

**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 4, 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	Assistant Secretary

Also present were:

Jeremy LeBrun	District Manager
Rob Szozda	GMS
Michael Pawelczyk	District Counsel
Peter Armans <i>via phone</i>	District Engineer
Josh Speer	US Lawns
Sue Frontera	BCA
Residents	

FIRST ORDER OF BUSINESS

Roll Call

Mr. Mills called the meeting to order at 1:37 p.m. and Mr. LeBrun called the roll. The Pledge of Allegiance was recited. All Supervisors were present.

SECOND ORDER OF BUSINESS

Organizational Matters

A. Administration of Oath of Office to Newly Elected Supervisors

Mr. LeBrun: So, as the Board's aware, at the most recent election, Mr. Mel Mills and Mr. Richard Bosseler, qualified for Seats 1 and 2. They ran unopposed. It is the second Tuesday after the election, so we will officially provide you with the oath of office for your new four-year term, which will run through 2028.

December 4, 2024

Baytree CDD

Mr. LeBrun, a notary of the State of Florida and duly authorized, administered the oath of office to Mr. Mel Mills and Mr. Richard Bosseler.

B. Election of Officers

C. Consideration of Resolution 2025-02 Electing Officers

Mr. LeBrun: Anytime that we have an appointment or an election, the Board has the opportunity to elect officers. In your agenda, you have Resolution 2025-02, electing new officers. So, Boards can do this in a couple different ways. They can keep the officers as they currently are or if they want to change them up, it's really up to the Board's discretion. Currently, Mel is Chairperson, Rick Brown is Vice Chair and then we have Jerry, Jan and Richard serving as Assistant Secretaries. All the other officers have remained the same for GMS personnel. I'm happy to start any Board discussion or if the Board is happy keeping the officers as is, someone can make a motion. It is up to the Board.

On MOTION by Mr. Brown seconded by Mr. Bosseler with all in favor retaining the same officers as evidenced by Resolution 2025-02 was adopted.

D. Discussion of Board Members' Areas of Responsibility

Mr. LeBrun: Traditionally, Baytree, in the month of December, discussed Board Members areas of responsibility. It is really up to the Board, if you want to continue in those areas. I know everybody knows their area of supervision, but I'll just refresh it for the public's sake. Mel's area of responsibility is landscaping. Jan is responsible for road and sidewalks. Rick is responsible for security. Richard is responsible for recreation, pool and pavilion area. Jerry is responsible for lakes and streetlights. If the Board's happy they can continue on or if you want to switch it around, you can do so. No motion or anything is required. It is just for discussion.

Mr. Mills: Is everyone happy in the positions they're in?

Mr. Bosseler: Yeah.

Mr. Brown: I'm ecstatic.

Mr. Mills: Okay. Can we switch from the Engineer's Report to landscaping? Because these two are here. That way they can give their presentation and get out.

December 4, 2024

Baytree CDD

THIRD ORDER OF BUSINESS**Engineer's Report**

This item would be discussed after the Fourth Order of Business

FOURTH ORDER OF BUSINESS**Landscape Report**

Mr. Mills: Josh is with US Lawns. Would you and your partner there like to give a presentation?

Mr. Speer: We have extra copies of what we are proposing for the back entrance. At the beginning of this year when we took over, Mel came and asked us to give some ideas for the back entrance to liven things up and change it. Everything back there is old plant material. Some of it is whittling away. So, we came up with a few ideas. We also have worked with the District to provide the best material that works for this area, for the long term of everyone. So, what we want to do, is when you first come to the resident entrance, we want to do a runaway with Royal Palms. They do really well out here and longevity of it, won't mess up your roads either. The root system expands out, instead of going wild like an Oak tree would. Then as far as the plant material, we staggered multiple tiers of color. In some cases, it would be an Arboricola to Ixora for reds. At the bottom, we would have Blue Daze and incorporate Jasmine along the edges of the road. We would keep some of the rocks that were still at the resident entrance, clean them up and get everything in that whole area looking better. What we also don't have on that quote, as well, is by adding this plant material, it will need more sunlight. So, for this year-round, when we do the palm trimming, assuming you guys use us, on our end, we will go ahead and lift up some more of those Oak trees, to allow more sunlight, so these plants can thrive, when we first install them. We already have the working irrigation that's in there. We've already gone through and seen what is there. Typically, we estimate 10% to 20%, that you're going to need irrigation repairs for your new landscaping. We've already gone through that area. We'll be fine if there is some. The only thing that we might run into, is replacing some drain pipes, but there won't be any additional cost for irrigation. We would love to start mimicking the front and adding rock, back at the entrance. Rock is more expensive at first. Mel and I will need to go back and forth, to work a good deal for everybody, to get Baytree where it needs to be. Long term, it's amazing, you would spend the amount on rock in four years of mulch. So, being able to get that rock down, one and done, is spectacular, especially with the cost difference. What else?

December 4, 2024

Baytree CDD

Mr. Mills: You might want to share the fact that you're going to dig down when you go out, because the mulch is all washing down into the gutter. That's going to be dug down below, so it won't wash down anymore. The stones will help prevent that too.

Mr. Speer: Correct. Also, with some of those Oak trees, the root systems on them are crazy. So, us helping to grind some of that down, bringing that all flat, as well as adding the rock, you won't have any more drainage issues back there. We're going to continue the same design around the Clubhouse and make it all match.

Mr. Mills: Do you want to talk about the flowers?

Mr. Speer: Yeah. Tomorrow we are picking up Poinsettias from Orlando and we're going to have them installed this Friday. We're going to pull up all the flowers, if anybody wants to have the flowers, the day we pull out, there will be plenty of those flowers. We will be putting in white and red Poinsettias all through there. That will be done, like I said, by this Friday. As far as the turf, we're out of our blackout now, so we're putting the highest dose of 24-0-11 fertilizer down for the turf. It is in shock right now, due to the weather, but we are applying 24-0-11 granular, to bring all the turf back slowly. We will then wait until March and then put down three and a half pounds per square, as much nitrogen as we can, so that when we go into the blackout next year, we have enough nitrogen in the soil and the root systems can take off. That will avoid more weed growth going into your dirt. We're also putting down Atrazine, as this is the time of the year that you have to prepare for Summer. So, right now we're putting down Atrazine and preparing the soil for six months from now, for grubs, chinch bug activity, all kinds of bugs. Right now, we're preparing the soil with a stimulate, because once you have bugs, you can't get rid of them. They are already there. You have to prevent them from getting into the fertilizer. So, we're doing that heavily right now. Mel had us do a really heavy treatment for weed control in some areas. For the next few mowing cycles, we're going to be staying off of the turf, because we don't want to damage it. It will cause more damage, than if we just continue to lower the height of the mowing. So, we will be investing the time for the wood-lines, hand pulling, going through all of the hand pruning that gets missed throughout the Summer and deadheading flowers and plants. So, we will be spending a lot of time doing the fine detailing that we never get to, that would be great for this time of the year, Christmastime and have everything looking good by the new year.

December 4, 2024

Baytree CDD

Ms. Hill: Are you doing anything on Balmoral. You took the wood-line back. We have a whole area that is dead. It just looks terrible.

Mr. Speer: Those are some of the items that we're working on during this time. Like I said, if we normally spend a day mowing here, we're going to use that time to go around and fix all of these little things that either got pushed to the wayside or we didn't have enough time to do. That way you guys get the money out of us that you guys pay for us. There's nothing to mow right now. But yes, that will be one of the items, that I will make sure we address.

Ms. Hill: You will mow some, won't you?

Mr. Speer: No, we won't be mowing at all. I'll take anybody out after the meeting, if you want to take a walk. A lot of St. Augustine turf is supposed to be 4.5 to 5 inches. The longer the turf is, the more depth that goes down for the root system. If you shorten the turf, it damages the root system and then it won't take on more nutrients and that's what we need right now. We need it to grow higher, so it sucks up as much nutrients as it can, so we can get through the Summer. Because right now, all of the turf is borderline at 4 inches. If I come in, the only way my guys are going to show up and mow, is if we drop the depth. So, by us dropping the depth, we're going to starve out the root system and damage the turf long term. It will look cut, but it's going to hurt the turf. I would not recommend doing that at all now.

Ms. Hill: For how long?

Mr. Speer: Just for one service. So, like next week or two weeks from now, when we come back to service, we will mow it again.

Ms. Hill: Oh, ok.

Mr. Speer: You won't notice that it's not mowed. I guarantee you, no one is going to say, "*Hey, you didn't mow today.*" They will not be able to tell.

Mr. Mills: You mow every other week instead of every week.

Mr. Speer: Correct. This time of the year anyways, we're mowing every other week. So, for the month of December, you'll get one cut before Christmastime, to make sure everything looks good.

