

**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, **April 3, 2024** 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
Jerry Darby	Incoming Supervisor

Also present were:

Jeremy LeBrun	District Manager
Michael Pawelczyk	District Counsel
Andy Hatton	Field Manager
Jackie Curley	BCA President
Joanne Wagner	IOB
Residents	

FIRST ORDER OF BUSINESS

Roll Call

Mr. Mills called the meeting to order at 1:30 p.m. and Mr. LeBrun called the roll. The Pledge of Allegiance was recited. All Supervisors were present.

SECOND ORDER OF BUSINESS

Engineer's Report

Mr. Mills: Is the engineer here? Peter is not here.

THIRD ORDER OF BUSINESS

Landscape Report

Mr. Mills: The landscape people aren't here.

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FOURTH ORDER OF BUSINESS

Community Updates

A. Security

Mr. Mills: Alright, we'll go with security. Security is not here.

B. BCA

Mr. Mills: Alright. We'll go with the BCA. Jackie?

Resident (Jackie Curly, Kingswood Way): Sure. First of all, I am the new President. I was voted in. I'd also like to introduce Mr. Chas White, who is brand new on our Board, who will be serving as Secretary. Mr. Tom Harrison is here today and he is our Vice President. The other two were not able to make it. I want to bring up the special event that we have this Sunday from 1:00 p.m. to 4:00 p.m. It's for everyone, not just golf. Also, I have been in contact with AT&T. I have the most recent map, which I will turn over to you guys, of what is completed. I can tell you that my husband and I switched over yesterday to AT&T and our bill has gone down, both for our Internet and our phone, significantly. Our speed has also doubled with AT&T. All of the Isles of Baytree (IOB) is completely done. The rest of Baytree from this map, we can't tell you. So, you guys are welcome to have this map.

Ms. Hill: What do you mean?

Resident (Jackie Curly, Kingswood Way): They have no idea. It's not even on the schedule to be done.

Ms. Hill: Oh, so they just do part of it and stop?

Resident (Jackie Curly, Kingswood Way): Yes, they only did part of it. Jennifer's name is at the top with her email. You're welcome to reach out to her. She and I have been in communication. She's even contacted me over the weekend and on Easter Sunday. So, I've been in contact with her to find out what's going on. So, I will share that with you as well. On a final note, we had a very sad incident in the Kingswood area on Easter Sunday. We had two boys again, who you sent a letter to, that had been fishing behind Sandy's house and behind the McCracken's house off of Kingswood. The incident accelerated into the fact that the father came from IOB, where the boys live and basically beat up a very new resident in our community, to the fact that he was unresponsive and was in ICU. He just got out yesterday. The incident had five Sheriff cars there, an ambulance and a fire truck. I did notify Mel, because they wanted to know who owned the property that the kids were on and I said it was CDD property. It has really rattled our neighborhood and is something that I think we are reaching out to you, as owners of

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the CDD, can we do something like a certified letter? Can we do anything at all, because these kids are very, very nasty? They say awful things. They have done things to both Joanne and to Sandy and to two other neighbors. So, that's the latest incident. I did reach out to the CDD.

Mr. Mills: What was the gentleman's last name?

Ms. Hill: Do you want that on the record?

Mr. Mills: I want to call the Sheriff and make sure I have the names.

Resident (Jackie Curly, Kingswood Way): Brouke, William.

Mr. Mills: Okay.

Resident (Jackie Curly, Kingswood Way): I will turn this over to you guys.

Ms. Hill: Thank you.

Mr. Mills: You know, that's really a sad situation, that we have residents in this community that revert to something like that. I talked to both of the young men twice, three times I guess, about fishing in the lakes and they're very mouthy. They lie. If I talked to an adult the way those kids did, my mom or my dad would have had my backside red and a mouthful of soap. It's ridiculous. I am going to call the Sheriff to find out why the gentleman was not arrested and see what he has to tell me, because I think for a man to be in ICU from a resident hitting him, he should be arrested for assault and battery.

Ms. Hill: There were no charges brought at all?

Mr. Mills: No charges were brought at all.

Resident (Joanne Wagner, IOB): The gentleman could not speak for himself because he was having seizures and they intubated him. They took it out yesterday.

Ms. Hill: Okay.

Mr. Brown: Is he home now?

Resident (Sandy Schoonmaker, Berwick Way): He just got home today. He was released from the hospital at 2:30 p.m. yesterday. He's walking, talking and he can definitely speak for himself.

Ms. Hill: Can he then press charges against that resident?

Resident (Sandy Schoonmaker, Berwick Way): I'm not a lawyer. There's a lawyer. Ask him.

Ms. Hill: Could he press charges if somebody attacked him?

Ms. Pawelczyk: Yes.

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Mr. Mills: How old is the gentleman?

Resident (Sandy Schoonmaker, Berwick Way): 65.

Mr. Mills: So, he's in that class. Okay. Mike, do you have any thoughts at all on that situation?

Mr. Pawelczyk: I hope he goes to jail.

Mr. Mills: Yeah. He needs to go to jail.

Resident (Joanne Wagner, IOB): I would just like to reiterate Jackie's comment. Obviously, we've been told that we are to call the Sheriff if he's in our yard. You all know now why none of us have been willing to do so. We have already been forewarned that this gentleman was not a very nice man. And as a neighborhood or as a community at a whole, because they're fishing in other lakes besides ours, we would like, if it was possible, for the CDD to take some type of legal recourse. I don't know what legal actions are available, but there should be some kind of action based upon, not the assault, but you do have kids who are continually trespassing on your property. There has been no official action taken, other than a letter to the parent, and as a result, they have continued to do this, resulting in what occurred the other day.

Mr. Mills: Michael, would it be appropriate for you to write a letter to the gentleman? He's been warned once about his son trespassing on our property and he was called again. Is there any way that you could craft a letter, I think maybe coming from a law firm?

Mr. Pawelczyk: I haven't researched this at all. I don't even know if you have a rule that prohibits fishing in Baytree.

Mr. Mills: Yes, there is a sign.

Mr. Pawelczyk: Do you have a rule that prohibits fishing in Baytree? That's the question, not whether there's a sign.

Mr. Mills: Oh, okay.

Mr. Pawelczyk: Whether there's a rule.

Resident (Joanne Wagner, IOB): I'm sure it's in your Bylaws. It's in mine for sure.

Mr. Pawelczyk: That's why I'm asking.

Mr. Mills: I don't know either, to be honest with you.

Mr. Pawelczyk: If I would have known before, I could have looked into it. If people want to provide them with the facts, Jeremy or somebody provided with the facts, we can send the guy a letter. The only thing it's going to say, is that we will continue to encourage our residents and

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our staff to call the police, if people are trespassing on our property. That's the only thing that we can do, short of, you know, filing a lawsuit maybe for injunctive relief.

Mr. Brown: Are there any trees around that lake?

Resident (Sandy Schoonmaker, Berwick Way): Mel and I were told that night by the Sheriff's Department was, *"Yeah, you can call us, but this is not a high priority. The fact is that we probably will not come out for two guys."* He did tell us that. And the second thing is, he tried to tell us, because he thought that they lived in Baytree, they paid taxes to the CDD and have a right to fish, as they actually own part of the property.

Mr. Pawelczyk: Actually, that's completely incorrect and that's an officer speaking out of turn.

Resident (Sandy Schoonmaker, Berwick Way): Okay.

Mr. Pawelczyk: Number one, nobody here pays any tax to the CDD. There's not \$1 of tax money paid to the CDD. It is assessments based on benefit. Okay. And if it was an HOA, the property would be considered common property, which everybody in the community owns a piece of, under your covenants.

Resident (Sandy Schoonmaker, Berwick Way): Okay.

Mr. Pawelczyk: This is CDD property. The CDD owns the property. You as a homeowner do not have any property interest in property that's owned by the District.

Mr. Mills: I explained that to him.

Resident (Sandy Schoonmaker, Berwick Way): That explanation, if you indeed do write a letter, that explanation would probably be good. Because what the father stated to me is, well, what the kids told a neighbor is, *"We can come on here and you can give us permission because this is private property."* You can give permission. Nobody can tell you; you can't have people on your property. They don't understand rights. They don't understand this business about who owns those lake. But the other thing that I want to bring up is, I know this isn't your area of expertise, but Mr. Joe Martin did send something, which I forwarded you, indicating that there is some kind of legal action that you could take against the kids trespassing. What would you call it? I don't know.

