. Now I'm really on my soapbox, but I'm really, really irritated. A few days ago, the President of Baytree, received a letter. On the envelope itself, it said, "*Clean your roof.*" When he opened up the envelope, it had a note in there saying, "*Clean your roof or in 30 days or you'll receive a \$1,000 fine.*" It was pen scratched, illegible with an intentionally illegible signature. The homeowner, in the last year or so, removed their three-car garage driveway with the turnaround and put in a granite kind of paver thing. It's beautiful. They painted the house in the last year or so. There are new letters and new windows. They've done landscaping in the front and then they received that letter. They don't know who it's from. It could have been someone from the BCA or Fairway Management t, even though obviously it was not us. The point of this, for some idiot resident to

be so anonymous and cowardly and so insensitive, because that homeowner's wife was extremely stressed out about it. She in fact went to my house and pounded on the door. She was so angry about it. I wasn't home nor my wife, thankfully, but I did stop by and I saw the actual envelope and the message inside. I went down and talked to her and she was still very stressed out about it, with all the things that they do to try to make their property look really great. Yes, the roof needs to be cleaned. They admitted that. They said, *"We already talked about doing that"* and then they received that letter in the mail. She felt that it was an overreaction. You've also had people in other neighborhoods, Jasper, for one, who appointed themselves as the guardians of the community and tell us who should get violations. This sort of thing has got to stop. We told one individual, *"We will no longer acknowledge anything you send to us, phone calls to us, on what violations think we should be sending out. We do our job. We do it the right way. We don't want your interference anymore."* But now somebody's starting to send out letters, very insulting letters, based on nonsense. It's not a 30-day period and you receive a \$1,000 fine. That's not at all the way that process works. So, I'm just off my soapbox, but this sort of thing is what cracks me up a lot. Because you want to have good neighborly relationships with everybody in the community, but when anonymous people start doing this sort of thing, it really creates havoc and hurt feelings. Other people then say, *"Oh, well, I heard somebody got a letter from Fairway Management saying if they don't do this in 30 days, they're fining \$1,000."* You know how things go. Rumors start to spread and they're very damaging to what we try to do. So, that's my soapbox comment. I don't know if you have anything to add.

Mr. Mills: Yeah, I do. That's one of the reasons that I write the column for the newsletter, which is to be kind or try to be kind, because the world is in a very bad place right now. I was telling Jan and I think I told you, Bob, if I remember right, if people get out that this community is an abrasive community, people aren't going to want to buy in here. I don't think that the ordinary people think about that. I mean, it's just like the young man that was here last time with regard to not stopping at a stop sign. One individual, maybe two or three, out of the 461 homes in here, are causing issues. All the realtors need to do is to hear what's going on and are going to say, *"You don't want to buy in there."* So, it's very, very unfortunate and I don't know how we can handle it.

Ms. Hill: I have a suggestion.

Mr. Mills: Yeah.



Ms. Hill: We need to tell the homeowners that they do not respond to anything, unless it's an official Baytree letter.

Mr. Mills: Good. Thank you.

Ms. Simmons: Yeah, I would say if you received any communication that is not clearly from Fairway Management on their letterhead, please disregard it and report it to Fairway Management, so they keep the personalization out of it.

Mr. Eksten: I've also intended to put it in the next newsletter as part of my report.

Ms. Simmons: Correct.

Ms. Hill: For them to understand that, because I get stuff from my church that says, "*Please be alerted.*" The pastor never requests these things, because what's coming is people are sending requests for money and pretending to be somebody that they're not.

Mr. Eksten: Unfortunately, if you're on the Board, our names get out there. Ms. Henrietta Shaminsky called me, six or eight months ago, saying, "*Bob, you sent me a text message or an email saying that you needed money,*" that there was a problem and I needed to send her money right away. She said, "*I need more information, but do you really need money?*" I said, "*Please don't even respond to those.*"

Ms. Hill: I get solicitations all the time, telling me that other Board Members needed me to do this or that. That's the world we live in, unfortunately.

Mr. Mills: Yeah, that's a good point.

Mr. Brown: With regard to your golf course maintenance issues, under Section 15.2 of the Declarations, Jurisdiction and Cooperation, it says, "*It was declarants intention that the golf course owner, BCA and CDD shall cooperate with each other to the maximum extent possible in the maintenance and operation of their respective properties.*" My suggestion is that a joint letter from the CDD and the BCA go to the owner of the golf course, saying that the maintenance around the lakes is really atrocious. It looks like a municipal golf course as opposed to a signature golf course in a signature community. I've made some copies of certain parts of the Bylaw Declarations and I'm going to email them to our attorney and ask him some questions in that email. So, at our workshop in January, I hope to have some answers. Because I'm not looking to start World War III with the golf course, but fair is fair. Okay? They used to maintain those lake banks all the time and now all of a sudden they don't. When I talked to Dan, he said,

*"We can't get the staff and oh, the people in here are always complaining."* I basically told him, *"Kiss off, because I live here, too."*

Mr. Bosseler: In addition to that, three weeks ago, I talked to Daniel. He said it wasn't his priority. Their priority were the greens and fairways.

Mr. Brown: Yeah, the owners didn't care.