Ms. Hill: Okay. That's what I was wondering.

Mr. Szozda: Is there a way we can add an extra palm tree trimming at the end of Baytree Drive, from the bathroom off the 7th green, all the way around the lake? They tend to grow really fast.

December 4, 2024

Baytree CDD

Mr. Speer: Actually, trimming the Palm trees around the pond?

Mr. Szozda: Just getting the fronds down, because we get a lot of overgrowth.

Mr. Speer: How tall are they?

Mr. Szozda: They vary in size. There are some that are pretty tall. Those are about 12 foot.

Mr. Speer: In our contract, they only go up to a certain height. So, we don't do it, unless it's approved for additional money to trim them. Like I said, during times like this, where we don't have to mow, we can allocate time, per Board approval, to address other areas. I would have to give an additional quote for that.

Mr. Szozda: Sometimes they grow a lot.

Mr. Speer: Yeah, we can do that.

Mr. Mills: Now, the flowers that you're letting residents have, are only the ones in the front and not anywhere else in the development.

Mr. Speer: Correct. Just the entrance.

Ms. Hill: He's just replacing the Poinsettias.

Mr. Mills: Right. Yep. We're trying to keep some of the costs down because they're doing really well. Those multicolored flowers are doing really well, but in the front, even though they're not going to do Poinsettias the whole way back to the gatehouse, they're going to do red.

Mr. Speer: I am doing to the Club.

Mr. Mills: Oh, you are?

Mr. Speer: Yes.

Mr. Mills: Oh, thank you. Very good. Are there any questions for them while they're here?

Ms. Hill: Are they going to do another seminar?

Mr. Speer: Yes. You guys pick us a date that works for you guys and we can do a Winter seminar, to go over fungus and proper pruning in the Winter.

Ms. Hill: Okay.

Resident (Crystal Olgmann, 8133 Old Tramway Drive): Right around the corner from Chatsworth on Baytree property, on my side, could it be trimmed back and edged?

Mr. Speer: That is up to the Board.

December 4, 2024

Baytree CDD

Mr. Mills: That's considered to be a conservation area and we are not allowed to touch it, to be honest with you, unfortunately. If a tree falls down there, it may look unsightly, but we can't touch it.

Resident (Crystal Olgmann, 8133 Old Tramway Drive): Well, you pushed back some other areas.

Mr. Mills: That was because it was encroaching and our line was back further. It came out far too far, so we took it back to the line.

Resident (Crystal Olgmann, 8133 Old Tramway Drive): Well, I guess that's what was done, all up until they took over.

Mr. Mills: The previous homeowner did it. Mrs. Bullock did that, unfortunately for you. She trimmed all of that and shouldn't have, but she did. Are there any other questions? When are you going to do the Poinsettias? This week?

Mr. Speer: I'm shooting for Friday.

Mr. Mills: Perfect. Thank you, guys. We appreciate it. Now, while we're talking about the design, he's going to do all of this for \$30,000, which I think is a great price, but I wanted to bring it to the Board just to keep you guys informed.

Mr. Brown: Well, you've got it in your beautification budget, right?

Mr. Mills: I have it in my beautification budget. So, we'll go ahead and get that implemented.

Mr. LeBrun: I don't know if you want to take public comment, since this proposal wasn't in the agenda.

Mr. Pawelczyk: Anything you vote on, you can take public comment, if there is any public comment.

Mr. Mills: Are there any public comments?

Mr. Pawelczyk: Does the Board maybe want to approve a not-to-exceed amount and delegate authority to Chair or Vice Chair to execute this proposal?

Mr. Mills: Well, I have it in writing.

Mr. Pawelczyk: Okay.

Mr. Mills: So, it's \$30,000 to do all of it.

Ms. Hill: Okay. So, do you need a vote?

Mr. Mills: I don't think we need a vote. Do we?

December 4, 2024

Baytree CDD

Mr. Pawelczyk: You might as well have one.

Mr. LeBrun: Yeah, I think we should.

On MOTION by Mr. Darby seconded by Mr. Bosseler with all in favor the proposal from US Lawns for the back gate landscape project in a not-to-exceed amount of \$30,000 was approved.
--

- **Engineer's Report** (*Item 3*)

Mr. Mills: You're up Peter.

Mr. Armans: I am giving my analysis of all the bids that we received for the pavement repairs. The team did a great job getting so many different options. I had a chance to review them and discuss them all with Jeremy, just to clarify a couple things. Based on what we're seeing, we don't believe that we need to be doing anything major. There was a quote that was \$21,000. We don't believe we need to go that far. Also knowing that in the future there will be some mill and repaving, we think it's best to maybe do a small repair right now, address the issue with the pavement and potentially if there is some base that needs to be repaired, to do that as well. So, with that said, there are two quotes that basically give that option; one by Asphalt365, to repair 210 square feet, 2 inch deep for \$3,760 and the second one from DNE Asphalt, which quoted \$3,000 for 200 square feet, for 2 inches of pavement. This one adds repairing base, if they needed material to haul in and compact it. They are a local company, which is why they are able to provide a lower quote. So, with that being said, if you have questions, I'm happy to answer them. DNE also provided a quote for repairing 400 square feet. The 200 square foot one, is to bring in the hot mix asphalt and then they roll and compact it. The one for 400 square feet, is to bring in a paving machine, which is a large machine that comes in and has a minimum width of 400 square feet on it. For such a small repair, we don't think that's going to give a lot more benefit, besides looking better. It's going to provide more of a bigger patch. But for a small area like this, either option is adequate. I would leave it up to you, whether you would like for it to be like a large patch that goes all the way to the curb or just repairing the damaged section. That's mainly the difference of the price. So again, DNE Asphalt has two options. We would consider the benefit of the more expensive one, for a larger repair, as it may look a bit more uniform around the edges of the repair because of the paving machine. Both of them are fine. We would be totally okay with the \$3,000 one, if you decided on saving some money there.

December 4, 2024

Baytree CDD

Mr. Mills: Jan, since this is your responsibility, I'll let you lead this discussion.

Ms. Hill: Okay. The options that you're suggesting, are they any different than what we see when the city fixes a pothole? It seems like that the less expensive option, was just scraping off what's there and patching it, which is what we see out our back gate every six months.

Mr. Armans: So, the reoccurrence of this kind of failure, is typically expected to be seen where you have high moisture in your base. I think there are a lot of areas in the community, where you can see that there's even groundwater kind of seeping out of the side of the pavement. So, because you have high moisture in the pavement base, it is more susceptible to this type of failure. This repair is not the same as fixing a pothole, because when fixing a pothole, they don't use hot mix. Sometimes they use cold mix. In this case, they are using a hot mix, they will be rolling it. When they're doing a pothole, sometimes they use a tamper to compact it. So, this should be more doable than how you would fix a typical pothole.

Ms. Hill: Okay. So, we can expect more longevity.

Mr. Brown: Peter. I have a question. On the DNE proposal, there is a \$2,800 repair to chalk line and saw cut the perimeter, remove debris, clean vertical edges of existing asphalt and apply tack coat bonding agent. Then they would apply an asphalt mix. Under Asphalt365's proposal, even though it's \$5,000 more for an additional 10 square feet, they talk about replacing any compromised material with appropriate aggregate or other stabilizing materials, which means, in my mind, they're digging up more of the road in that area than DNE. My question is, do we need to do that? It would seem to me, if there's something underneath the asphalt, is it compromised?

Mr. Armans: What's the other one that you're comparing it to? I missed that one. You're comparing it to which one?

Mr. Brown: Asphalt365. For 210 square feet, the price was \$7,928.66.

Mr. Armans: The main difference between these two, is with the \$7,928.66 quote, they will come in and dig down 6 inches, remove all of that material and lay a new base. The reason why this quote was provided and Jeremy, please correct me if I'm wrong, is because we specifically asked them to give us a price for that. All of the contractors who laid eyes on it, they didn't feel like the base needs to be replaced. But because we wanted to know if we were to replace the base, how much it would be, that's what that price was. The quote for the 200 square feet, was the \$3,000 one, not the \$2,800 one. There were two from DNE. The \$3,000 one

December 4, 2024

Baytree CDD

includes that after they remove the damaged material, they will bring in some crushed rock as needed. So, if they did find an area that needs some rock, they will add some rock and then they will compact it. For a small repair like that, that would be adequate.

Mr. Brown: Okay.

Mr. Armans: I just want to clarify, that doesn't mean that we are not going to see this type of issue again. This is a high traffic area. It's on your entrance to the golf course. It's a place where people stop and go and you do have a lot of moisture in the base. These are all of the reasons why this type of failure happens. But again, this repair should be fine, but if you want to go and spend the extra money to replace all of the base, it will give you the peace of mind that all the base has been replaced. I wouldn't be opposed to that. It's definitely just the extra cost.