Resident (Joanne Wagner, IOB): He told me that when he came to my house.

Resident (Sandy Schoonmaker, Berwick Way): What did he tell you?

Resident (Joanne Wagner, IOB): They need to be trespassed.

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Resident (Sandy Schoonmaker, Berwick Way): It's a legal document from the Sheriff's Department and the father would have to sign it that the kids have been found trespassing on CDD property.

Mr. Pawelczyk: That's the Trespass Statute. Under State Law, if my son came out here and fished on your property, a police officer could say, "*Nathan, you need to leave this property, because you are trespassing and I'm going to issue a warning, but if you come back again, I'm going to arrest you.*" The arrest is in the form of a civil citation. They don't actually take you.

Resident (Sandy Schoonmaker, Berwick Way): Right.

Mr. Pawelczyk: So, Nathan leaves and as long as he never comes back, there are no issues. So, it's always that one warning. I assume these kids have received a warning.

Resident (Sandy Schoonmaker, Berwick Way): No, just a letter from you guys.

Mr. Pawelczyk: That's just it. Like the police officer said, the police have to enforce it. The only thing that you could do, is if you want to spend a bunch of money, hire off duty officers to go out there and try to enforce this, to deal with these kids.

Mr. Brown: If we had it on videotape, would that be sufficient?

Mr. Pawelczyk: That's a question for the Police Department.

Mr. Mills: Well, it was obvious to me, that the Lieutenant did not know CDD law. He didn't know it and I tried to explain it to him and he finally got it.

Mr. Pawelczyk: The best way to explain it to anybody, is the CDD is separate. It's like a small city. You can't go on city property where it says, "*No Fishing,*" like in Pompano in front of the Police Department, where it says, "*No Fishing in this Lake.*"

Mr. Mills: Yep.

Mr. Pawelczyk: You can be darn sure that's enforced. Okay, so it's the same situation. It's not common property. You have no right to fish there.

Mr. Mills: Right.

Mr. Pawelczyk: In fact, you have no right to walk on the lake bank.

Resident (Sandy Schoonmaker, Berwick Way): That's been my point.

Resident (Not Identified): The signs that are around the lake say, "*No Fishing,*" but they don't say, "*No Trespassing.*"

Mr. Mills: I thought they did. Andy?

Mr. Hatton: They just say, "*No Fishing in Baytree or Baytree CDD Lakes*".

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Ms. Hill: It doesn't say, "*No Trespassing?*"

Mr. Hatton: Not that I'm aware of.

Mr. Pawelczyk: There is the Trespassing Statue that requires signs to be posted.

Resident (Sandy Schoonmaker, Berwick Way): It does say it has to be posted.

Mr. Brown: Well, we need to change the signs then.

Mr. Mills: Then we need to change the signs.

Mr. Pawelczyk: Well, that might be something you all should look into, because the question would be, can you post the property at your entrances? I'm only saying that because the Posting Statute requires, if you ever drive down the Turnpike or I-95 or anywhere, and you see a lake on the side, there's a "*No Trespassing*" sign every so many hundred feet. It may be 500 feet. I can't remember. But I'm pretty sure you don't want that on your property.

Mr. Mills: Well, we have "*No Fishing*" posted at all of the lakes that we own now and all we need to do is just basically add, "*No Trespassing*" to that. But I thought for sure it said, "*No Fishing and/or Trespassing.*"

Mr. Hatton: Not that I'm aware of. There is one at the main gate, but it doesn't say, "*No Trespassing.*" It says, "*No Fishing.*"

Mr. Pawelczyk: We can send the gentleman a letter.

Mr. Mills: I think it would be great coming from an attorney.

Mr. Pawelczyk: I will work on it with Jeremy and we'll send it out.

Mr. Mills: You have a copy of the letter you sent already, correct?

Mr. LeBrun: I also had a personal phone call with the family, as well, to explain.

Resident (Sandy Schoonmaker, Berwick Way): Could you give us the result of the phone call?

Mr. LeBrun: This was after the first incident. They seemed very receptive.

Resident (Sandy Schoonmaker, Berwick Way): But you were not speaking to the husband.

Mr. LeBrun: No. I spoke with the father of the children. This was maybe a couple months ago, the first time that they were there. Before we did the letter, I made a personal phone call. So, they received a letter and a phone call.

Resident (Sandy Schoonmaker, Berwick Way): They do that with management. They'll call and say, "*Oh, yeah, we discussed it with the children and they know what they can't do.*"

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The next day, they're right back to one again. So, they're just telling people what they want to hear, which is what they did to the Sheriff's Deputy's too.

Mr. Brown: How old are these kids?

Mr. Mills: 10.

Resident (Sandy Schoonmaker, Berwick Way): The older one is 15. The father told me.

Mr. Mills: The younger was 10 years old.

Resident (Sandy Schoonmaker, Berwick Way): Yeah. So, we have 10-year-old and a 15-year-old and there's a third one.

Resident (Sandy Schoonmaker, Berwick Way): Yeah, there are three of them.

Mr. Mills: Alright. So, is the Board in favor of Mike getting together with Jeremy and crafting a letter?

Ms. Hill: Yes. Do we need a motion?

Mr. Pawelczyk: I think that's the best way.

Mr. Mills: Alright. Then we'll address the trespassing issue.

Mr. Pawelczyk: Yeah.

Mr. Mills: At a later date?

Mr. Pawelczyk: Yes.

Mr. Mills: Okay.

Mr. LeBrun: Did you want staff to explore adding the "No Fishing" signs? Do you want us to explore the cost of adding signage to all of the ponds?

Mr. Mills: My preference would be to have it added now.

Mr. LeBrun: We can bring back the proposal and see what the cost would be to add on the additional signage.

Ms. Hill: It can't be that much and have it not to exceed a certain amount.

Mr. LeBrun: We meet again in a little over three weeks, so hopefully we can have a proposal from the Board with exact prices of what it would be, so you would have an idea of the cost. It is before the Board, whatever you guys prefer.

Ms. Hill: Just do it.

Mr. Mills: Yeah.

Ms. Hill: It can't be that much.

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Resident (Not Identified): My understanding of what the attorney said, was unless you post it at these intervals, if you just had it on one side, as long as they're 150 feet away or 500 feet away, it doesn't apply.

Mr. Pawelczyk: That's not what I said. I said that I don't know. You do have to post it.

Mr. Mills: It's posted that there's no fishing. Most lakes have two signs, don't they?

Resident (Joanne Wagner, IOB): My lake has three. I have pictures of the children standing next to the sign with fishing poles.

Mr. Pawelczyk: Look, I use my son as an example. I have a picture somewhere of him with a large bass standing in front of no fishing signs. So, my kid is the same way, except he would never be mouthy. He did that years ago. Some boys will do that, because that's what they do. But we can look at that. I think the whole problem is, you're going to put up all of these trespassing signs, yet we've never had a law enforcement officer actually be able to enforce it until somebody got beat up. That's the only time someone's come out. So, is it really going to help you? Once you find out what the price is, you can decide. I don't think it hurts to add no trespassing to the existing sign.

Mr. Mills: I would like for us to cover all of the bases.

Mr. Pawelczyk: If law enforcement comes back and says whatever, then we can address it at that time.

Mr. Mills: Okay. Just get a price on that.

Mr. LeBrun: Sure. We can bring that back to you at the next meeting.

Mr. Mills: Alright.

C. Isles of Baytree

Mr. Mills: Joanne, IOB.

Resident (Joanne Wagner, IOB): I just want to tell you the comment made by the father, when we walked past them was, "*This is what Dads do for their sons.*" That was his response.

Mr. Pawelczyk: It sounds like someone has a good personal injury lawsuit.

Resident (Joanne Wagner, IOB): Yeah, exactly. In IOB, we had some issues with our pool. We had leaks. So, we just got that result after three months and that was one thing that led to another thing. So, we just got that fixed. Our election is next Wednesday. We are actually having an election for the first time, because we have a five Member Board and six people

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running. I don't think anybody else really wants the job. So, we'll see what happens next week. Then we're also having on May 2nd, a tournament, not a marathon.

Resident (Not Identified): It's a marathon.

Resident (Joanne Wagner, IOB): It's going to be held at IOB. It's a charity.

Mr. Mills: Fantastic.