Mr. Bosseler: So, I gave them the same story as Rick did. Here is where we are three weeks later and then they didn't cut one weed down.

Mr. Brown: No.

Mr. Bosseler: But yet on Monday, there was a guy weed eating along the practice driving range, right along that whole thing. That means nothing to nobody. So, I don't understand who's running their Maintenance Department.

Mr. Brown: The other question that I'm going to be posing to our attorney, is that a number of the lakes on the golf course are owned by the CDD. Because we own that lake, do we have the ability to maintain the borders of that entire lake, even if one of the borders is on the golf course side? Those lakes are ours. We maintain them, we treat them and yet our side looks great and the golf courses side looks crummy.

Mr. Eksten: We got the nasty letter from the owners of Florida Golf saying, *"Do not trespass."* So, for us to do trimming, we're going to have to go onto their property. Since it is in our documents...

Mr. Brown: Not if we do it by boat.

Mr. Eksten: Which is fine by me. But what I'm saying is, if you are going to talk to Mike and if you desire to send a letter from Mike to them stating that we consider there is an obligation on their part to fulfill their end of this, I don't know how we enforce it.

Mr. Brown: My suggestion would be to keep the first letter, from the CDD and BCA, bringing to Charlie's attention, the way the maintenance conditions of the golf courses, especially around the lakes, deteriorated and see what we get. Then if that doesn't go, I have another idea, which I want to bounce off of our attorney before I bring it forward to see whether or not there's any possibility we can do that.

Ms. Simmons: Do you think that this could be retaliation for the drainage stuff and all of that stuff that was going on?

Mr. Brown: Well, that's going to be another thing when St. John's gets involved.

Mr. Eksten: That may still be coming. There is definite damage to our property values by this sort of thing going on.

Mr. Brown: Some of the lakes are totally owned by the golf course, which we cannot do anything about.

Mr. Eksten: Exactly.

Mr. Brown: But the back lake by the tee boxes is ours.

Mr. Mills: The fountain is ours, but the lake is the golf course's.

Mr. Brown: On both sides. The lake in front of our homes, is our lake. I want to see before I start shooting.

Mr. Mills: Well, Mike's on the line.

Mr. Brown: Well, he hasn't seen the actual Declarations.

Mr. Eksten: The bottom line is, I'm with you. Whatever we can do to help and cooperate on this.

Mr. Mills: We'll do it.

Mr. Brown: My sense is, if you can send a letter to Charlie, asking them to pay attention to the maintenance around the lakes, because they're not keeping them up like they used to. They were always trimmed right along the lakeside, like we do on our side. Let's see what happens.

Mr. Eksten: I think your original point was to do a joint letter.

Mr. Brown: That's what I'm suggesting.

Mr. Eksten: I'll sign it.

Mr. LeBrun: One option could be at our January workshop, if the BCA does have a letter that they've prepared, we can review that as a Board.

Mr. Brown: If you want, I can try to draft something and forward it to you and Mel. Then we can bring it to our workshop and go from there, because nothing's going to happen between now and the end of the year anyway.

Mr. Eksten: Very good. We appreciate that.

Mr. Mills: Okay. Anything else, Bob? Hearing none,

### **C. Isles of Baytree**

Mr. Mills: Isles of Baytree (IOB). Joanne is not here. She did send me an email saying, "*I will be out of town. You may want to mention in the meeting that we received two of our light*

*poles from Florida, Power & Light (FPL) on Glen Abbey Way, which was installed two weeks ago. After a couple of days, they were falling over. I am now fighting with them to reinstall. Also, we had a pole on Glen Abbey Way fall completely down, today, almost hitting a brand-new vehicle. We'll send pictures. Have a great holiday, if I don't see you."*

Mr. Brown: Isn't that like a 911 thing to FPL, because those are electric poles? Somebody could get electrocuted.

Mr. Eksten: Call 911. That's what we had to do during a storm last year. FPL even said, *"Call 911. We'll get out there faster."*

Mr. Mills: Well, she sent me pictures. I have pictures of them and they are FPL poles.

Ms. Hill: Remember I told you about the light? They came and fixed my light and trimmed the tree around it, but they didn't take the limbs away, as we require vendors to do. Everything got left. They didn't even get it cut up. My husband went out with a chainsaw, cut them up and got it taken away.

Ms. Simmons: So, the same guy that did the two said, *"Do you got another pole in there, because the one outside of my house still has the cone shape out there?"* He did have one more, that he installed in front of my house. Joanne was upset because mine was straightened and hers were tilted, but the two in IOB, as of yesterday, look like they have been straightened.

Mr. Mills: Okay.

Ms. Simmons: I don't know how secure they are.

Mr. Mills: Okay.

## **FIFTH ORDER OF BUSINESS**

### **Consent Agenda**

#### **A. Approval of Minutes of the October 4, 2023 Board of Supervisors Meeting**

Mr. Mills: Alright, we have the minutes of the last meeting. I know that a lot of corrections were made.

Mr. LeBrun: Yeah.

Mr. Mills: So, I need a motion to approve the minutes.

On MOTION by Mr. Brown seconded by Ms. Hill with all in favor the Minutes of the October 4, 2023 Meeting were approved as amended.
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**SIXTH ORDER OF BUSINESS**

**Agenda**

**A. Presentation of Landscape Maintenance Proposals/Vendor Q&A|**

**i. ProGreen**

**ii. US Lawns**

This item was discussed.