Mr. Darby: Peter, how long would you think this repair would last under normal conditions?

Mr. Armans: I honestly can't tell you. It depends on how much traffic and stress it sees. Sometimes there's like the perfect storm of moisture on the bottom, cold and heat on top and temperature swings and stresses. Things like that can happen again a lot sooner than we would like them to.

Mr. Darby: But in your experience, what would you say? Is this a one-year, five-year or ten-year repair?

Mr. Armans: Again, if it doesn't see the stresses and has all these issues on it, it should last five years. But again, it depends on what kind of issues you're going to have with large trucks and all of that. If it happens again at that same location, then there may be a bigger issue of maybe trying to regrade the entire intersection to where you have less moisture in the bottom, but that is a bigger task.

Mr. Mills: That area has always been a problem from day one. The other side of the coin is, DNE is actually putting 3.5 inches. They're doing 1.5 inch of aggregate and then turning around, putting 2 inches of blacktop on top of it, which to me, is not like doing a pothole.

Mr. Armans: I think their price is pretty fair as well for doing that.

Mr. Mills: Plus, they're local, right?

Mr. Armans: Exactly. They're local. They've actually submitted multiple bids in the past. They're not always the low bidder. We haven't tried them at Baytree before, but they've been good to work with when we reached out to them in the past. They are very knowledgeable and so

December 4, 2024

Baytree CDD

far we haven't heard anything bad about them. Again, since this is an area that has a lot of problems, I wouldn't try to go spend a lot more money trying to fix something that we know is susceptible to more issues in the future. It would be ideal if we find a way that it will never break again, but it may not be the case, especially with how much traffic there is in this area.

Ms. Hill: Peter, one of my questions for the DNE quote, on the back page, they say, *“All proposals are based on the existence of a workable sub base layer of at least 4 inches and it shall be the contractor's responsibility to check the sub base unless it is specified and paid for in the contract. The contractor will be responsible for the consequences of the subface deficiency or failures, including but not limited to damages or inability to perform work.”* That indicates to me that they're relying on you to say that our sub base layer meets their specifications.

Mr. Armans: Are you saying that you saw some notes about them not being responsible for certain things, such as poor drainage in the area and that they're looking for us, the engineer, to verify that the base is adequate?

Ms. Hill: They're saying that you would verify that there is an existing workable base layer of at least 4 inches.

Mr. Armans: Where are you reading that? On which quote?

Mr. Mills: In the terms and conditions.

Mr. Darby: The fifth bullet down.

Ms. Hill: On the back of DNE's proposal.

Mr. Armans: This is their standard language. You would definitely want to have at least 4 inches of base. This is the reason why we asked them to bring the rock as needed. So, what most likely they will do, is they remove the old material, compact the base and roll a heavy truck over it. If the pavement is moving, then it's not compacted enough and they will bring some more rock and compact it. That's a very, very common way that they determine whether it's strong enough to put asphalt on it.

Mr. Brown: That is an additional cost.

Mr. Armans: I'm not feeling great about just adding rock and re-paving it. You may want to go with the \$7,900 quote, which is for repairing the same exact area and then they are excavating everything and replacing it. But that's your call. Both of these options are suitable repairs.

Mr. Brown: That's not a recommendation.

December 4, 2024

Baytree CDD

Mr. Mills: Well, basically DNE said, that they will add and make it correct. Is that not correct?

Mr. Brown: Yeah.

Mr. Armans: Yes, they said they will add the DOT approved 1.5 rock, crushed concrete. The way I read this; they're not saying they're just going to add 1.5 inches. That's the size of the rock. They're saying that's the type of rock they're going to add, to make sure the ground is compacted and level.

Mr. Brown: Okay.

Mr. Mills: Now my question to you is, since they are relying on you as the engineer, will you be here to examine their work, especially the base, not so much laying of the blacktop, but making sure that the base is correct.

Mr. Armans: Certainly, if you want us to be there, we'll coordinate a schedule with them to be there before they lay concrete.

Ms. Hill: Okay. Because we have to sign off on it. The only guarantee we get is on the materials. The warranty depends on somebody being available to sign off on their work.

Mr. Mills: In my opinion, if we have to pay extra to have the engineer there, so the \$3,000 one plus his fee to me, we're getting a decent deal for a decent price.

Mr. Darby: I would agree with that.

Mr. Brown: Yeah.

Ms. Hill: Yeah. I'm fine with that.

Mr. Brown: I'm good.

Mr. Mills: Okay.

<p>On MOTION by Mr. Brown seconded by Ms. Hill with all in favor the DNE proposal to repair the asphalt on Old Tramway Drive in the amount of \$3,000, subject to the District Engineer being onsite prior to the setting of the asphalt was approved.</p>
--

Mr. Mills: Very good. Thanks, Peter. Anything else?

Mr. Armans: Jeremy, when you execute the contract and are ready to schedule the work, please let us know what day you want us to be there and we'll be on site.

Mr. LeBrun: Will do.

December 4, 2024

Baytree CDD

FIFTH ORDER OF BUSINESS

Community Updates

A. Security

Mr. Mills: Rick, do you have anything for security, because they aren't here.

Mr. Brown: No.

B. BCA

Mr. Mills: Alright. BCA? Sue, do you have anything?

Resident (Sue Frontera, 1425 Arundel Way): Our big event on Sunday, is for the holiday party. I just hope that we have a good turnout this year for Toys for Tots and we beat last year, because we were the highest turnout for Southern Brevard for Toys for Tots for one single event. So hopefully we'll do as well this year. The Marines are coming back. It will be the same one that we had the last few years. However, I was just told by Mr. Jim Thompson, that he's not going to be in uniform. So, I hope the women aren't too disappointed. But he'll still be there. We are going to have three food trucks, Michael Van Ness, our DJ and a 360-degree photo booth, which is valued at \$1,000. I won a contest Michael Van Ness Entertainment last January, so I am donating that prize to the event on Sunday. We have good events for kids. We have Santa coming at 1:00 p.m., instead of when it starts, so we have more than two children there, hopefully. I think we're going to have good weather this year and not in the 90s, for a change. I hope everybody has a good holiday.

Mr. Mills: Very good.

C. Isles of Baytree

Mr. Mills: No one is here from Isles of Baytree (IOB).

SIXTH ORDER OF BUSINESS

Consent Agenda

A. Approval of Minutes of the November 6, 2024 Audit Committee Meeting and Board of Supervisors Meeting

Mr. Mills: Were there any additions or corrections? They were all given to Jeremy?

Mr. LeBrun: All of the ones that we received were included in your agenda.

Mr. Mills: Okay, very good. I will entertain a motion for their approval.

December 4, 2024

Baytree CDD

On MOTION by Mr. Darby seconded by Mr. Brown with all in favor the Minutes of the November 6, 2024 Audit Committee Meeting and Board of Supervisors Meeting were approved as amended.

SEVENTH ORDER OF BUSINESS**Agenda****A. Ratification of Auditing Services Agreement with DiBartolomeo, McBee, Hartley & Barnes for Fiscal Years 2024-2028**

Mr. Mills: Jeremy, I'm going to ask you to go over the ratification for auditing.

Mr. LeBrun: So, as the Board recalls, the Audit Committee met last time and selected DiBartolomeo, McBee, Hartley & Barnes (DMHB) as their auditor for the upcoming fiscal year. This is just ratifying that agreement with the auditor that you guys selected. I would be happy to take any questions on it. It is at the price that was budgeted as in the agreement, so, we just need a motion to ratify this.

On MOTION by Ms. Hill seconded by Mr. Darby with all in favor approval of the Auditing Services Agreement with DiBartolomeo, McBee, Hartley & Barnes for Fiscal Years 2024-2028 was ratified.

B. Approval of DSI Officer Compensation Increase

Mr. Mills: Rick, you want to present this?

Mr. Brown: Yeah. We had talked at the last meeting about obtaining the final cost to give Matt a \$1 increase. I believe that came out to just over \$3,000 and we needed to find \$3,000. Based on the October financials we saved over \$3,000 on our property and other insurance, so that should cover the \$3,000 to give Matt an increase. The second piece was the bonuses for the guards at the holiday time. However, the report that's in our agenda package, has a \$250 bonus to the Site Supervisor and what I recommended last time, was that the four full-time security officers receive \$250 each and the part-time security officer receive \$100.

Mr. Mills: I thought it was \$250 and \$100.

Mr. Darby: I thought so too.

Mr. LeBrun: In my notes, I had the full-time guards receiving \$250 and the part-time guard receiving \$100.