Resident (Joanne Wagner, IOB): So, we are doing that together.

Mr. Mills: Well, thank you, Joanne, for your cooperation, especially with that incident on Sunday. We really appreciate that. Before we get into the meat of the agenda, for those who do not know, we lost a resident who was a very well-known resident who was involved in the community for many years. He was a retired military officer and unfortunately, he passed away. So, I'd like for all of us to take a moment of silence and pray in the way that you pray, for his family and peace be with him. Thank you. It was Mr. Richard Mather.

FIFTH ORDER OF BUSINESS

Consent Agenda

A. Approval of Minutes of the February 7, 2024 Board of Supervisors Meeting

Mr. Mills: Okay. We'll now go to the approval of the minutes.

On MOTION by Mr. Brown seconded by Mr. Bosseler with all in favor the Minutes of the February 7, 2024 Meeting were approved as presented.

SIXTH ORDER OF BUSINESS

Agenda

Mr. Mills: Before we get into the next item, you had a letter that was drafted by Jeremy, with regard to the resident who got nasty with the guard. It's a very nice letter. Jeremy, you're to be commended for crafting that letter and I'll just read one paragraph. It says, *"While the guards actions might have seemed inconvenient for you at the time, they were carrying out with the best interests of the community in mind and according to their post orders. Your behavior toward the employee included yelling insults and other disrespectful communications at the guard and it was documented for future action, if necessary,"* which I thought was a very nice way to get them to get their act together. You did a great job.

A. Organizational Matters

i. Acceptance of Resignation of April Simmons

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Mr. Mills: Alright, let's move into the acceptance of April's resignation. I need a motion to accept it.

On MOTION by Ms. Hill seconded by Mr. Brown with all in favor the resignation of Ms. April Simmons was accepted.

ii. Review of Resume(s)/Letter(s) of Interest to Fulfill the Board Vacancy in Seat #5

Mr. Mills: Alright, now we'll go into reviewing the resumes. Is Mr. Finn here? No. Okay, I'm going to call on Jerry. Would you just like to tell us a little bit about yourself?

Mr. Darby: Sure. Mr. Jerry Darby. I live at 355 Baytree Drive. I've come over to the other side, so to speak. I've been involved in the Homeowners Association (HOA) for a number of years, dating back to the eighties. The association that I founded on Long Island was the Pond Path Civic Association. We had issues the State University of New York about some traffic routing that was done along this nice country road, which we objected to. Through the Association, we got them to change their mind. After that, I came to Baytree originally, back in 2015. I was a Voting Member for Balmoral, ultimately coming onto the CDD Board. I was responsible for various functions and for the oversight of the pavilion construction, parking lot, served the roads, lakes and finance, ultimately becoming the Vice Chairman of the CDD Board. I went on to another HOA, to our other home, in Englewood, Florida. I was Treasurer there for three years and then I moved back to Baytree.

Mr. Mills: Mr. Finn's resume was very complete. He has a great background as well. Are there any comments from the Board before we call for a vote? Richard?

Mr. Bosseler: No.

Mr. Mills: Rick?

Mr. Brown: No.

Mr. Mills: Janice?

Ms. Hill: No, It's quite complete.

iii. Appointment of Individual to Fulfill the Board Vacancy with a Term Ending November 2026

Mr. Mills: Would someone like to nominate a candidate?

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Mr. Brown: I would appoint Mr. Jerry Darby to fill April’s seat.

Mr. Bosseler: I second the nomination.

On MOTION by Mr. Brown seconded by Mr. Bosseler with all in favor appointing Mr. Jerry Darby to fill the unexpired term of Seat 5 with a term ending November 2026 was approved.

iv. Administration of Oath of Office to Newly Appointed Board Member

Mr. LeBrun, a Notary of the State of Florida and duly authorized, administered the Oath of Office to Mr. Jerry Darby.

Mr. LeBrun: Print and sign right here. I will notarize it. I know that Jerry served on Boards before, so we won't do the whole full public records, Sunshine law, discussion, as I believe he has a firm understanding of that. Counsel and I can meet with him after the meeting to give him a refresher.

Mr. Mills: Perfect.

v. Consideration of Resolution 2024-06 Appointing an Assistant Secretary

Mr. LeBrun: Next is consideration of Resolution 2024-06, Appointing an Assistant Secretary. This resolution has Jerry taking April's spot as Assistant Secretary.

On MOTION by Mr. Brown seconded by Mr. Bosseler with all in favor appointing Mr. Jerry Darby as Assistant Secretary and retaining the remaining officers as evidenced by adopting Resolution 2024-06 was adopted.

B. Discussion of Draft Fiscal Year 2025 Budget

Mr. Mills: With that, Jeremy, I'm going to ask you to again go through the draft of the fiscal year budget for 2025.

Mr. LeBrun: Sure thing. Okay, so this is a continuation of the workshop discussion that we held last month and is, once again, just a draft discussion document. The current budget schedule has the Board considering a Proposed Budget at the May 1st meeting and then officially adopting the budget at your August meeting. When the Board adopts or accepts a Proposed Budget, that sets the ceiling for the levels and then we can work through that all the way up

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through the public hearing that will occur in August and then the eventual adoption of the budget. So, we took the feedback from the workshop and implemented those changes in the budget. I'll give everybody a second to get to that page in their agenda packet. So, the changes that were requested from last time, we still have the two options and today I would just ask before we leave, that the Board decide on either Option 1 or Option 2, which was the \$200 and \$300 assessment increase amount, so we can get that proposed budget prepared for next month's meeting. Also, at the Board's request, we added a disaster emergency reserve funding line in the reserve section. We didn't allocate any money yet and I wanted to check with the Board to see where you would like that money to be pulled from. But we did add that line item, for example, stormwater, things that are emergencies. You guys wanted that extra line item.

Ms. Hill: I have a question.

Mr. LeBrun: Sure.

Ms. Hill: Just to start with, we just voted to increase *Attorney Fees*, but I see in our old budget it was \$24,000 and all the way across and the Proposed Budget is still \$24,000.

Mr. Pawelczyk: Correct.

Mr. LeBrun: Correct.

Ms. Hill: Does that reflect the increase?

Mr. LeBrun: So, no. We kept *Attorney Fees* at the same level, as they've been traditionally. I don't believe we've had to go above that.

Mr. Pawelczyk: I don't know, because I don't look at it that closely. With the many Districts that I have, it is usually pointed out to me, if we're going to go over budget. So, if we do go over, it's kind of rare and I guess the following year it's lower. It just depends on what's going on in the District. You know, for instance, if you were to authorize us to file a lawsuit, you're going to obviously spend a considerable amount of money. Your budget doesn't contemplate that kind of work. I don't think there's a need to increase it at this time. Sometimes if you look at the amounts that have been expended to date, like particularly if you looked after that May meeting, well, then you only meet like once or maybe twice after that for the rest of the fiscal year, because you're building up to do your budget. So, usually it ends up being lower than the budgeted amount. So, we don't expect to have an increase beyond the \$24,000. If we exceed it, it's only because you're giving us too much work to do.

Mr. Mills: Do you know what the carry forward is on that line item?

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Mr. LeBrun: Yeah. For example, for the unaudited financials through February 29th, we are about \$18,000 for the year. We've had a few Small Project Agreements that Mike has worked on.

Mr. Pawelczyk: A few.

Mr. LeBrun: But traditionally we've always stayed under that amount. I know Mike doesn't attend the workshops to save money and we only reach out if there's something that's needed. Mike is good about doing tasks.

Mr. Pawelczyk: Since we pointed that out, I talked to Jeremy a little bit about this on the way up here. We were kind of getting prepared for the meeting, since we didn't have anything to do in the car. You know, if it looks like we're going to exceed, I don't like to attend meetings by phone or by Zoom, because it's so hard to hear here and it's not as good for you.

Mr. Mills: No.

Mr. Pawelczyk: But if we get at the point where the budget is closer and we're going to go over and there's not much on the meeting agenda, let's say the main meeting agenda is primarily about your Proposed Budget, then, I'll just attend by Zoom, if it looks like a short meeting. So, maybe Mel could just communicate that with Jeremy, just to keep us within budget. I don't like to exceed that budget amount, unless it's absolutely necessary. But that's up to the Board, as to how you want to handle that. I do try to limit my travel costs by scheduling other things on my ride up here.