**B. Consideration of Landscape Maintenance Service Provider**

Mr. Mills: Alright, back to the landscapers. How do you want to move forward with this?

Mr. Brown: Well, from the two companies that we had here, I like the second one, because they quoted everything that we asked them to quote. The other company, ProGreen didn't. If we added the mulch into their contract, which was included in US Lawns proposal as well as the Palm tree trimming, their quote now is at \$147,000 versus \$134,000.

Ms. Simmons: Right.

Mr. Brown: Number two, Rockledge is a lot closer than Orlando.

Mr. Mills: But ProGreen has an office 10 minutes from here.

Ms. Simmons: They're 5 minutes away.

Mr. Bosseler: The first company, I don't know statistically if this is correct, but they seem bigger. They have offices in four or five areas of the State and they're going to add another one before the end of the year. Did I hear that right?

Mr. Mills: Yeah. In Broward County.

Ms. Simmons: The other one's a franchise and is actually bigger.

Mr. Brown: Albeit to what I said, I would also defer to you, since you've lived and breathed landscaping for 20 some odd years here. If it's green and it has a leaf, it's a hardwood.

Ms. Simmons: If it's green and concrete, he takes care of that.

Mr. Brown: Right.

Mr. Mills: I have a personal preference, because of two things. One US Lawns, is a very large organization. The resources that they have, outweigh the other company, even though that company is owned by one man. Also, the fact that he has a working relationship with Andy already, which to me is a very positive situation. Andy, would you like to comment on that?

Mr. Hatton: We work with both. Jeremy and I have both worked with ProGreen at Montecito. I've worked with Chris in Lake County at a couple different properties and they're good. They're really good. They're very proactive and not as much reactive.

Mr. Mills: Well, that's good to hear.

Mr. Hatton: They will point things out before I see them, rather than me having to point them out. I tell the guys when I ride with them, originally, our first ride is like, "*I don't want to talk about landscape. I want to talk about baseball,*" because you've already handled all of the landscape stuff. I'm just looking going, "*Pretty, pretty, pretty.*" I shouldn't need to talk about landscape. So, that's how it is with both these guys, really. The decision that had to be made by me today, would be tough for me, just to be honest.

Mr. Mills: Both presentations were excellent.

Mr. Hatton: Yeah, I agree. It would just be a tough decision form me.

Mr. LeBrun: My experience with ProGreen, when they were at Montecito and when GMS was at Montecito, Rusty was personally responding to my emails. He was doing the grind work daily with interacting, answering questions and solving problems. So, I can vouch personally for that. I don't know the other company as well as Andy does, but Rusty was actively involved in daily tasks.

Mr. Hatton: It's the same with Chris, too. Both are very competitive, if it boiled down to money, apples to apples, at that point.

Ms. Simmons: I think Rusty was more polished than Chris. That doesn't mean that he's better, but his mannerisms and stuff makes you want to believe in him.

Mr. Hatton: He's very solid.

Ms. Simmons: Yeah.

Ms. Hill: I was impressed with US Lawns program to bring illegal aliens in. What that told me was, instead of hearing like we have from Tropic Care that they're having problems getting people to work, under that program, they would be bringing people in, especially when we need more help from other areas. That wouldn't be an excuse for something not getting done, I guess, is my point.

Mr. Hatton: But I think as far as the legal and illegal residents are concerned, they would have to E-verify to work for GMS anyway.

Ms. Hill: If I understand that program right, we're from Texas and they had that there.

Mr. Hatton: Sure.

Ms. Hill: There is a program where they bring in farm workers. They work for so many months and then they go back. At least you are assured that you have workers. Every time we

complained about something, Tropic Care said, *"Well, since COVID we don't have enough workers."* You know, it's been a long time since COVID and you're still getting that excuse.

Mr. Mills: I don't think they pay their people that well either.

Ms. Hill: No. Well, but it sounded like both of them said that they were paying \$19 to \$20 an hour.

Mr. Eksten: Just from a BCA perspective, I really like the idea of having a seminar or two during the year.

Mr. Mills: I love it.

Mr. Eksten: Because so many homeowners get violation notices from us and they have no idea how to direct the problem.

Mr. Mills: I love that.

Ms. Simmons: I like that they come to the meeting every month.

Mr. Mills: They truly are, the way it sounds, community connected.

Ms. Simmons: Yes.

Mr. Mills: And they want to be community connected.

Mr. Hatton: They did come to every meeting.

Mr. Mills: Alright, so does the Board want to go ahead and move that we do this or do you want to delay it until they get back?

Mr. Brown: Of the two, do you feel more comfortable working with one versus the other and which one?

Mr. Mills: I feel very comfortable with US Lawns.

Mr. Brown MOVED to approve a contract with US Lawns in a not to exceed amount of \$135,000 and Ms. Hill seconded the motion.
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Mr. LeBrun: If I could add in real quick and Mike, feel free to jump in as well. The next meeting is a workshop. So, if you want to, maybe amend the motion to allow staff and the Chair to work on an agreement with US Lawns, because there are still some outstanding items. You asked about the prorated amounts. If you want, we could have the authorization for staff and the Chair, to delegate authority for us to negotiate the agreement and then once satisfied, execute the agreement while also sending a termination notice to our current provider. We always like to

have our agreement in place first, where both sides are agreeable and then we would terminate so we're not stuck in limbo. We don't have one or the other.