Mr. Brown: No. There are four full-time guards. Not just one supervisor. So, it's basically \$1,100.

December 4, 2024

Baytree CDD

Resident (Sue Frontera, 1425 Arundel Way): Do you have the names of everyone, if residents wanted to drop off gifts?

Mr. Brown: I have the list at home and can email it to you. I just need to check the part-timer one.

Ms. Hill: I just brought him my names from last year to do the same.

Mr. Mills: John, Ralph, Matt. I can't think of the other one.

Ms. Hill: The full-time guards are Matt, Ralph, Jeff, John and Jason.

Mr. Brown: No, there are four full-timers. Jason is the part-timer, I believe.

Mr. Mills: Could you email that to Jeremy and then Jeremy can email it to the Board?

Mr. Brown: Absolutely.

Mr. Darby: So, Jeremy, due to the fact that the numbers appear to be different than what Rick had suggested, are we going to amend this?

Mr. LeBrun: You can approve it, based on what the Board wants.

Mr. Darby: Okay. One other thing, in the second to last paragraph, where it has the overtime billing rate, it is blank.

Mr. LeBrun: I asked for that number from DSI and I'm still waiting to hear back from them, but the total dollar amount is what they gave us. So, we'll make sure that it reflects that. But yeah, it's about \$3,200. Then the Board asked about making sure that they get the full bonus and it's not going to overhead. The only thing that they could really come up with, that would cut out all the extra things, is basically they can purchase a Visa® Gift Card for the full amount. There would only be a \$3.99 processing fee that Visa® charges. You can do that as opposed to doing it through their payroll system, which would include fees.

Mr. Mills: That's perfect.

Mr. LeBrun: They would get the full amount as the Board requested.

Mr. Darby: Okay, that's perfect.

Mr. Pawelczyk: So, the four full-time guards would receive \$250 each and the one part-time guard would receive \$100, for an \$1,100 increase.

Mr. Mills: Correct.

Mr. LeBrun: Okay.

December 4, 2024

Baytree CDD

On MOTION by Mr. Darby seconded by Mr. Brown with all in favor providing a \$1 per hour raise to Matt, \$250 Visa® Gift Cards to the four full-time security guards and a \$100 Visa® Gift Card to the part-time security guard was approved.

C. Review and Acceptance of Fiscal Year 2023 Audit Report

Mr. LeBrun: Each year Special Districts are required to go through an independent third-party audit. This one is for Fiscal Year 2023. The good news is it's referred to as a clean audit, as there were no audit findings. The agreement that you just approved was for Fiscal Year 2024. So, this is actually the prior year's audit and is for the Board's review. I'm happy to take any questions on it, but like I said, it's a clean audit. There's nothing to note. This would be sent to the State. I'm happy to take any questions, but if not, I would just look for a motion to accept the Fiscal Year 2023 audit.

On MOTION by Ms. Hill seconded by Mr. Brown with all in favor the Fiscal Year 2023 Annual Audit Report was approved.

Mr. Mills: I would like to compliment GMS staff, because the auditor received a lot of input from GMS in order to do this audit. So, I would like for Jeremy to make sure that those proper people are thanked.

Mr. LeBrun: Absolutely. Thank you for recognizing that. There is a lot of behind-the-scenes work. I will definitely let staff know that the Board appreciates their efforts.

EIGHTH ORDER OF BUSINESS

CDD Action Items/Staff Reports

A. CDD Action Items

Mr. Mills: Okay, moving along, next are the CDD Action Items.

Mr. LeBrun: Yes, sir. It's a rather short one. The only item was the road repair, which the Board just approved. We'll get that scheduled and will make sure Peter's on site to review that base work and sign off on everything. Then we should be good to go for that.

B. Additional Staff Reports

i. Attorney

Mr. Mills: Mike, you're next.

December 4, 2024

Baytree CDD

Mr. Pawelczyk: I don't have anything to report, unless the Board has any questions for me.

Mr. Mills: Okay, cool.

ii. District Manager

Mr. Mills: District Manager.

Mr. LeBrun: I have nothing special to report, other than what we've already covered and went through so far at this meeting, but I'm happy to take any questions if the Board has anything I can help with.

Ms. Hill: I have a question. I was looking at the checkbook and basically, I thought that FEMA was paying for the Hurricane Milton cleanup, but I see that we paid \$9,255.

Mr. LeBrun: So that was just for the trees and landscaping that fell down. That's not like property damage or anything of that nature. There was no FEMA claim filed for that action.

Ms. Hill: So, we paid \$9,000 for trees?

Mr. Szozda: I think it's a general debris cleanup from the streets and common areas that needed to be picked up.

Ms. Hill: But we kept getting a report that said that we were waiting on approval by FEMA and they were going to come pick all of this up.

Mr. Mills: No, that was residents only.

Mr. LeBrun: They picked up any debris that we were able to get to the side of the road, but the process of cleaning all that out, moving things, taking things, that's where the cost comes in for the vendors to go out there and get all of that stuff. But the FEMA truck did come through and collect residents' debris that were in piles.

Ms. Hill: Okay, so we're not paying for that. We're paying for the common area cleanup.

Mr. LeBrun: For US Lawns to go through and get everything cleaned up, remove any dangerous branches, things of that nature.

Mr. Mills: They did a pretty good job. They were pretty prompt.

Ms. Hill: I just didn't want to pay them for something that we didn't mean to.

Mr. Mills: Yeah.

December 4, 2024

Baytree CDD

iii. Field Manager

Mr. Mills: Alright, Rob, you're next.

Mr. Szozda: Okay. Hats off to US Lawns, they continue to do an overall good job with the landscaping. I get very few complaints and everything looks good. The Christmas lights were turned on, I believe, just before Thanksgiving. I went through Monday night to check everything. There were four GFICs that I had to reset. Three would not reset and have since been replaced. So, to the best of my knowledge, everything seems should be working.

Resident (Sue Frontera, 1425 Arundel Way): The first one on Kingswood never works. It wasn't working last night.

Mr. Brown: You mean the monument?

Resident (Sue Frontera, 1425 Arundel Way): Yeah, our monument.

Mr. Szozda: I reset it on Monday night and it came on.

Resident (Sue Frontera, 1425 Arundel Way): I've been here 14 years and it never worked right.

Mr. Szozda: Okay.

Resident (Sue Frontera, 1425 Arundel Way): I used to be the one who reset it.

Mr. Szozda: I will get an electrician to look at that. It was reset on Monday night.

Mr. Mills: The monument at Saddleworth is also off.

Resident (Sue Frontera, 1425 Arundel Way): Yes, you're right.

Mr. Mills: If you're going out the gate, it's the one that's facing you, not the one coming in. That one is not working.

Mr. Szozda: Okay.

Mr. Mills: The one at Chatsworth wasn't working and I did reset the GFI.

Mr. Szozda: Yeah, I'm afraid those are iffy at best, because they were tripped for a reason to start with. We reset them and hopefully they stay on. Apparently, we still have some trouble with some of them. Regarding the sidewalk repairs, at the last meeting I received a call for a sidewalk that was raised up. I received another phone call yesterday regarding one on Baytree Drive and Bradwick Way. So, I'll get that marked today and then we'll get those grinded down. The exit post was replaced at the exit gate and appears to be working well. So, at this point, both posts have been replaced and hopefully fingers crossed, we have a good working system here for a while.

December 4, 2024

Baytree CDD

Mr. Brown: Yeah. Rob, thanks for cleaning up the cement debris that was left by ACT. I think we should send them a bill for his labor and add a handling fee, as well as a transportation fee charge.

Mr. Szozda: Yeah

Mr. Darby: And a tip.

Mr. Szozda: Yes, sir.

Mr. Mills: Why did they not do that?

Mr. Szozda: I have no idea. I think they wanted to take care of it at the time.

Mr. Mills: Did you say anything to them about it?

Mr. Szozda: I haven't yet.

Mr. Mills: You really need to. They left a hell of a mess.

Mr. Szozda: Yeah, they did. Last time, it was at least decent. This time, it's like they ignored it.

Mr. Brown: Right.

Mr. Mills: They didn't plant the pole as deep as the other one.

Mr. Szozda: Okay.

Mr. Mills: Oh yeah. They sawed it off to be the same height as the other one.

Mr. Szozda: Okay. I think the first one was sawed off.

Mr. Mills: No.

Mr. Szozda: It wasn't? Okay. There are much thicker posts this time so hopefully those all last for a while. We received the Full Inspection Report (*referring to the pool*). We passed and there were no deficiencies noted, which was good.

Mr. Bosseler: I was there.

Mr. Mills: Good.