Mr. Mills: I think your presence has a great impact on us, making decisions. Face to face, to me, is always better than via phone. I don't ever remember us going over \$24,000 and I think all of us as a Board, have been respectful of the fact that we don't contact you unless we absolutely, positively have to.

Mr. Pawelczyk: Yeah. And really, that's not really where your costs are.

Mr. Mills: Right.

Mr. Pawelczyk: Your costs are where you have a dispute with the landscape contractor or we need to do a new Landscape Maintenance Agreement with a new scope of services and put it out for bid.

Mr. Mills: Right.

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Mr. Pawelczyk: That's where your time is. If you're like another District that I have in this county, the meetings go on forever. That's where your costs go up. So, I'm just trying to maximize that.

Mr. Mills: Okay.

Mr. Brown: Well, we just keep an eye on it, that's all.

Mr. Pawelczyk: You guys do.

Ms. Hill: I just wanted to look at the options. I just wanted to make sure that the options include what we had approved and I went through the same thing with maintenance. Where is the Balmoral project showing up? I don't see it.

Mr. LeBrun: If you look at the second page under *Operation and Maintenance*, where it says, "*Maintenance - Other Field (R&M General)*," you'll see a large expense. That's where that pipe went in. For example, we have the Disaster Fund in place and we would have used it there. So, that's where the repair on Balmoral Way was coded to pay for that. At the end of the fiscal year, we might usually underspend in certain line items. So, you're able to move between funds to cover, you know, for example, say we underspent engineering by \$10,000, you're able to move that to another section of the line to cover something that went over.

Ms. Hill: How much did we end up spending?

Mr. LeBrun: So, the most recent invoice that I saw for the final repair, when everything was done, I think it was \$36,000. That's the last invoice.

Ms. Hill: Okay.

Mr. LeBrun: That's the one that we just received when they completed the repair.

Mr. Brown: So that was \$36,000. That was the contract that we approved at the last meeting. Wasn't it?

Mr. LeBrun: Correct, to fix it.

Mr. Brown: Because the other expenses with Brownies and everything else, is on top of that.

Mr. LeBrun: Correct.

Mr. Brown: So, this sinkhole has cost us close to \$60,000.

Mr. LeBrun: Correct. That was when they had the diver go in and plug it up. That's incorporated.

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Mr. Brown: I'm just concerned that given the age of the community, what else is out there that's going to start giving us problems?

Mr. Mills: Well, that's one of the reasons I like to have that Disaster Fund.

Mr. Brown: Well, I don't have a problem with the Disaster Fund, but we also have to rebuild the road.

Mr. Darby: Yes.

Mr. Mills: Holiday lights can help with that.

Mr. Brown: Take them out. I'd rather have that gone than, you know, keep throwing more money into assessments.

Mr. LeBrun: The two things that we added, was the *Disaster/Emergency Reserve* line item that was in there and we are also going to discuss later on, the interest-bearing account for the Pavement Management Reserve. Back on the first page, we're projecting some Interest Income. There is a conservative estimate of \$5,000 of interest earned on that account, in addition to the revenue. So, this is the same document you saw last month. I just wanted to point out what was added in there. I think Jerry had a question about expenses.

Mr. Darby: Well, yeah. Total expenses so far in that hole with Brownies and everybody else, what's the total amount that we stand at?

Mr. Hatton: We're at \$50,000. The last one was \$36,000 and \$14,000.

Mr. Darby: Of the \$50,000, \$36,000 of that was already booked to various accounts.

Mr. Hatton: \$36,000 was just billed.

Mr. LeBrun: As another example, in our Capital Reserve Fund, we have some money earmarked for sidewalk repairs and drainage maintenance. I believe there's \$24,000 between the two of those and we've spent zero of that so far. So, that could be another resource to help fund that expense.

Mr. Mills: Yep.

Mr. LeBrun: The unaudited financials are actually towards the end of the agenda package. So, everything else remains the same as the Board saw last month, with adding those things that were requested. So, this is kind of the framework. We build the framework with what we see as maybe being necessary, but at the end of the day, it's the Board's decision of how you want to allocate the funds. This is staff's recommendation with those two options that the Board requested: a \$200 increase and a \$300 increase. Just for historical knowledge, last year, there was

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no increase, as the Board was receptive of the inflationary environment that residents were experiencing. So, they held off on any increase.

Mr. Mills: I really would like for us, at some point, when it gets time for the public hearing, that you present the expenses we incurred this year, because they have been astronomical, compared to years past. To me, we have to justify an increase, but I think the residents need to know what that justification is.

Mr. Brown: Yeah, and now we have a pool to redo at some point in time, that we hadn't planned on doing for another five years or so.

Mr. Mills: Yes.

Ms. Hill: But part of what is happening, is our community is getting older.

Mr. Mills: Yup.

Ms. Hill: And there's things just like when I questioned the men that were working on Balmoral, when I said, "*Nobody drives over this. How did this happen?*" And they said, "*Well, it just deteriorates over time.*" Basically, what happened, is the rain caused the dirt underneath the pipe to give way and that caused it to break.

Resident (Not Identified): Why is there a proposed change in the annual assessment?

Ms. Hill: That's what we're discussing.

Mr. Brown: We asked Jeremy to give us two options. One option was a \$200 increase and the other option was a \$300 increase. We haven't really talked which number, but every time we turn around, we seem to get hit with another thing that we hadn't planned on, like the sinkhole out on Balmoral Way, which is actually turning out to be somewhere in the neighborhood of \$60,000 to fix, and it's our responsibility. There's another issue coming up with the swimming pool, with the vandalism that occurred last May and whether or not that pool is going to pass the Health Department's inspection come this July. If it doesn't pass inspection, then we have to resurface it. We don't think we will have to do that, as we think we have solid ground to stand on, that the pool is still safe and sanitary, as the regulations require, but we're going to be dependent upon interpretation by the Inspector, at the time that he performs the inspection. Then there's another potential issue going on that the engineer is working with Jeremy and Mike on, that may have some other repercussions to our budget. Then last year we spent over \$80,000 fixing the sidewalks, which we hadn't planned on and that money had to come out of the Road Fund. So, now we have to put that money back into the Road Fund,

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because in another three years we are going to be looking at either resurfacing or resealing certain roads in Baytree. So, we want to make sure we've got enough money in that bucket, if you will, so that we have that cost covered. So, those are the things that we're dealing with, plus everyday inflation.

Resident (Not Identified): Either of those amounts are not expensive.

Mr. Brown: I appreciate that, but there are some people who live here that would not agree with you.

Mr. Mills: Well, that's one of the reasons why I think Jeremy should prepare a presentation.

Mr. LeBrun: So yes, I'll make sure I have that for the August hearing. But before we leave this discussion, we would just need some guidance on which option to go with.

Mr. Brown: I would go with the \$300 increase in assessment or Option 2.

Mr. LeBrun: Option 2 is the \$300 increase. The extra is going into the Road Reserve. That's where the delta is between the \$200 and \$300 increase.

Mr. Brown: I think we need to have a discussion amongst ourselves, maybe at a workshop, as I don't have a problem with developing a Reserve Fund, but I don't necessarily want to budget a certain number for it every year. That's just me, but if there are other expense items that don't hit their budget target, like sidewalks and some of the other things, we can take \$10,000 at the end of the year; \$10,000 here and \$5,000 here, add it all up, and throw that into the reserve. I don't have a problem with that.

Mr. LeBrun: If I could make a recommendation. So, if we select Option 2, which is the higher amount, that will set the ceiling. You guys can always back that down if you think so. We've also crafted a schedule. There is a workshop in July that the Board can still work through the budget and discuss things. So, we have those lined up and then at the August hearing, we can finalize it.

Mr. Brown: Maybe we'll have a better feel for the pool.

Mr. Mills: Don't we have to get it to the Commissioners, though, by July?

Mr. LeBrun: On May 1st, the Board would approve a Proposed Budget, and then we'll transmit that to the county.

Mr. Mills: Yes.

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Mr. LeBrun: Then we'll advertise the hearing for August and we'll officially adopt the budget in August.

Mr. Darby: We just can't exceed what we approved in May.

Mr. LeBrun: So, we set the \$300 as the ceiling and we cannot go any higher than that \$300 amount.