Mr. Mills: Good point.

Mr. LeBrun: Mike, do you have any problem with that motion?

Mr. Pawelczyk: Well, the Board can't approve anything outside of this meeting. They can set parameters of their approval at this meeting. Jeremy, it's hard to hear you on the other side of the room, but I think you were saying that you want to authorize staff to negotiate the agreement, because we have terms that need to be discussed. So, I think what you need to do, is indicate that maybe once the Chair and the staff are satisfied with that agreement, the manager would be authorized to send the termination to Tropic Care. The rest of the Board can't opine about anything outside of a Board meeting.

Mr. Mills: They can give me the opportunity to sign the agreement though, correct?

Mr. Pawelczyk: Absolutely. The Board can authorize entering into such an agreement, which will be in substantially the same form as what we've done with Tropic Care in 2020.

Mr. Mills: Yes.

Mr. Pawelczyk: It would look similar, but certainly if there's anything we need to add to that, based on what we've learned over the last three years, now would be the time to add that in there, such as a scope of services or the way they do business standpoint.

Mr. Brown: So, Mike, would it be safe to say that the Board could approve a contract with US Lawns at a cost not to exceed \$135,000, provided that the staff and the attorney can work out the agreement based upon our discussions today?

Mr. Pawelczyk: Yes, and subject to the Chair's final approval.

Mr. Brown: Correct? That's fine.

<p>On VOICE VOTE with all in favor approving a contract with US Lawns in a not to exceed amount of \$135,000 and delegating authority to staff and Chair to negotiate and execute an agreement with same was approved.</p>
--

Mr. Mills: I'm still going to push for that 90 days.

Mr. Brown: That's fine.



Mr. Pawelczyk: Implicit in that motion, I think, Rick, you authorized the termination of Tropic Care?

Mr. Brown: Correct.

Mr. Pawelczyk: Actually, why don't we do this, because I didn't hear that in the motion, the Board should approve a motion authorizing the termination of Tropic Care, as defined by the District Manager, pending the negotiations with US Lawns?

Mr. Mills: Should we make that effective February 1, because we can't get this done by January 1?

Mr. Pawelczyk: That's up to the Board.

Mr. Mills: Yeah, February 1.

Mr. Brown: That's fine.

On MOTION by Mr. Brown seconded by Mr. Bosseler with all in favor sending a termination letter to Tropic Care effective February 1, 2024 was approved.
--

Resident (Not Identified): This is not for public discussion.

Mr. Mills: No, certainly not until Tropic Care is notified.

Mr. LeBrun: Until we finalize the agreement.

Mr. Brown: Be careful on the information about the golf course maintenance.

Resident (Not Identified): No, I'm just going to say that the topic was discussed.

Mr. Brown: Beautiful.

**C. Ratification of Resolution 2024-01 Amending the Fiscal Year 2023 Budget**

Mr. Mills: Alright. The next item is a resolution amending the fiscal year budget. Do you want to handle that, Jeremy?

Mr. LeBrun: Yes. This is similar to what we did last year. We're ratifying Resolution 2024-01, amending the Fiscal Year 2023 budget. State Statute requires that if a District needs an amended budget, it's done within 60 days at the end of the fiscal year. So, we're doing this resolution for ratification this time, just because your October Board meeting was too soon from when the fiscal year ended and this meeting is more than 60 days after. So, we had to get it finalized within that 60-day window.

Mr. Mills: Yeah.

Mr. LeBrun: And all this amended budget is doing is memorializing the spending actions of the Board and adjusting various line items. If we went up or under certain items, it's just balancing those out. I'm happy to take any questions on it. We typically do every year. If not, we just look for a motion to ratify that resolution.

Ms. Hill: Where does that leave my pavement budget?

Mr. LeBrun: It would still be the same amount that it's been currently.

Ms. Hill: Right, but I didn't know if there were extra funds that we could use to get those bad debts taken away.

Mr. Brown: We haven't seen the year end budget.

Ms. Hill: There's going to be a day when we need every dime, to make sure that we get the job done.

Mr. Mills: Yeah.

Mr. LeBrun: This amended budget, once gets ratified, the final projection is still \$323,026. Then any excess carried forward that we have, which if you look at the amended budget on the first page, in the General Fund, you'll see that carry forward surplus on the revenue side of things. We'll make sure once this gets finalized, any excess funds will be moved into that. So, this is just balancing those.

Ms. Hill: Okay. Because all of that got taken away from my budget. Like I said, we're going to reach a day where we're negotiating.

Mr. LeBrun: So, we would just look for a motion to ratify Resolution 2024-01.

On MOTION by Mr. Brown seconded by Mr. Bosseler with all in favor Resolution 2024-01 Amending the Fiscal Year 2023 Budget was adopted.
--

Mr. Brown: Jeremy, can you also send out to the Board, the 12-month budget report that shows actual expenses, because I haven't seen that?