Mr. Szozda: Today, one of the pool heaters control boards was out of service. We called, but it was out of warranty. There was only a one-year warranty. That was replaced this morning. So, both pool heaters should be in full operation. The pool was set at 86 degrees. Does that sound right?

Mr. Brown: Yes.

Mr. Darby: Rob, just out of curiosity, how long has the heater been out?

December 4, 2024

Baytree CDD

Mr. Szozda: What John had told me, is that he didn't know until he turned him on. He checked the warranty date and it was out of warranty. I think it was right afterwards. So, we didn't recognize it being out, until he went and turned on the heaters. So, whatever that date was, it probably correlated pretty closely to the installation date.

Mr. Darby: Okay.

Mr. Mills: They have two heaters.

Mr. Szozda: Okay. The playground was treated for fire ants. They were close to the water, where there's a thin strip there. We treated the whole thing as they go across the sidewalk.

Mr. Bosseler: We still have some on Baytree Drive that need treating.

Mr. Szozda: Further down past the lake area?

Mr. Bosseler: No, right along where the Christmas trees are all at. Right in that area.

Mr. Szozda: Okay.

Mr. Bosseler: Where the palm trees are.

Mr. Szozda: That's the area where they were 50 feet of the water. The map shows that we don't even own that area. So let me check into it. I didn't want to have to treat it if we didn't own it. We'll look into that. The lake mountains returned to service. They replaced the powerline and transformer. I drove through about a week later and it wasn't working. I sent a picture to Richard; it started working again and was working on my way in today. So, I sent an email here shortly ago, asking if there's a timer or does it shut down from time to time and restart on its own. I'll get the story on that to see what is going on with the fountain. Neither fountain was working when I came in. So, we'll look at both of those. The pool power panel was replaced earlier this Summer. We needed a new panel. So, that panel was just replaced here recently. We ordered the new bunting this morning. It's going to be here in the month of December. I think you probably saw Sun State on Monday. I drove down there and was like, "*Oh my God, that looked really good down there.*" So, I think it's a good move on the improvement here. Regarding the streetlights, Jeremy and I go back and forth on the streetlights quite often. I think six were reported and a number have been reported for a while. I continue to get calls.

Mr. LeBrun: Yeah. So usually, they quote 40 days for the streetlight replacement and once we get close to that, I'll like file another report with the same pole number and it adds it on to the other ticket. There is no one to call for streetlights. It's literally all through the website. It's all just reporting.

December 4, 2024

Baytree CDD

Mr. Mills: What bothers me is we're paying leases on those damn lights and they're not working. Coming in on Baytree Drive, after you go through the gate, it is dark.

Ms. Hill: Yes it is.

Mr. Mills: There are two streetlights that aren't working and haven't worked for a long time. I think we had talked about Mike, sending a letter to Florida, Power & Light (FPL).

Mr. Brown: Especially now that they provided a rate increase.

Mr. Darby: Yeah.

Mr. LeBrun: I don't know if with the timing of the hurricanes, if that slowed them down and they're not focusing on streetlights.

Mr. Mills: That's always their excuse and has always been their excuse.

Ms. Hill: Yeah. Every year.

Mr. Mills: Every year.

Ms. Hill: Every time that we get a hurricane.

Mr. Mills: Its bullshit. Excuse me.

Ms. Hill: They can't catch up.

Mr. Darby: The season is over.

Ms. Hill: Yeah.

Mr. Mills: Should we send them a letter with regard to the leases? I think we should.

Mr. Brown: Well, you had mentioned a while ago that you came across a product, a streetlight that had a solar panel on top of it and you wouldn't need FPL at all.

Mr. Mills: Right.

Mr. Brown: Can we explore doing that?

Mr. Mills: We could.

Mr. Brown: I mean, it would be a capital expense for the poles and the installation, but after that, we would have no electricity bill for those streetlights. Because when you look at the Check Register and the electric bills that come in, we have more electric bills than Carter has little liver pills. If we can eliminate one, you know, I'm all for that.

Mr. LeBrun: Are you talking about supplementing. I'm sure that there are regulations with the amount of wattage.

December 4, 2024

Baytree CDD

Mr. Brown: Why can't we buy one of these poles, put it somewhere on Baytree Drive or something and see how it works. If it works well, why not do it throughout the community and tell FPL to come and take their polls out of here and then get out of the lease?

Mr. Darby: Can we get out of the lease?

Mr. Mills: That would be a legal issue.

Mr. Pawelczyk: I have no idea. I'd have to review the agreements.

Mr. Mills: I would really like the Board to approve that Mike, go ahead and send a letter to FPL, stating that they've been negligent in living up to their lease agreement.

Ms. Hill: I might suggest that we don't feel the need to pay them for services we're not receiving.

Mr. Mills: Yeah. Put the money in the Roadway Fund.

Mr. LeBrun: We can request a credit for the amount of time that they were out.

Mr. Mills: I would think so.

Mr. LeBrun: We can definitely request that.

Mr. Brown: It's been at least four years.

Mr. Darby: Well, you know, it's interesting. To Rick's point, I was just going through the Check Register as well. Interestingly, we get 19 bills a month from FPL; 15 of them are below \$100. They are for individual lights, obviously.

Mr. LeBrun: I don't think we're being charged if the lights aren't being used.

Mr. Brown: 15 of those 19 are for the monuments.

Mr. Darby: Yeah.

Ms. Hill: We're being charged for rent and how are we being charged for electricity if they're out?

Mr. LeBrun: I can definitely ask them for the breakdown.

Mr. Mills: Would you work with Mike and get a letter drafted?

Mr. LeBrun: For all of the reports that we file, I have all of the ticket numbers that have the address and the date it was filed. So, we have all of that.

Mr. Pawelczyk: I'll work with Jeremy and we'll put something together.

Mr. Mills: Yeah. Would it do any good to file a complaint with the Public Service Commission?

December 4, 2024

Baytree CDD

Mr. Pawelczyk: I think you should start with FPL first. I don't think we would get anywhere with the Public Service Commission, at this point.

Mr. Mills: Okay.

Mr. Brown: I also think we ought to try one of those light poles.

Mr. Mills: Okay. I'll look into it for the next meeting.

Ms. Hill: Do you know where you get them?

Mr. Brown: Probably China.

Mr. Mills: I think you're probably right.

Mr. Darby: What I would suggest, before you look at that, Mel, we need to find out if there's a minimum requirement for lumens or wattage or light projection.

Mr. LeBrun: The Engineer probably knows.

Mr. Darby: That would dictate what you could buy.

Ms. Hill: I had solar walkway lights and they were undependable.

Mr. Mills: Yeah, well, you're paying, what, \$9? I think these streetlights are a little bit more than that.

Resident (Not Identified): I'm just curious, on Chatsworth, right across the street from you, there's one that flickers.

Mr. Mills: The bulb's bad.

Resident (Not Identified): But on the top of that, there is also a little tiny plug that plugs into the top. It fell off of the one in front of John and Debbie's house. They have one right next to theirs. I found it when we were walking by there. I think those are solar lights.

Mr. Mills: No, they are light sensors that turns the light on and off.

Resident (Not Identified): Oh, I thought it was solar.

Mr. Mills: No.

Resident (Not Identified): Their light doesn't work and that one keeps flickering on Chatsworth.

Mr. Mills: There you go. There's another one.

Mr. LeBrun: Yeah, I think we've already reported that one. There are five or six reports that are outstanding.

Mr. Mills: Okay.

Resident (Not Identified): I thought those were solar lights.

December 4, 2024

Baytree CDD

Mr. Mills: Well, you and Mike get together.

Mr. Pawelczyk: Yep, we will.

Mr. Mills: Alright, moving along. Anything else?

Mr. Szozda: I just have a couple more items. I sent a notice to the two low bidders on the painting contract that we're going to push off the award for the pool into the Spring. The PA system from the guard house to the pool, IM Solutions came out here. I'm waiting on a proposal for them on getting the PA system in service. I think that's it.

Mr. Mills: Was he responsive?

Mr. Szozda: Yeah he came out and took a look at it. He's going to do some research on what it's going to take to bring that into service.

Mr. Mills: He feels that he can do it?

Mr. Szozda: Yes. He went and looked at pool house. There is a speaker there. He said that he would get back with us.

Mr. Mills: Very good.

Mr. Darby: Well, one other thing that we discussed at a prior meeting, was the elevation of the pool equipment. Have you looked into that or has anybody looked into that?

Mr. Szozda: Beach Pool is going to give us an estimate to raise it up.

Mr. Mills: Okay. Anything else?

Mr. Szozda: No.

1. Consideration of Road Repair Proposals

This item was discussed.