Mr. Mills: I'm going to probably disagree with Rick, in the fact that I think if we have a Disaster Fund, we should build it up to a level that we, as a Board, are comfortable with, for when we do have a sidewalk situation, which is going to happen again, because we have Oak trees in the development. We've talked about the electric in the front. We've gotten a quote on that. It was over \$100,000 to repair that. So, I mean to not say that we're not going to add to it every year, I think we'll be making a big mistake.

Mr. Darby: I would like to comment on beautification, which I believe is yours. Right?

Mr. Mills: Right.

Mr. Darby: We are allocating \$45,000 for this year with no projects. You will have, at the end of this year, \$152,000 in that fund without any projects. That's what it is in the budget.

Mr. Mills: \$152,000?

Mr. Darby: No.

Mr. LeBrun: For the Proposed Budget, in the Beautification Fund, there was \$24,000 so far in actual expenses for this fiscal year. That was for the landscape projects. It will not be in the budget.

Mr. Darby: Okay, so it's not showing up.

Mr. LeBrun: No. It will be in the unaudited financials, which we will get to later on, but right now, the fund balance of that, after those expenses, is \$85,000. That's including the transfer that happened this fiscal year. That money has been moved over.

Mr. Darby: Its \$45,000.

Mr. LeBrun: No, \$85,000, including the transfer.

Mr. Mills: Let me explain a little bit on that, Jerry. I didn't do any major landscaping improvements, due to the fact that we were going to get a new landscape company. We're going to re-design the back gate and they're in the process of getting that number together now.

Mr. Darby: Okay. I just didn't see anything in the Proposed Budget. There seemed to be a fair amount of money possibly that could be reallocated towards a disaster.

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Mr. Mills: Yes, I got you.

Mr. Darby: So, that was my thinking.

Mr. Mills: Yep.

Mr. LeBrun: So, just to summarize that, you want to move forward with Option 2 with this \$300 increase in assessments and I'll work with staff, to prepare that and present to you at the May meeting?

Mr. Brown: Yes. Thank you.

C. Discussion of Interest-Bearing Account Options for Excess Pavement Management Funds

Mr. Mills: Alright, do you want to go into the interest-bearing accounts?

Mr. LeBrun: Sure. We discussed at the last meeting, the possibility of moving funds from the Pavement Management Reserve Fund into an interest-bearing account. So, these are your excess monies that are in this fund to go towards the roads. We had waited a little bit, because we did the road project last year, so we were kind of seeing that through. There was also some commercial banking instability towards Fall of last year as well, but now we're done with all of the road projects for at least, hopefully a couple years, maybe. So, it might be a good time to put those funds into an interest-bearing account, due to the current interest environment. So, we are presenting two options and I'll just do a brief overview. I'm sure other Board Members have expertise in this area. So, there are two options that most CDDs have been utilizing within our firm's portfolio. The first one is the State Board of Administration (SBA) account, which is the fund that cities and large government entities, utilize. In your agenda, you have the most recent report for that fund with the holdings. The other option that a lot of Districts utilize, is just your normal money market account through Bank United, who our firm uses, that's paying a little over 5%, similar to what you would have in your own personal checking money market account that's earning interest. So, those are the options. I know there was a question about FDIC insurance, so, I reached out to Bank United for an answer. The standard amount is \$250,000, which is covered through FDIC. So, there's a public acknowledgement form that we can fill out that elevates that to where our collateral is fully protected. You guys have a little over \$300,000.

Ms. Hill: FDIC is only protected against fraud. It does not protect against a decrease in market value.

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Mr. LeBrun: Correct. It depends on the situation. You don't have to put all of your Pavement Management Funds in there. You could put whatever the limit the Board wants to do.

Ms. Hill: My concern is in 2008 and again in 2020, both the money market funds broke the buck, which means that they went below \$1 per dollar. That happens when you have an issue with the banking association. By and large, when you look at what at least Florida Prime is paying, they're showing 5.69% for one month, for the month of February, but they're charging us 2.95%. So, really what we're getting is 2.25%.

Mr. LeBrun: Correct. It depends on what the Board wants to do.

Ms. Hill: I don't disagree with getting more for our funds, but I think that at the very least, we should keep sufficient cash on hand, in case we run into a problem. Having been a broker in 2008, I was working with companies who couldn't make their payroll, because they had their money tied up that way. We need to have enough in hand cash or something so that we can meet our day-to-day expenses and not be caught short.

Mr. Brown: How much is in the fund right now?

Mr. Mills: \$300,000. I wouldn't object if we had some in a money market and then some here. That way we're not putting all of our eggs in one basket.

Ms. Hill: We should have some in cash as well.

Mr. Mills: Yes, I agree.

Ms. Hill: I do that personally. Our banking system has had some hiccups here recently and it's still not that stable.

Mr. Mills: What bank are you using now?

Mr. LeBrun: So, Bank United is the one that we've been putting our CDDs in for money markets. I did ask and they are able to, depending on the time of the request, you either can get your funds out the same day or next business day, if it's after a certain cutoff time. So, it is rather liquid, but I understand what you're saying with the prices, because when they don't have liquidity, it can cause issues.

Ms. Hill: Right.

Mr. LeBrun: So those are the options.

Ms. Hill: Bank United also should be able to offer us a CD rate that is better than my bank. If you're a customer of a bank, they have been offering good rates for six months. What

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you do is just say, *“Well, okay, I’ll put so much in six months, nine months or a year,”* so that you have money coming due.

Mr. Mills: Yes.

Mr. Brown: So, there’s \$356,000.

Mr. LeBrun: That is the current amount.

Mr. Brown: So, Jan, based upon \$356,000 in the account, what would you suggest how that split up? How much cash would you want?

Ms. Hill: Well, I don’t know how much it costs for us to manage our cashflow. That’s up to Jeremy.

Mr. Brown: \$100,000?

Mr. LeBrun: The only time cashflow ever becomes a concern, is at the start of the fiscal year, where the assessments don’t typically come in until November, December and January, but we budget three months of carry forward, to cover that lean period. Typically, you guys run a very tight budget. We are pretty close, because there’s not a lot of fluff in the budget, so when stormwater repairs come out, that’s what hits us. So, you have that three-month operating, always available, just as a backstop funding, but its whatever the Board decides. If you want me to ask about the CD options, I can and the Board does not have to make a decision today.

Ms. Hill: Well, the CDs are FDIC insured, so even if the bank has problems, they may not be able to give you your money today, but you will get your money.

Mr. Darby: \$250,000 maximum.

Ms. Hill: No, FDIC insures the money that you have in there. So, if I have \$100,000 in a CD, I will get my \$100,000 back, even if the bank goes under.

Mr. Darby: Right. I understand that.

Ms. Hill: The FDIC is if I, as a broker, embezzled your account, then the SBIC comes in and makes you whole. It has nothing really to do with the fluctuations and volatility of the market.

Mr. Mills: What was the interest rate again, on the money market?

Mr. LeBrun: So, it was a little over 5%.

Mr. Mills: That’s going to be about the same rate as a CD.

Ms. Hill: There are banks that are offering 5% to their good customers right now.

Mr. Mills: I’m saying that’s about the same rate.

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Ms. Hill: They're probably going down, but they are offering 5%. Their 5% does not have any kind of fee attached to it, whereas this Florida Prime, has a fee of 2.95%.

Mr. Mills: Yeah.

Ms. Hill: So, you think you're getting 5% or 5.25%, but you're not. Your net to you is 2.75%.

Resident (Not Identified): Just as a comment, for another organization, we set up a CD. You're quoting the rates and the rates that a person can get, are not the same rates as not for profits. I'm not sure where a CDD would fall into that, but they don't always match up. We were providing quotes for 5%, but when we found out it was a non-for-profit corporation, it went down to 4.2%.

Ms. Hill: Right.

Resident (Not Identified): That's something to keep in mind when you're talking personal versus business.

Ms. Hill: When you're dealing with an entity, whoever it is that you bank with, they will offer you a better rate, because you are their customers.

Resident (Not Identified): Right.

Ms. Hill: The other thing is, if we're dealing with a bank and somewhere down the line, we decide that we need to float a bond, we have established some kind of rapport with that bank.

Resident (Not Identified): Right.

Mr. Mills: Yeah.

Mr. Brown: Who's our bank?

Mr. LeBrun: This would be through Bank United.

Mr. Brown: Is that who we're using now?