Ms. Hill: No, I haven't seen that either.

Mr. Mills: If we have actual expenses for each line, you can do that in the budget.

Mr. LeBrun: I will have accounting draw up a nice clean month by month.

Mr. Mills: Perfect.

Mr. LeBrun: The financials will give you the full year, though.

Ms. Hill: Okay.

Mr. LeBrun: In this one, you only have the first year of the new fiscal year.

Mr. Mills: Okay. Perfect.

**D. Discussion of Pool Deck Resurfacing Bids**

Mr. Mills: Next is discussion of the pool deck resurfacing bids.

Mr. Bosseler: Well, this is going to be short and sweet. Andy got a hold of the pool deck resurfacing company. They are the company that puts down a deck that we don't have to pressure clean. You just use a hose and clean it off. So, they got back to Andy and told him, that they just completed a pool deck in Davenport. So, Andy is going to take a look at know as soon as he can. We haven't had much time, so, that's what we're looking at for the deck. Andy and I are still working through who is going to do the pool?

Mr. Brown: I have a question. Our pool is a commercial pool, so therefore, it's covered under Department of Health regulations.

Mr. Hatton: Correct.

Mr. Brown: Having worked with the Department of Health for 50 years in different states, has anyone ever seen those regulations, number one and specifically a regulation that talks about the bottom surface of the pool?

Mr. Hatton: No, I haven't seen it, but I did talk with John, who services our pool. He's been doing it forever. He's George's guy. He is the one that alerted us, saying, *"It's not going to pass inspection. You guys need to do something about the pool."*

Mr. Brown: I understand that. I guess I could go online to Brevard County and look under commercial pool regulations. I just know, having spent years with health departments and regulations, the regulation may say one thing and the inspector may interpret it totally different. You're the one that gets stuck unless you know what the regulations say.

Mr. Mills: Amen.

Mr. Brown: Okay. I've been through that many, many times. So, let me see if I can find out. The regulations don't specifically state that the bottom of the pool has to be a smooth surface. So, if there's a little interpretation in there, it's our interpretation versus the inspectors and we have rights too.

Mr. Mills: I was thinking about this, too and it could be the fact, Rick, that the coating is off, the porous of the concrete could hold bacteria and that's probably what they're saying. It's going to have to be covered and sealed.

Mr. Hatton: Yeah. The chemicals in the pool, are going to start eating away the coating that's there.

Mr. Mills: Yeah, exactly.

Mr. Hatton: It's definitely best to check it out.

Mr. Mills: I think Rick's got a good point.

Mr. Hatton: At least if we keep moving forward, we'll have everything at that point.

Mr. Mills: Right.

Mr. Hatton: If we can move forward, we will. If we don't have to, we have the info for next time.

Mr. LeBrun: Rick, I think to your point as well, we have not been officially notified by the Health Department that the pool is in violation.

Mr. Brown: Right. That was the other thing.

Mr. Hatton: We just got our new license in June, so more than likely he'll be out in April or May.

Mr. Brown: There are a couple of points beyond that. Say they come out June 1 and inspect the pool and say, "*Oh, you can't keep the bottom of the pool that way,*" what kind of a timeline do we get to correct that violation?

Mr. Hatton: Yeah, it's doubtful they shut us down, but they could. They may give you 90 days to rectify or at least start a plan to rectify.

Mr. Brown: I'm just curious.

Ms. Hill: The only thing is, come Spring, individuals are more likely to be hiring pool companies, so, then we may have companies competing against each other.

Mr. Brown: But those are extenuating circumstances that a regulatory agency can take into advice.

Ms. Hill: Okay.

Mr. Eksten: One question. Is our insurance policy deductible too high?

Mr. LeBrun: They have everything that they need. I provided them the updated quotes that breaks out the actual resurfacing. It doesn't have the decking. All of that is separate. They have all of that and I have not heard a response on the claim on the loss yet.

Ms. Hill: How long have they had it?

Mr. LeBrun: They've had everything they needed. Last I heard from him about the pool, is maybe a week ago. They have everything. They have the pictures, they have the quotes, everything that they need. Hopefully we'll hear something soon.

Ms. Hill: Okay.

Mr. Mills: Well, I don't think we want to close the pool this Winter anyway.

Ms. Hill: No, I realize that, but you want to get your money.

Mr. Brown: Yeah.

Mr. LeBrun: I believe at the workshop; the Board was looking for a Summer start.

Mr. Mills: Yeah.

Mr. LeBrun: By then we would know the results of the pool inspection.

Mr. Mills: Right. Richard, are these prices good up until then, do you think?

Mr. Hatton: I don't think so. If you look at those, some of them I think have already expired prices.

Mr. Bosseler: Yeah.

Mr. Hatton: I know one of the vendors I talked to recently, said that there's going to be a substantial increase in material for them to purchase towards the middle of January. It may have been a scare tactic. I don't know.

Mr. Mills: Probably.

Mr. Eksten: They probably will change.

Mr. Mills: Okay. Alright. Is there any other first discussion on pool deck?

Mr. Bosseler: No.

## **SEVENTH ORDER OF BUSINESS**

## **CDD Action Items/Staff Reports**

### **A. CDD Action Items**

Mr. Mills: All right, let's move along to the CDD action items.