NINTH ORDER OF BUSINESS

Treasurer's Report

A. Consideration of Check Register

Mr. Mills: Moving along. Treasurer's Report?

Mr. LeBrun: In your Check Register, in your General Fund, you have Checks #931 through #937 from Truist, in the total amount of \$11,720.32. In the Bank United account, we have Checks #001 through #007, in the amount of \$15,689.23 and additional Bank United Checks, #014 through #019, in the amount \$12,000.95, for a total Check Register of \$39,410.50. Behind that, is your line-by-line register that details those expenses. I'm happy to take any questions on it, if the Board has any. If not, we just need a motion to approve the Check Register.

December 4, 2024

Baytree CDD

Mr. Mills: I have a question regarding the one bill from Eau Gallie Electric for \$980. Is that for the replacement of that panel, Rob, as well as the photocell?

Mr. Szozda: No, I believe the panel replacement was more than that.

Mr. Mills: It says, "*Replace photocell and monument panel,*" \$980.

Mr. Szozda: I'll have to look into that one.

Ms. Hill: We were supposed to receive the invoices.

Mr. Mills: See the itemized invoices.

Mr. LeBrun: I think that one was done prior to this one. We have all of the invoices and I can scan them as one package. We can make sure we have that. I don't think we received that detailed invoice yet in the invoice package.

Mr. Mills: Okay.

Mr. Szozda: We went back and tried to correspond the electrical issues with the controllers up front. I think we can officially correlate the lightning strike to some of the problems that we had. There were two lightning strikes. Unfortunately, we were out here multiple times replacing lights as a result of lightning strikes.

Mr. Darby: Jeremy, just a question. I noticed in the invoice for Florida City Gas, we have not consumed any gas at least before June 5th of this year, all the way through October, yet we still get billed \$29.44 per month for service charges. Is there any way those could get waived, if there's no consumption of gas.

Mr. LeBrun: I can certainly see.

Mr. Darby: It seems kind of silly.

Mr. Mills: It's probably a minimum charge.

Mr. Darby: It may or may not be, but it's worth asking. We don't heat it during the Summertime.

Mr. Mills: Exactly.

Mr. LeBrun: Part of it are the taxes that they are required to charge.

Mr. Darby: Well, I know home service is a \$19 service charge, whether you use it or not. Just ask.

Mr. LeBrun: Yeah, I'll ask. Are there any other questions? If not, we need a motion to approve the Check Register.

December 4, 2024

Baytree CDD

On MOTION by Mr. Darby seconded by Mr. Brown with all in favor the Check Register for October 1, 2024 through October 31, 2024 in the amount of \$39,410.50 was approved.

B. Balance Sheet and Income Statement

Mr. Brown: I have a question on the Income Statement. For sidewalks and curb cleaning, we have a budget of \$12,000 and last month we spent \$9,255. Is that for sidewalk repairs or is that for Mr. Ken Horn to do the cleaning?

Mr. Szozda: Ken did his cleaning, but it was much reduced from his original bid of \$9,000. I don't know exactly how the sidewalk repairs were billed.

Mr. LeBrun: I will have to double check and see if that includes sidewalk cleaning and was exclusive of the repair.

Mr. Brown: My question would be, if it was for sidewalk repairs, Rob has already been notified that if two more areas have to be repaired, that budget line is going to go over. If it was for just Ken Horn's cleaning and he does it once a year, then that's a one-shot deal and we don't have to worry about it until next year. So, it's worth taking a look, after what happened last year.

Mr. LeBrun: We will definitely check it.

Mr. Mills: You're just grinding the sidewalk, right?

Mr. Szozda: We replaced two or three sidewalk areas this year and ground down six or seven.

Mr. Mills: No way would it be \$9,000.

Mr. LeBrun: I just pulled up the invoice and it's not for that. So, I will double check and see what was lumped into that line item. There might have been a sidewalk repair. That's an easy fix.

Mr. Mills: Could you let us know at the next meeting what you find?

Mr. LeBrun: Yup.

Mr. Mills: Either that or email us. Okay?

Mr. Darby: So, while we're talking about expenses, Jeremy, I noticed that our liability insurance bill came due this month and was \$33,500, all in the first month of the fiscal year, which puts a big hurt on our prorated budget. Is there any way that those billings can't be spread through the year quarterly or something?

Mr. LeBrun: No, it's all upfront, at the start of the fiscal year.

December 4, 2024

Baytree CDD

Mr. Mills: At least we won't see it again.

Mr. LeBrun: We also keep the three-month operating, as a cushion, anticipating that large hit for the property insurance, right at the start of that October fiscal year.

Mr. Mills: Alright.

TENTH ORDER OF BUSINESS

Supervisor's Requests

Mr. Mills: Supervisor's Requests. Richard, do you have anything?

Mr. Bosseler: I have one thing for Rob. A couple months ago, we had a complaint regarding cracks on the tennis court. Did we ever get a company out to see what they can do to help us?

Mr. Szozda: Yeah. The group that previously did the service, Nidy Sports, I called them four times and they basically said, "*Oh yeah, we'll send somebody out,*" but they never did. I went over to Nidy, they came and looked at it and said, "*The only thing we suggest is to resurface the entire court.*" I think it was around \$15,000 to \$20,000 to do that. I thought that I presented that several meetings ago, but the cracks are too big and there are weeds growing in the cracks. Occasionally I go out there and put a little bit of Roundup® on it and scrape up the weeds. But yeah, it's going to be resurfaced whenever we choose to do that.

Mr. Brown: When was the last time we researched that?

Mr. Darby: We research it four years ago. Right?

Mr. Mills: We did.

Mr. Bosseler: We did it a year early with that company.

Mr. Mills: Yeah.

Mr. Bosseler: They came to us and gave us a slight discount to do it a year early. So, give them another call and say, "*We helped you guys out. Come out, see if you can help.*"

Mr. Mills: We also need to be very cautious, because I just learned that Suntree has permanently closed their tennis and pickleball courts, because it did not meet the Brevard County code.

Mr. Bosseler: Wow.

Mr. Darby: What code violation was it?

Mr. Mills: I have no clue. All I saw was that email.

Mr. Brown: The pickleball courts haven't even opened.

December 4, 2024

Baytree CDD

Mr. Bosseler: No, they haven't.

Mr. Pawelczyk: They probably haven't finalized the permit.

Mr. Mills: Yup. They are permanently closed.

Mr. Mills: So, we'll probably have Suntree visitors.

Mr. Brown: Well, they won't like ours because it has cracks in it.

Mr. Bosseler: That's all I have.

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

Mr. Brown: Only one thing. Jeremy, for our workshop meeting, can you reach out to Peter and ask him if he can provide you with a listing of the differences that his 2024 Engineers Report showed, versus the 2023 Annual Engineering Report?

Mr. LeBrun: Sure.

Mr. Brown: Because we have to decide sometime in April, whether or not to have him do one for 2025 for about \$3,500 bucks, but if we don't have to do it, I would like to see what he found.

Mr. LeBrun: Sure.

Mr. Brown: You can use the savings.

Mr. Mills: Anything else?

Mr. Brown: No.

Mr. Mills: Okay. Jan?

Ms. Hill: No, I'm good.

Mr. Darby: I'm good.

Mr. Mills: Rob, we have some nasty looking stop sign poles that are crooked. Some need paint on the bottom. I had asked when they were painted the last time, that they prime it with a zinc coating, so that it would not do what it's doing. Apparently that didn't happen. So, I would like for you to get some quotes on straightening up and painting the poles. Do you think Integrity Painting would do that, Rick?

Mr. Brown: I have no idea.

Mr. Mills: You might want to ask Integrity if they would do that. Okay? In the minutes Jeremy, was supposed to send out a statement from Bank United and we never received it. There was a comment at the bottom.

December 4, 2024

Baytree CDD

Mr. LeBrun: If I made that statement, I'll make sure to get it out. I'll do it before I leave here today.

Mr. Mills: Okay.

Ms. Hill: Why do we run two checkbooks?

Mr. LeBrun: For Bank United? I'll have to look. I don't have the breakdown of the accounts in front of me. It might just be two different types of accounts, but I can ask.

Ms. Hill: When you look at the Check Register, you have two sets of numbers.

Mr. LeBrun: Yeah, I'll look. My thinking is there are two different account types, versus a checking account that you're paying your bills out of and your money market that is holding your non-operating reserves, but I can double check.

Mr. Mills: Rob and Jeremy, I think it's very imperative that we look to see if we can find other security gate companies other than the one we have in Orlando. I know we had one locally. Have we looked down towards Vero Beach or somewhere like that, for a company that comes highly recommended. I don't know if we have anybody locally. The one company we had, they weren't responsive at all. I agree with Rick. We're being charged and not getting the kind of service that we should be getting for the prices that we're paying.