Mr. LeBrun: Correct. For the next meeting, I could bring back those CD options. I could even request that our rep call into the meeting. That way you can talk, speak to Bank United directly if that would help, maybe get you guys to settle on something.

Mr. Mills: That would be good.

Mr. LeBrun: Okay, I'll do that.

Mr. Darby: Jeremy, just one thing, when they present each of these return rates, please do a net of any fees, so we know what the true return is.

Ms. Hill: It makes a difference.

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Mr. Mills: I would also, if I were you, check with a local bank here, like Seacoast Bank, because when we asked them whether they be interested in loaning us the money to do the roads, they said, yes, they would.

Ms. Hill: I have a relationship with them.

Mr. Mills: Daryl?

Ms. Hill: Yeah, I used to work with him.

Mr. Mills: Oh, did you?

Ms. Hill: In another life.

Mr. Mills: Daryl is who I talked to.

Mr. LeBrun: Yeah.

Ms. Hill: Daryl was there when I was a banker.

Mr. Mills: So, it might be a good idea.

Ms. Hill: But anyway, I'll chit chat with him and come back with a report, if you would like.

Mr. Mills: Alright.

Mr. LeBrun: Just a recap, I'll reach out to Bank United about the CD options, ask for the rep to call in and make sure that it is net of fees and also an accounting what other local options might be available for those funds.

Ms. Hill: And I'll do my homework.

Mr. Mills: Okay. Very good.

SEVENTH ORDER OF BUSINESS

CDD Action Items/Staff Reports

A. CDD Action Items

Mr. Mills: CDD action items.

Mr. LeBrun: There are two items on the CDD Action Items List. For the lake bank restoration, we're seeing movement. Equipment staging started this week. I received a call. They started doing some work a little early. We hadn't sent out the notice yet. So, they're ahead of schedule, which is a good thing. Each year, the Board allocates lake funds to restore some of the areas, based on the engineer and the Lake Bank Report. Then they fix the areas that they think need attention. So, that is starting for this fiscal year, under the budgeted amount. We are slightly \$1,000 under. There is just a little extra in case sprinkler repairs were needed. So, we had Paula send out a notice to the residents and also the vendor said that they would notify anyone who was

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directly impacted, especially one that was directly behind a pool enclosure. He said that they would speak to that person to make sure that they know what's going on directly behind their home. The other item was the pool deck resurface. The Board approved a not-to-exceed amount. Later on, you'll see the Small Project Agreement for the vendor that the Board selected. I believe that was the only thing that we had left. Richard, you can add in here regarding the resurfacing.

Mr. Bosseler: Andy reached out to the company to get an actual date. So, we're probably looking at, at best, the end of this month and probably the beginning or middle of next month. It may coincide with the inspection. I don't know if that's good or bad, but we'll let chips fall where they may.

Mr. Mills: That's right.

Mr. Bosseler: Andy and I will pick out the colors. We're looking at orange and purple. That's all I have.

Mr. LeBrun: That's all the items I have under the Action Items List.

Mr. Mills: Do we have to memorialize Resolution 2024-06.

Mr. LeBrun: We did that. We appointed Jerry earlier and did the budget. We're on Item 7B, Staff Reports.

B. Additional Staff Reports

i. Attorney

Mr. LeBrun: Counsel, do you have anything to report?

Mr. Pawelczyk: I don't have anything specific to report, other than to ask how we are doing on the ethics training and financial disclosure. You still have time, but I just wanted to ask, because it's new for all. Just as part of the ethics training, if you have not done it already and I think I might have mentioned the last meeting, I did the State mandated ethics training of four hours, which is at the top of page two of the memo. It wasn't too bad. You can pause it, go have lunch, come back and start it again. I heard it all before, but I enjoyed it. It's actually not a bad program. If you do listen to that State mandated training, when they recorded it, they left it running during their lunch hour. So, it's a five-hour program, but there's an hour in the middle that you can slide your cursor over, to get to the start of the second half. I guess they were afraid to turn it off, is what I heard. So, that's just a heads up and if anyone has any questions, let me know. Jerry, we'll go over this real quick at the end of the meeting, in terms of the ethics training.

Mr. Darby: Alright.

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Mr. Brown: With the financial reporting, how do we go online with that? I have to go back and look at the memo.

Mr. Pawelczyk: There is a link on the second page of the memo.

Mr. Brown: Okay.

Mr. Pawelczyk: Or you can just go to the Commission on Ethics website. If you Google that, it's going to come up. There's a portal that you click on to go in. You enter your email address that you communicate with the District with. It should be in there. If it's not, call GMS and they will tell you where it is.

Mr. Brown: Gotcha.

Mr. Pawelczyk: Then they give you a password that you set up. The only difference is, from previous years, it's all based on dollar thresholds. You don't have to record the dollar information. For instance, the most difficult one for me, which I imagine would be for all of you, is for intangible assets. If you have an asset that's over \$10,000, you need to list the asset.

Mr. Mills: You're kidding.

Ms. Hill: Yes.

Mr. Pawelczyk: So, yeah. That's the most difficult thing, where before it was comparative and you can list your 401k. Now if you own \$11,000 in Coca Cola stock, you have to put Coca Cola stock and list \$11,000.

Mr. Mills: So, we literally have to put the amount of money on there.

Mr. Pawelczyk: No. Not the amount. Just if it's over \$10,000.

Ms. Hill: You're listing everything that you own that's over \$10,000. They used an example of a car, but that's not intangible and yet they put it under intangible. That would be a tangible item in my mind.

Mr. Pawelczyk: That's a tangible asset.

Ms. Hill: Yeah.

Mr. Pawelczyk: But that's why I'm asking you. I can't answer all of the questions as they come up. The good thing about the portal, is once you start it, you can just go back. I haven't filled out that section on intangible assets yet. Why? Because I have to pull all of those statements and look at them, in order to do an accurate report. I know I have until July 1st, so I just push it to every Friday and I do it.

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Ms. Hill: It seems easier when you're doing your taxes and you have all of that stuff there.

Mr. Pawelczyk: Exactly. So, I don't do my taxes anymore. I have my accountant do that

Mr. Mills: I don't either.

Mr. Pawelczyk: I don't get anything ready. My wife does that. So, I have to ask my wife to give me everything.

Ms. Hill: I was getting mine all ready. I don't do them.

Mr. Pawelczyk: Well, you're a banker. I'm a lawyer. So, if you have questions, bring them to the May meeting, unless you want to talk to me before then.

Mr. Mills: Okay.

Mr. Pawelczyk: We could talk about before or after or during. The one thing that I like to say is, if you don't want to say at the meeting, "*I have \$11,000 in Coca Cola stock,*" we'll talk on the side or just call me and we'll talk for five minutes.

Mr. Mills: Perfect.

Mr. Pawelczyk: That's really the best way to go through those things. But like I said, I think we can do it before or after the next meeting, if you have questions.

Mr. Mills: Okay.

Ms. Hill: What was the name of the one that you listened to?

Mr. Pawelczyk: I think it's the Florida League of Cities. It is state mandated. It's at the top of page two of that memo that I gave to you.

Mr. LeBrun: I'll resend the memo to everybody.

Ms. Hill: That would be great.

Mr. Pawelczyk: The links are embedded in the memo, so it does kind of make it easy. Hopefully they'll still work. But I just want to remind everybody, primarily for the ethics training, to complete it by the end of the year. Because I don't want to have to tell you in November and December that you have to sit and listen to four hours of this, while you're trying to celebrate Thanksgiving or Christmas, which is the best time of the year in Florida. So, that's why I'm trying to get everybody to complete it.

Mr. Mills: Will they take our word for it?

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Mr. Pawelczyk: They will take your word for it. But I recorded it when I did it and I put it in the financial disclosure file that I keep. So, however you want to handle it. Put it in your Baytree files, staying what you wanted and on what date, just to record it somewhere.

ii. District Manager

Mr. Mills: District Manager Report.

Mr. LeBrun: So, I've gave my updates on the Action Items List. I'm happy to take any questions about anything that we talked about so far, but I don't have any extra report besides the budget.

iii. Field Manager

Mr. Mills: Alright. Field Manager's Report.