Mr. LeBrun: I covered majority of it. One Supervisor asked question about the lake bank restoration. I've been in contact with Mr. Bill Anderson, who does our shoreline restoration. I'm still on track for a Q1 2024 schedule. I think I told you guys earlier; he moves in sections up the

State. He'll be doing Viera East. So that's kind of when he's going to be in our area. He has our budget. He has Peter's Engineering Report. He's done an initial inspection. He sent me a voicemail the other day. He's going to try to be in town to do a follow up inspection and by then, he'll have a report that he'll send to us about what areas within what budget he's going to work out. So, once I get that, I'll send that to everyone for the lake bank restoration.

Mr. Mills: We didn't get a CDD action report in our agenda.

Mr. LeBrun: I noticed that. I know one of the bindings, missed a couple of pages, but I'll get to that.

Mr. Mills: I didn't see that in my book at all.

Mr. LeBrun: I'll have to check and see. The other items were the pool surface, which we've already discussed. I'm happy to take any questions about any other items that might be on your minds.

**B. Additional Staff Reports**

**i. Attorney**

Mr. Mills: Mike, do you have any report?

Mr. Pawelczyk: No, not really, unless the Board has anything specific that they want to talk about, other than what Rick and I are going to be discussing, I guess in the next week or so. He's going to send me some information like you mentioned during the meeting.

Mr. Mills: Okay.

Mr. Pawelczyk: Otherwise, nothing.

Mr. Mills: Mike, the Board wishes you and your family a very Merry Christmas and a Happy New Year.

Mr. Pawelczyk: The same back to you all.

**ii. District Manager**

Mr. Mills: District Manager?

Mr. LeBrun: I've covered mine.

**iii. Field Manager**

Mr. Mills: Field Manager's Report. Andy?

Mr. Hatton: I'm going to blow through mine pretty quick. I think we've pretty much talked about everything with everybody as far as what's on here. The street lights, one and two coming in on the credit union side, have been reported. Those will be looked at this week. The Christmas lights are not working. It's not a huge wiring issue. Those have already been repaired. There were three bad photo wise and a bad GFI. One of the garlands on the entrance side, was draped on the monument itself. I talked to George. It's getting super wet. That's what was tripping that GFI. We unplugged those and plugged them in separately and there was no trip, but as soon as you plug in that garland, it trips the GFI. So, he's going to come out and look at the garland and see if he can replace that or keep it dry,

Mr. Brown: Okay.

Mr. Hatton: So, he is aware of all of that. Kingwood went ahead and replaced the GFI there. The cover was letting water in on that one and corroded the GFI. The cabinets were installed at the guard house. We had a little wiring issue without Internet over the weekend. That's all been squared away. The granite countertops have been measured. Those will be cut and installed as soon as they're done. They did a little work on the overhead lights in there, so the lights aren't so bright. They put a dimmer on those. ECOR is going to come out and look at the pavilion to see if there's any kind of bug activity out there. We just had it painted. I didn't see any evidence of anything in there at any time. So, we'll see if it was just a one-off deal. We just got the glass installed at the pool gate. The playground and pavilion by the bocce court were addressed. Cascades will be out this week to work on the fountain that's not working on the golf course pond. We talked with George at Guardian. We'll have the numbers for the emerge replacement by Monday, so I can get it to you guys and go from there on that.

Mr. Bosseler: That's for the card system to work at the pool?

Mr. Hatton: Yes.

Mr. Brown: That's the one that's based in the cloud.

Mr. Hatton: The cloud based, yes. Him and I just kind of miscommunicated after the workshop. He was waiting to hear from me. I was waiting to hear from him. I finally reached out and he kicked it into gear. He'll get to us by Monday afternoon by the end of business.

Mr. Mills: At a 50% discount. Right?

Mr. Hatton: Not quite, but I'm still working on them. The storm grates for the two ponds, came in today and are being picked up by our maintenance team. Now we just have to get on

their schedule to get them installed. So, that's coming soon. The only other thing that I talked with Jan about, was the basketball size hole in the yard on your road.

Ms. Hill: It's not my yard, but my neighbor's.

Mr. Hatton: Your neighbor's yard. There was a little bit of confusion. I sent the irrigation team out there to look first, because there was a small hole and that's the easiest, most inexpensive way to either rule it in or out as irrigation. Then we just went down the line. We worked with our engineers to get into the culvert. They're expensive. Worst case scenario, we'll get to them and we did. The engineers made a report and I've gotten that over to Brownies, the people that will TV the line. We're just waiting on a couple more tidbits of information from Peter, so that they know what camera to bring, showing which way the water runs, so they can stop the water, pump it out, TV the line, see where the problem is and how we're going to address fixing it. If it's big enough, they send a man in to fix it. If it's not, they'll have to dig and fix it that way. So, it's going to make a difference on our proposals, on what it's going to cost to fix.

Ms. Hill: For people who don't know, this poor lady, ended up with a sinkhole in her front yard and it's bigger than a bathroom.

Mr. Hatton: Yes. It started out that size, but people came to dig to look and it's a little bigger now.

Ms. Hill: It's about 3 feet deep.

Mr. Hatton: Yeah.