Mr. LeBrun: Are you talking about the repairs at the gate, like if the gate arm brakes? Is that what we're looking for? Because a lot of the access control system is through them, which holds all of the ID cards, all of the resident access, transponders, that's all connected. So, I didn't know if you're looking for maybe like when the gate arm breaks, we have another vendor that can come in. We tried someone locally. I think it was at Grand Haven, one of the other local ones.

Mr. Mills: Right and didn't work out.

Mr. LeBrun: Yeah. I know what you mean.

Mr. Mills: We might want to look and see if there are other companies that have access control equipment.

Mr. Brown: We've had that transponder system for what, 10 years?

Mr. Mills: No, a little bit longer.

Mr. Brown: Do you realize how many transponders are out there that are still part of that system of cars that are probably somewhere in New York, New Jersey and everywhere else?

Mr. Mills: Well, they're supposed to be taken off or canceled.

December 4, 2024

Baytree CDD

Mr. Brown: That's the issue. When we had that meeting the last time, when we got the list of all the transponders, half of them hadn't been turned off.

Mr. Mills: I know.

Mr. Szozda: Anytime we're made aware of someone, we can email the company and they can take the name and number off.

Mr. Brown: But if nobody tells you, that transponder is on for the rest of its life.

Mr. Mills: Rob, in the past, when someone had a transponder and a new person comes in at that same address, the names were given to Jason, and Jason would make sure the names were taken off and shut down. Are we still doing that?

Mr. LeBrun: Yeah. So, our person that runs the database, once Rob inputs the names of the car registration and license plate, if it's not part of the same family or it's a new owner, they could go in and take those off.

Mr. Mills: Well, they aren't doing that, because there are still people who have lived outside of the community for two years and they still have a pass.

Mr. LeBrun: I know there's one that you mentioned last time, but if you know of anyone else, provide me with an address or a name and we can go through and make sure that's removed.

Mr. Mills: But we shouldn't have to do that. It should be automatically removed somehow.

Mr. LeBrun: Yeah.

Mr. Mills: Other than us Board Members or residents telling you.

Mr. LeBrun: Yeah, we would know if the new person signing up for one, matches another address that's already on the database. That's when we're able to say, "*Yes, that person is not a part of that.*"

Mr. Mills: Exactly.

Mr. LeBrun: That is done.

Mr. Mills: Okay.

Mr. LeBrun: But if somehow we don't know about it or we're not able to correlate the two, if you know of someone, let us know, because we can deactivate it immediately.

December 4, 2024

Baytree CDD

Mr. Brown: If I bought a new car tomorrow and my old car is now in some dealership and has the transponder on it, when I go to Rob on Monday morning and say, *"I need a transponder for my new car,"* do you ask me what happened to the old one?

Mr. Szozda: Everybody has a story that buys a transponder.

Mr. Brown: I'm sure you've heard some good ones.

Mr. Szozda: Most of them bring the transponder back and give them to me and I end up throwing it away.

Mr. Brown: Well, that's good to know.

Mr. Szozda: But some of them say, *"They took my windshield and took my transponder."*

Mr. Mills: Right.

Mr. Szozda: There's nothing we can do about that.

Mr. Mills: Do you put all the transponders on? Do you ever hand a transponder to somebody?

Mr. Szozda: There have been a couple situations where people couldn't make it and I gave them instructions.

Mr. Mills: Don't ever do that, please.

Mr. Szozda: 95% of them go on by me.

Mr. Mills: The reason I say that, is the other day, my wife and I were going out the back gate and a commercial vehicle came in the back gate with a transponder on it. That is definitely a no, no. So, we need to make sure. In the past, if you were not a resident and I don't care if you were the son, the daughter, the niece or nephew, you did not get a transponder. You had to be a resident of the community.

Mr. Szozda: I haven't run across where anybody's claims to live outside of the community. If I don't know the street by name, I look it up and make sure it's within the community.

Mr. Mills: But we would never hand a transponder to an individual and say, *"Here's your transponder?"*

Mr. Szozda: There was a doctor in the community that said, *"I simply couldn't get off work."*

Mr. Brown: That is a lie. Is there a limit on the number of transponders a property owner can have?

December 4, 2024

Baytree CDD

Mr. Mills: No.

Mr. Darby: I wouldn't think so.

Resident (Sandy Schoonmaker, 403 Berwick Way): One time, though, we had somebody on the Board in the situation he was talking about, that volunteered to meet with those people and I'm suggesting maybe you should designate somebody again to do that.

Mr. Mills: I used to do that. Mr. Lenny Jean used to do it.

Resident (Sandy Schoonmaker, 403 Berwick Way): Oh, okay.

Mr. LeBrun: I think Rob's pretty good. Sometimes I am copied on emails where he's coordinating different days.

Mr. Mills: Jason would do that.

Ms. Hill: Maria did it. Everybody has kids who are not here all the time, but they drive cars.

Mr. Pawelczyk: Mr. Chair, just to add on to that, I have a District in Broward, where they had a similar problem. They knew they had 997 homes, but had 10,000 transponders out there. Their provider said if no transponders have been used within the last year, delete and remove them. That was a way to reduce the list. Then they knew they only had so many that were still outstanding and every year they were looking at that. They are still doing it.

Mr. Mills: They are purging.

Mr. Pawelczyk: You can pick a timeframe that makes sense for your community. Here you might have more people who are away for a year, but down there, nobody goes away for more than a year. So, they just said, *"If a transponder hasn't been used for one year, delete it."* They just put a notice on the website.

Mr. Mills: That's a good idea.

Mr. Pawelczyk: That was just a way so they could see how many transformers they had out there.

Resident (Sandy Schoonmaker, 403 Berwick Way): We actually did that once a couple of years ago.

Mr. Darby: Yeah, we did. Maybe you should do it again.

Mr. Mills: They're doing that after one year.

Mr. Brown: On January 2nd, I would have somebody go through the computer and see who hasn't used their transponder from January 1, 2024 to December 31, 2024.

December 4, 2024

Baytree CDD

Mr. Mills: Yeah.

Mr. LeBrun: That will be done through ACT. We can provide them with that request and they could process it through their database.

Resident (Sandy Schoonmaker, 403 Berwick Way): Jeremy, do you have any notes? Is this conversation valid? Do you know how many transponders you have listed as being active in our community?

Mr. LeBrun: That's something I'd have to ask them for.

Resident (Sandy Schoonmaker, 403 Berwick Way): This may not be that big of a deal as we think it is, because we did purge it once.

Mr. Mills: We can get it.

Mr. Brown: Oh, yeah.

Mr. LeBrun: Well, that's much good. If it was done a couple years ago, we should only have a year's worth.

Mr. Mills: Why don't you, for the next meeting or the workshop, provide how many transponders are active and how many they've purged.

Mr. LeBrun: Sure.

Mr. Mills: Because our workshop is in March.

Mr. Brown: It's in January.

Mr. LeBrun: We also have one on March 2nd.

Resident (Not Identified): So real fast, back to your new car situation, can you reuse those transponders?

Mr. Brown: I think once you try to take them off with a razor, it destroys them.

Resident (Not Identified): I just tell them that I got a new car. I never change the transponder.

Mr. Brown: It depends on how you pull it off.

Mr. Mills: You have to be very careful.

Resident (Not Identified): I've done it three times. I just wanted to mention that. I'm sure that's not what you want to hear, because that's what they do.

Mr. Mills: The easiest way is to let it sit in the sun and take a razor blade behind it and just gently pull.

Resident (Not Identified): That's what we do, but I had trouble pulling it off.

December 4, 2024

Baytree CDD

Mr. Mills: Do you hear that, Rob? Sell her a transponder. Give her a Black Friday deal.

ELEVENTH ORDER OF BUSINESS

Public Comment Period

Mr. Mills: Alright. We'll entertain public comments.

Resident (Not Identified): The prior owner gave me a clicker, but it doesn't work.

Mr. Mills: Throw it away.

Resident (Not Identified): I did. He gave me what he had, but he didn't give me this sticker that was on his window. I had two clickers. Do you remember having those?

Mr. Mills: I remember those, but they are no good.

Resident (Not Identified): Okay, because they didn't work.

Mr. Mills: No. Yes sir?

Resident (Not Identified): What is the status of the irrigation in the common area, between the bathroom on the 7th tee box?

Mr. LeBrun: Josh was just here. They said they are going to fix it on Friday, the irrigation that has been slowly leaking.

Mr. Mills: There's no irrigation over in that common area at all. We never received a price. So, I guess we could get a price on putting it there. It's at the very end of Bradwick.