Mr. Hatton: I don't have a ton of things. I just wanted to let you guys know, if you did not know already, that the drain pipe was repaired on Balmoral Way under the ground. On top of the ground, the sod still needs to be repaired, but that's all that's set up with our landscaper. They will take care of the sod and put it back the way it was. The pool gates and the tennis court gates, we're still trying to get that PDK system online. The software, the old stuff and new stuff are not meshing, so we're still working on that. They are going to install another piece of equipment out there. They are going to try and get to it this week, but after that, we should be good to go.

Mr. LeBrun: And they're not charging us for that?

Mr. Hatton: No. It's all part of the switch over.

Mr. Mills: Okay, good.

Ms. Hill: I do want to compliment Andy. Our neighbors were really impressed with the Balmoral repair. The whole thing was handled very well, and they did a really good job. Everybody was in awe that they had a diver there.

Mr. Mills: That's great.

Ms. Hill: Yeah. They really took good care of everything.

Mr. Hatton: That's why we like using these guys.

Mr. Mills: That's great. They are very professional.

Mr. Bosseler: Andy, are we using the round locks for the pool?

Mr. Hatton: Correct.

Mr. Mills: Okay.

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Mr. LeBrun: We had talked about this at the workshop, so I want to make sure I brought it back up. At the workshop, we discussed the potential for a speed hump on Kingswood. The Board directed me to mail out letters to surrounding homeowners. There was an email back option. There's also a 'mail in your response' option. So, I sent approximately 25 to 27 letters. Eight responded with a yes and five responded with a no. So, I want to give that data to you. Some people were for it and some people were against it. I did it roughly around that area of the speed bump.

Resident (Sandy Schoonmaker, Berwick Way): Well, you should have sent it to the people from the edge of IOB, everybody on Kingswood Way, Berwick Way and Ashbourne Court.

Mr. LeBrun: Your house was the first one I didn't send one to. You provided your stance and then all the way back through the end of the area where the two speed bumps are going to be proposed towards the end of Kingswood Way, but not all the way into IOB.

Resident (Sandy Schoonmaker, Berwick Way): It comes out through that area and I have 10 houses there and they should have been sent a letter.

Mr. LeBrun: The data that I received, was it was pretty fair, yes and no. I just want to make sure that you have that. Also, we went through the budget. Speed bumps are not budgeted for this fiscal year. The cost associated with that would be for temporary speed bumps. That might be a lower cost, but we still have to go through the engineering, the DOT signage and the striping. So, there still is cost associated with that. I know we talked about this at the workshop for a very long time, but I wanted to bring that data to you.

Ms. Hill: Did we ever come up with what it actually costs to put one in?

Mr. Mills: Yeah, it's about \$10,000.

Mr. Hatton: Yeah, it's going to be about \$10,000.

Resident (Sandy Schoonmaker, Berwick Way): And Jerry pointed out, maybe this came up in workshop, that the speed hump works, where the speed hump is and the distance between the speed humps, people speed anyway. I ride a bicycle on Baytree Drive and it's dangerous. Where the speed hump is now, that's okay, but it's not working. It only works where it is.

Mr. Mills: Okay. We'll get into that discussion under comments from the audience.

Resident (Sandy Schoonmaker, Berwick Way): I was just mentioning it to save time.

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1. Consideration of Small Project Agreement for Pool Deck Resurfacing 2024 with Pool & Spa Services of Central Florida, LLC - ADDED

Mr. LeBrun: Under Field Manager's Report, we did have the consideration of the Small Project Agreement for the pool and deck resurfacing. The Board approved a not-to-exceed amount. This is based off of the revised quote that the Board approved and seen. District Counsel prepared a Small Project Agreement that protects the District. So, that was added to the agendas for your review, like I said, based on all the information that the Board has seen previously. I'm happy to take any questions and counsel is here. He is the one who drafted the agreement, so he can provide any other information. If not, we would just look for a motion to approve it.

Mr. Mills: I need a motion.

On MOTION by Mr. Darby seconded by Mr. Bosseler with all in favor the Small Project Agreement for Pool Deck Resurfacing 2024 with Pool & Spa Services of Central Florida, LLC was approved.

EIGHTH ORDER OF BUSINESS

Treasurer's Report

A. Consideration of Check Register

Mr. LeBrun: The Check Register starts on Page 144 of my agenda package. This is just for the Board's information. Our South Florida office is preparing the financials. We discussed the maternity leave of our Central Florida office person. They structure theirs a little differently. So, the Check Register, previously would have the General Fund checks and the Payroll Fund listed separately. On this one, they combined them on one line, which basically has Checks 743 through 784 in the total amount of \$180,730.95. Just as a reminder, we did a workshop last time, so this is for January and February. Behind that, you have the line-by-line Check Register, which details those expenses. I'm happy to take any questions on those. If the Board prefers, I can request that the South Florida office list the checks the way they have been. I can happily do that.

Mr. Mills: Yeah, I'd like to see that.

Mr. LeBrun: I made a note to do that. I can take any questions on that. If not, we would look for a motion to approve the Check Register.

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On MOTION by Mr. Brown seconded by Ms. Hill with all in favor the Check Register for January 1, 2024 through February 29, 2024 in the amount of \$180,730.95 was approved.

B. Balance Sheet and Income Statement

Mr. Mills: Alright, we'll now go into the Balance Sheet.

Mr. LeBrun: Sure, so behind that you have your unaudited financials. No Board action is required on your part. These are through February 29, 2024. These will show your up-to-date expenses. You have your Adopted Budget and your actual expenses. The prorated is just the amount adopted, divided by twelve. We're about halfway through the fiscal year, roughly. Like I said, no action is required on your part. This just gives you a snapshot of where we are as of February 29th.

Mr. Darby: Jeremy, just a question.

Mr. LeBrun: Sure.

Mr. Darby: In the operating funds there is cash of over \$500,000 in General Funds. Right?

Mr. LeBrun: Let me see what you're looking at. Your Unassigned Balance is \$505,000.

Mr. Darby: Can that be invested in some higher return instrument other than sitting in a checking account at 0.01%?

Mr. LeBrun: We can invest in an interest-bearing account if the Board wants to move in that direction.

Mr. Darby: That's a lot of money. I would take a look at that.

Ms. Hill: Yeah, that's what we were doing with the Pavement Management Funds.

Mr. Mills: We had that discussion.

Mr. Pawelczyk: I am not a Financial Advisor and I'm not giving you financial advice, but you could diversify that, too. Put some of the money in State Board accounts, but not all of it. A lot of Districts will do that. I just want to let you know that GMS is not going to give you financial advice. It's in your contract, and they tell you over and over again. So, if you wanted to seek outside advice, you could. I don't know if you need that. That's up to the Board. But just so you know, I always point that out, because some Boards think that GMS is giving you that advice. They're not. You tell us what you want to do.

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Mr. LeBrun: If we have the Bank United rep on the phone, it would be a great time to ask them the question.

Mr. Pawelczyk: Exactly. That's all I'm asking.

Mr. Mills: Then Jan's going to get a price from Seacoast Bank.

Ms. Hill: I will get some information.

NINTH ORDER OF BUSINESS

Supervisor's Requests

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

Mr. Bosseler: Nada.

Mr. Mills: Rick?

Mr. Brown: Have we set up some kind of a document to show proof that we're watching the pool and the chemicals?

Mr. Hatton: That's what I was talking about earlier.

Mr. Brown: Okay. Great.

Mr. Mills: Anything else?

Mr. Brown: Nope. Okay. Jerry, do you have anything?

Mr. Darby: No. Just thank you for considering my re-appointment to the Board.

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

Ms. Hill: No.

Mr. Mills: Alright. I do. We had talked at the workshop about whether we want to hire the police again or do want to let it go?

Ms. Hill: I just don't see what we're getting for our money.

Mr. Mills: I don't either.

Ms. Hill: Especially when my next-door neighbor tells me that she got stopped and didn't get a ticket and she was bragging about it, and I thought, well, "*That didn't do much good, did it?*"

Mr. Mills: I think we need to bring it to closure, because it's been an open book. Does the Board feel the same?

Mr. LeBrun: I just want to make sure. Is that a yes we're continuing it or no?

Mr. Brown: No.

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Mr. Mills: Jeremy, do you know when the terms of the rest of our seats on the Board expire? I believe that Richard and I are next.

Mr. Bosseler: We just did it two years ago.

Ms. Hill: Rick and I just were elected.