Ms. Hill: We've gone through all of these different people figuring out what the cause was and we still don't know, but we have to find out before that.

Mr. Hatton: Yeah. The engineer found some debris in the bottom of the hole. He's pretty sure our pipe's been compromised. So, it's just a matter of getting some of those technical questions answered and sent over to Brownies, so that they can address it.

Ms. Hill: Initially she was told to go to the county. The county came out and said, "*Oh, no, this is a gated community. This one's yours.*" So, now we're trying to figure out who's going to...

Mr. Hatton: It's going to end up being ours. Everybody else has been eliminated. So, it's going to be our storm drain.

Mr. Mills: That comes out of the roads budget, right?



Mr. Hatton: Yes, directly.

Ms. Hill: Everything comes out of the roads budget, but this is not a road.

Mr. Hatton: It's just a process of figuring it out.

Mr. Mills: But it's close to the road, is it not?

Mr. Hatton: Its close enough. It's in our easement. That's all I have, unless you guys have any questions.

## **EIGHTH ORDER OF BUSINESS**

### **Treasurer's Report**

#### **A. Consideration of Check Register**

Mr. Mills: Alright. Consideration of Check Register.

Mr. LeBrun: Yes, Mr. Chairman. In your Check Register, for the General Fund, you have Checks 683 through 713, for a total of \$117,645.11. For the Community Beautification Fund, we have Check 59 for \$2,000 and Supervisor payroll Checks 5632 through 5636. The grand total for the Check Register is \$175,568.61. That is for several months, because our last meeting was a workshop.

Mr. Mills: Right.

Mr. LeBrun: I'm happy to take any questions. If not, we just look for a motion to approve the Check Register.

On MOTION by Mr. Brown seconded by Ms. Hill with all in favor the Check Register for September 1, 2023 through October 31, 2023 in the amount of \$175,568.61 was approved.

#### **B. Balance Sheet and Income Statement**

Mr. LeBrun: Behind that, you have your unaudited financials. This is for the first month of the new fiscal year.

Mr. Mills: Right.

Mr. LeBrun: So, as we go along, you'll be able to see trends a little bit better. This is just for the first 30 days. No action is required by the Board.

## **NINTH ORDER OF BUSINESS**

### **Supervisor's Requests**

Mr. Mills: Alright. Supervisor's requests. Richard?

Mr. Bosseler: Andy, can we put on our reader board, "*Water aerobics Tuesday, Wednesday and Friday at 9:00 a.m.?*" Because yesterday, they were doing water aerobics and somebody was swimming and he wasn't happy because he didn't know about the Tuesday that we added.

Mr. Hatton: So, water aerobics, Tuesday, Wednesday and Friday at 9:00 a.m.

Mr. Bosseler: Thank you.

Ms. Simmons: Residents aren't allowed to use the pool when the aerobics are going on.

Mr. Bosseler: No, they can use it. He likes to walk back and forth.

Mr. Brown: You had mentioned, at the workshop or the last meeting, that a lot of the people that are part of the water aerobics class, wear some kind of footing or slippers or shoes.

Mr. Bosseler: Yeah, but they have rubber soles. I checked with my wife, because you were concerned that some of the indentations that had been made...

Mr. Bosseler: I'll come down and check.

Mr. Brown: I was just wondering, if we're going to have to resurface the pool, are the footwear that people wear in the pool, causing part of the problem?

Mr. Bosseler: That's a good point.

Mr. Brown: I hope not, but you never know in this crazy world.

Mr. Mills: Okay, Rick?

Mr. Brown: Yeah, I only have one thing, actually two things. First of all, I want to thank Andy, for driving you crazy over the last three weeks. It's not intentional, but thanks for all of your hard work with the holiday lights. I also want to publicly thank Mr. Jeff Studs, for putting up the wreaths on the back gates and the front monuments for the last five years. He volunteers to do that. The other thing, Jeremy and I have been going back and forth on the Assessment Methodology and allocation that was done back in 1994, that determined how much the golf course pays on an annual basis to support the operation and maintenance of roadways, lakes, et cetera. I have some questions about it. I briefly talked to Mike about it. But what I'm going to do, is to ask Jeremy to provide the Methodology Report from 1994, which now, all of you have a copy of, to show it to the engineer, to see after they review it, whether they believe that there might be some new conditions or conditions that have changed, especially from the standpoint that, on average, 144 vehicles come through this community every day, to go to the golf course. Also, whether or not there was any indication in the original Assessment Methodology to take

that into consideration, because there may not have been 144 vehicles, but it may have been three or four, for all I know. It's hard to find that information in the methodology, especially since the roads and road maintenance is a major component of this assessment. I find it hard to believe that the golf course and the Clubhouse, which total 100 and some odd acres, for some reason, get zero on road maintenance. So, before I blow this thing up, I just want to see if the engineers can take a look at it and say, "*Yeah, this makes perfect sense.*" But there may be some extenuating circumstance.

Mr. Mills: We can talk about that at the workshop.

Mr. Brown: Yeah, they can talk about that and give you something to bring to the workshop. That would be wonderful.

Mr. LeBrun: I can't promise that Peter would have it finished by then.

Mr. Brown: If he has a gut feeling, that's fine.