Mr. LeBrun: So, Seat 1, which is Mel's seat, expires in November of 2024, which is this year. Seat 2, which is Richard's seat, expires in November of 2024, this year. The other three seats expire in 2026. Usually on the May agenda, we'll have that information for the Board. There's a qualifying period, so we always make sure the Board is aware of that. So, that will be coming up at a future meeting.

Mr. Pawelczyk: If you wanted to know when that qualifying period is, it's between the 10th and the 14th of June.

Mr. Mills: Okay.

Mr. Pawelczyk: They will usually put that in the agenda package. Some Supervisor of Elections will let you qualify early, so, if you want, call them and say that you want to qualify and they will let you go down there and do it. I'm just saying, if you're going to be in the area.

Mr. Darby: Where is this?

Mr. Mills: Over in Viera.

Ms. Hill: It's not far.

Mr. Darby: Right down the street.

Mr. Mills: Yes. So, you can file earlier?

Mr. Pawelczyk: Some of them allow you to qualify earlier.

Mr. Mills: Because I'm going be out of town during those dates.

Mr. Pawelczyk: I would at least call them.

Mr. Mills: Okay. Very good. Alright. Jerry, I want to welcome you back to the Board. In fact, welcome back to Baytree.

Mr. Darby: Thank you. I'm glad to be here.

TENTH ORDER OF BUSINESS

Public Comment Period

Mr. Mills: I will open the floor to comments. The only thing that I would like, and Mike, I need your guidance on this, I would like for Sandy not to mention that the Board is going with Option 2, the \$300 assessment increase.

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Resident (Sandy Schoonmaker, Berwick Way): I won't mention it.

Mr. Mills: Okay. Thank you.

Mr. LeBrun: The Board haven't officially approved it.

Resident (Sandy Schoonmaker, Berwick Way): And all I'm going to say about the incident, is the Board has authorized the lawyer to create a letter. That's all I can say about that, because at least we know that something is being done.

Mr. Mills: Have you asked your neighbor whether he would intend to push for an arrest?

Resident (Sandy Schoonmaker, Berwick Way): I said to my husband coming over here, I'm not going to speak for him, but I will tell you, he is an extremely intelligent human being. He is a very smart, savvy person.

Mr. Mills: Alright. So, then I am not going to call the Sheriff. We'll wait to see what happens.

Resident (Sandy Schoonmaker, Berwick Way): I don't know. He's been home for less than 24 hours.

Mr. Mills: Yeah. Because the Sheriff will probably tell me, "*Does he want him arrested?*"

Resident (Sandy Schoonmaker, Berwick Way): I don't know the answer to that. Driving back home from the hospital, we were talking about it and he made some comments that I couldn't draw a conclusion from. But I don't know any specifics and furthermore, I think he should speak for himself. If you want to contact him, that would be okay.

Ms. Hill: Yeah, that might be a good idea.

Mr. Pawelczyk: I would just not talk about it further in the meeting, just in case.

Mr. Mills: Yeah. Exactly. It's best.

Mr. Pawelczyk: It's not something that we are going vote on.

Resident (Not Identified): Can I ask where the idea for a new speed hump is coming from?

Mr. Mills: The Board hasn't really taken any action on the speed humps at all.

Mr. Brown: It was a resident.

Resident (Sandy Schoonmaker, Berwick Way): He wants to know why.

Mr. Mills: It was a resident that brought it up.

Mr. Pawelczyk: The deputy and his wife came to the last meeting and asked for it.

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Mr. Mills: Yeah.

Resident (Sandy Schoonmaker, Berwick Way): What the Board had me do, when this all began, they had me send out a notice and I took a poll. Overwhelmingly, the majority of residents were against.

Resident (Not Identified): It might be wise to re-check that.

Mr. Mills: Yeah. I was going to suggest, Jeremy, that we probably need to revisit that with the entire Kingswood community.

Mr. LeBrun: So, I looked back. I started from that house to the end of Kingswood. I received the letters on that Kingswood strip, because that's where those speed bumps were going to be placed in that area. I would be happy to take any feedback that you have. It's up to the Board. I can mail out more letters.

Mr. Brown: I think you're going to get the same response that Sandy got. Some are for it and some aren't.

Resident (Joanne Wagner, IOB): I think the bottom line is, whether the \$10,000 is really accomplishing what you want to accomplish? You have the responses to show you that it's not working. I go over them fast because I have a high vehicle.

Resident (Not Identified): I get tailgated all the time. People drive right up behind me. It's dangerous.

Mr. Mills: Most of them are from Kingswood.

Resident (Not Identified): The entire community is affected too, because it's their only way out.

Resident (Joanne Wagner, IOB): That's a good point.

Resident (Not Identified): There's someone who drives a blue Honda. I feel so bad for this person because every time he or she slows down when they get to a speed hump, it's not a very customized car and you hear it scrape every time it goes over the speed hump.

Mr. Mills: Jerry, what are your thoughts on this?

Mr. Darby: Well, you know, we did studies on how fast people go. We did the Kingwood study. I think, if I recall correctly, over 90%, were speeding down that road. We've had people who fear for their lives, fear for their kids' lives. You know, it's never a problem until it's a problem. Then when somebody gets hurt or rolls the car again, they're going to say, "*Well, why didn't you do something?*"

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Mr. Mills: So, would you be in favor of looking at it or not?

Mr. Darby: Well, I think you had a request from a Kingswood resident that felt very passionate about it and I think we owe it to the Board and to the community to do due diligence and see if this is a correct way to stop the speeding. I mean, the goal is to stop the speeding, not to put in more speed humps and I'm not sure what the best way to do that is.

Resident (Joanne Wagner, IOB): I would suggest that you go out on Baytree Drive and do a study there.

Mr. Mills: Well, that would be up to Peter.

Mr. Darby: What you don't know, is if the humps weren't there, how fast would they be going?

Mr. Brown: Well, I can tell you on Old Tramway, they would be doing 45 and 50 miles an hour down Old Tramway before those speed humps went in there.

Resident (Sandy Schoonmaker, Berwick Way): Well, also, the thought is, if you put the speed hump in front of Joe's house, there is already a Sheriff's car on the corner, where everyone has to look to go around his car to get out. I'm just saying.

Mr. Mills: May I finish polling the Board for comments and then we'll go back to audience comments, please?

Resident (Sandy Schoonmaker, Berwick Way): Oh, I'm sorry.

Mr. Mills: Thank you. Jan, your comments?

Ms. Hill: I'm kind of in their camp, of why spend the money, if it's not being effective?

Mr. Mills: Richard?

Mr. Bosseler: I think if we send the letters out before the proposed speed hump is put in, you don't have to send any letters out to people after the proposed speed hump. It does not affect them.

Mr. LeBrun: I sent it from your house down Kingswood.

Mr. Bosseler: Yeah. You probably got eight houses where it won't affect them at all. See what I mean?

Mr. LeBrun: Coming out of IOB, from like that point forward down Kingswood, those are the houses that I mailed it to on Kingswood. I did not go down the cul-de-sac on Berwick Way, but I can send those out, if the Board wants.

Mr. Bosseler: I agree with Sandy. You need to do her cul-de-sac.

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Mr. LeBrun: We can add that.

Mr. Brown: As I understood your letter, that was the only piece that was missing, that it did not include Berwick Way. It included everything from the last speed hump, down to IOB, excluding you. So, include Berwick Way and see what the results are. Right now, it's eight to six.

Mr. Mills: Alright. So, we do want to go ahead and have him finish the polling and then bring it back to the Board and we'll discuss it at the next meeting.

Mr. Bosseler: Yup.

Mr. Mills: We're going to just hammer it in the ground, is what's going to happen. I'm just trying to bring it to a closure.

Resident (Sandy Schoonmaker, Berwick Way): Oh, one other point that I wanted to make, in all fairness, a lot of what Joe was quoting, the stuff that happened years and years ago, he told some stories and he's been telling the story since I've been here. There is a person who can tell you how they speed by his house because he lives across the street from Joe.

Mr. Mills: Jackie, you were going to say something?

Resident (Jackie Curly, Kingswood Way): No, I didn't.

Mr. Mills: Okay. Alright. If there's nothing else, I need a motion to adjourn the meeting.

ELEVENTH ORDER OF BUSINESS

Adjournment

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

DocuSigned by:
Jeremy LeBrun
665CD7AA7BB8455...
Secretary / Assistant Secretary

DocuSigned by:
Melvin Mills
78C12389045140B...
Chairman / Vice Chairman