Mr. LeBrun: Absolutely.

Mr. Mills: Okay. Anything else?

Mr. Brown: No.

Mr. Mills: Jan?

Ms. Hill: No.

Mr. Mills: April?

Ms. Simmons: No.

Mr. Mills: Alright. I have several things, as always. Rick, did you talk to Bill about the additional pay increase for Matt and what the going rates are?

Mr. Brown: I did. He said that Matt is happy. I found out that their highest paid supervisor makes \$26 an hour and he is at overseeing a warehouse in Orlando. He doesn't have the interaction that Matt does. Matt's at \$21. My sense is to increase Matt another \$1 to \$22. He's not unhappy. He's happy, but I think that \$22 an hour to handle 200 or 300 cars coming in here every day, with a lot of them giving them lip, may not be enough. I had been in the guardhouse a couple of times where some people have given him lip. I just basically told them to get the hell out.

Mr. LeBrun: Just real quick. I don't know if you guys are aware. Matt made me aware this morning that the guards are going to be changing from the hours that they're working. I don't know if he talked to you, Rick, about that.

Mr. Brown: No, he hasn't yet.

Mr. LeBrun: I think he's going to be there from 6:00 a.m. to 2:00 p.m.

Mr. Mills: 6:00 a.m. to 2:00 p.m.?

Mr. LeBrun: Those will be Matt's hours and then they'll work off of that.

Mr. Mills: Oh, okay. So, they're just shifting the 8 hours.

Mr. LeBrun: They're just moving everything an hour.

Mr. Mills: Okay, got you. Alright.

Mr. Brown: I recommend that we go ahead and do that.

Mr. Mills: Thanks to a conversation that I had with Frank, who has an electrical license and was also doing our camera work the other day, said that we do not have to rewire the front, saving the CDD approximately \$80,000. I asked him and he said, "*Mel, the wiring is fine. It had not been brought up to code because it doesn't have to be brought up to code. It's an existing wiring and it's fine.*" So, we don't have to do that. If you remember the one gate that was not working, they said there was electrical wiring there. To replace those wires, I think I mentioned that we should do all four of them. We don't have to do that either, because when they took the power from this one and brought it over to this one, it still didn't work. So, they put the new one in that the guy ran over, using the electric that was already originally there and it's working fine.

Mr. Brown: And we didn't pay for that.

Mr. Mills: We didn't pay for that.

Ms. Hill: Can we get money from the guy that ran into it?

Mr. Brown: That's how we paid for it.

Mr. Mills: Also, talking to Frank, I found out why a lot of the Christmas lights were tripping. Eau Gallie Electric did not put silicone on the connections in order to keep the water out. He said that one of the boxes is rusted and the water is coming down and getting on the wiring and tripping the GFI. So, he went around and put silicone on all of the ones that he noted were being tripped. So, thank Frank for that. Also, the gentleman that was sitting in here that offered his expertise in computers, Frank thinks he's God. They've come up with a way now that they can communicate from the guardhouse to the pool and to the back gate. He's talking about doing it in a back door type of situation.

Mr. Brown: Right.

Mr. Mills: So, they're working on getting that worked out and now they'll be able to have audio at the pool and at the back gate.

Mr. Brown: He was at the workshop. His name was Kevin.

Mr. Mills: He's a brand-new resident of the community that just retired.

Ms. Hill: He just retired and came to see what was going on. Before he left, he had a job. Sound familiar?

Mr. Mills: Yeah. He was a godsend.

Mr. Brown: He was.

Mr. Mills: The wiring up front, when they put in the new cabinets, the guy, instead of unplugging everything, took his knife, his cutters and cut all of the wires.

Mr. Brown: He cut every wire.

Mr. Mills: Every wire. Even the BNC connector. Instead of him taking the connector and pulling it apart, he cut it off. Unbelievable.

Mr. Brown: So, when we get Frank's bill for all of that work in the guardhouse, that needs to come off of the amount that we owe the contractor for the cabinets.

Mr. Mills: Absolutely.

Ms. Simmons: That's ridiculous.

Mr. Mills: Frank spent all day getting that wiring straightened out, because there was no identification which wire came from what camera. It was a mess. In the minutes, where it said that the maintenance guy for the fountain was in front, we didn't have in there that he doesn't check the lights.

Mr. LeBrun: Mr. Pawelczyk added that. The agreement was signed.

Mr. Mills: Perfect. Alright, I'm finished.

Mr. Eksten: When you talked about the road maintenance of the golf course, when you leave here, be careful of the big pothole right outside where the golf cart bag drop off is. It is huge and deep. Most people that come here do not realize that we don't own the golf course. What really irritates me is that it's so shabby looking and it reflects onto us.

## **TENTH ORDER OF BUSINESS**

## **Public Comment Period**

Mr. Mills: Are there any comments from the audience? I want to wish all of you a very Merry Christmas and a Happy New Year from the Board. Also, I would like to ask you to help.

December 6, 2023

Baytree CDD

If you see a lot of drama, try not to be a part of it. The drama in this community is getting ridiculous.

**ELEVENTH ORDER OF BUSINESS**

**Adjournment**

Mr. Mills adjourned the meeting.



Secretary / Assistant Secretary



Chairman / Vice Chairman