Resident (Not Identified): We've been here since 2001 and it's never up to the standards of the rest of the neighborhood. They just let things dry out and die. Like I said, our palms need to be cropped.

Mr. Mills: It doesn't have St. Augustine. It has Bahia grass. I didn't know this until you texted me and I talked to Josh about the weeds. According to the EPA, they are not allowed to spray weeds within 20 feet of a pond, lake or river.

Resident (Not Identified): That's all we were hoping for, irrigation, some sod, to make it look nice.

Mr. Mills: Yep. We'll look into that. We'll get a price. Have Josh give you a price on installing irrigation. I don't know where the last station is. I believe it's at the end of Bradwick.

Mr. Szozda: Near the 7th hole?

Resident (Not Identified): Yeah, there's an outhouse on the 7th green. It's the area that encompasses all the way around to the end of the street.

Mr. Brown: There's going to be a lot of piping.

December 4, 2024

Baytree CDD

Mr. Mills: Yeah.

Resident (Not Identified): Some would be nice.

Mr. Mills: We can put a park bench over there, for people to sit and look at the lake. By the way, it is so nice to see these park benches getting used.

Ms. Hill: They really are.

Mr. Mills: Anything else?

Resident (Not Identified): Maybe this is being addressed, but I just wanted to know about the pool surface, not the decking surface but the pool itself. Is that on radar to be redone?

Mr. Mills: Yeah, in 2029.

Mr. Bosseler: The little gouges are not sharp. They are just unsightly. We passed two full inspections from Brevard County.

Ms. Hill: Why don't you tell her why they're there, too?

Mr. Brown: Every community pool has to have a rescue pole, with a rope around the end of it that you throw out to somebody. Well, two Summers ago in May, one evening, kids got into the pool and used that pole as a pole vault, running from the bathroom area, planting the poles in the shallow end of the pool and pole vaulting into the pool. We had it on camera, as well as the audio component of the guards at the front gate yelling and screaming at the kids in the pool at night, but it didn't work. That was two years ago, and we're still talking about fixing the audio to the pool.

Resident (Not Identified): Okay.

Mr. Brown: That pool had just been resurfaced, I think, a year prior to that. So that surface on that pool is only about four years old and it should last 15 years. So, the worry was that the bottom of the pool, because it was dug up, that the health department would not pass the pool inspection on an annual basis, because they would say it's unsafe. So, we looked at the State regulations relative to commercial pools and there's one sentence in 32 pages of regulations, that talks about the surface of the pool. It has to be safe and sanitary. So, I asked Andy, at the time, to start tracking whether or not there were any complaints of people who injured their feet in the pool as a result of those areas. We also tracked the chemical analysis of the pool, which continues to say that it's safe and meets all of the sanitary requirements as far as chemical balances and everything else. There have been no reports of anybody injuring themselves from

December 4, 2024

Baytree CDD

the bottom of the pool. So therefore, it's safe. You're talking about \$40,000 to \$50,000 and it's only five to six years old at the most.

Resident (Not Identified): The brown that's around it, seems like it's running down to the cement.

Mr. Brown: The other thing is, we talk to pool companies in other parts of the State and they say, "*Oh, in other states, you can repair that,*" but every pool company that we've talked to here says, "*No, you need to redo the entire pool,*" which kind of lends me to believe that all they want to do is redo the entire pool.

Resident (Not Identified): Well, I guess there are areas where it's rubbed down to the cement.

Mr. Brown: Right.

Resident (Not Identified): The company that resurfaced the pool five years ago, can we see if we can work out something with them?

Mr. Brown: We did and they wanted to redo the entire pool.

Resident (Not Identified): I got it. That is just keeping the value of our community, as it's an asset.

Mr. Brown: We can look at it. We have a workshop meeting coming up in January and can put it on the agenda and start planning. Maybe that we need to redo it sooner rather than later, but it's not cheap.

Mr. LeBrun: For our March agenda, we have the pool painting. That's where you guys discuss your capital projects for the upcoming year. Usually March is the budget one, so we can definitely make a note to include it.

Mr. Mills: It's not in the budget, so you would have to budget for it anyway.

Mr. Darby: Yeah.

Resident (Not Identified): Since you're already looking into resurfacing the tennis court because of the cracks, is there a way to revisit looking at maybe possibly making one of the tennis courts a pickleball court?

Mr. Bosseler: We looked at possibility of adding a pickleball court behind the pavilion, but unfortunately the distance from that area to the first house, is less than 500 feet and the county will never approve it. It's too noisy for pickleball.

Resident (Not Identified): What if we just took one of the courts?

December 4, 2024

Baytree CDD

Mr. Bosseler: It is too close to the house.

Mr. Darby: She wants to take an existing court.

Resident (Not Identified): Take away one of the tennis courts.

Mr. Brown: I spoke to the tennis players and they basically crucified us.

Mr. Bosseler: I guess you didn't get my point. We measured from the first house to the pavilion, which is right next to the tennis court. It's less than 500 feet. Brevard County will not approve a pickleball court.

Mr. Mills: It has to be 1,000 feet away.

Mr. Bosseler: Yeah. At a minimum.

Mr. Mills: Yeah.

Mr. Darby: So, does that mean there are no complaints about the tennis courts?

Mr. Brown: They're not as loud.

Mr. Darby: They're not as loud as pickleball?

Mr. Brown: Not even close.

Resident (Not Identified): Really?

Mr. Brown: It is very, very noisy.

Resident (Not Identified): Furthermore, there's a huge new pickleball court in Suntree and the cost of was...

Mr. Mills: Through the roof.

Resident (Not Identified): Yeah. It's unbelievable.

Mr. Mills: Unfortunately, we have a lot of infrastructure issues that we have to deal with, such as roads and soon, meaning in the next 10 years, we have to replace all of the sidewalks in Baytree, which is going to be expensive. With the water situation and I'm not an engineer, but I'm willing to bet you, the only way to get rid of the road situation, is to put down a concrete under structure and then blacktop on top of that. That's the only way you're going to get rid of the water. So, we have a lot of expensive stuff coming up.

Resident (Not Identified): We know it's expensive, but there's a point where we really want to be prestigious. We want to maintain the value of our homes and to be here for a long time. It's all of us.

Mr. Mills: We understand that. I saw in the paper, today or yesterday, that one condominium is getting a \$28 million assessment. Can you imagine if we would say to you guys,

December 4, 2024

Baytree CDD

“You have an assessment of \$50,000 coming to each one of you?” I couldn't live with myself if we did that and I know the Board Members couldn't do that.

Ms. Hill: What's happening with those people, is they are floating bond issues.

Mr. Mills: Yup.

Mr. Brown: I think this is a critical year for us, from a standpoint of finance. Yes, we increased the assessment by \$300, which totals \$120,000. We spent that amount of money last year, unbudgeted, to fix the sinkhole and the water drainage on Balmoral. It was \$83,000 just to do the sidewalk repairs. So, what we're hoping to do this year, so we don't have any of those other gotcha moments, because we took all that money out of the roads. So, we have to put that money back, because in about another three to four years, some of these roads are going to have to get re-milled and re-paved, especially the heavy traffic ones, such as Kingswood, Baytree Drive and Old Tramway. It is going to cost \$400,000, \$500,000, \$600,000 just to do one of those. So, I mean, if we have a good year and we can put more money away to replenish the roads, put more money into the roads, set up a Disaster Fund that we've been talking about doing for, you know, incidental stuff that comes up. Once we get a sounder foundation, then we can start taking a look at the pool. It doesn't look nice and is supposed to have 10 more years of life, but it doesn't. So, maybe we bite the bullet and say, *“Let's put away \$50,000 and redo the pool or resurface the tennis courts.”*

Resident (Not Identified): Everything is aging. Can we work on this at the workshop?

Mr. Brown: Sure. That's what we do at the workshops. We try to identify what's going to break, what needs to be looked at, how we get there and how we pay for it.

Resident (Not Identified): I would just like to mention that crappy looking sidewalks are part of what she's talking about and they are addressing that issue. They're aware of that. The usage of that pool is not that great, to be honest with you.

Resident (Not Identified): I disagree with that.

Mr. Bosseler: We just completed the deck for \$14,000.

Resident (Not Identified): Well, I guess what I'm saying, is to be more proactive instead of reactive.

Mr. Mills: We are. I think you also understand, those of us that are up here, have been in this community probably for 20 some years. The previous Boards would not spend a dime doing anything. They would not raise assessments. They would do nothing. So, from 1994 until 2002

December 4, 2024

Baytree CDD

or 2003, nothing was done, period. Then those Boards still delayed. I wanted to raise it \$100 back in 2014. You thought that I was going to be crucified.

Resident (Not Identified): I came to meetings where people were screaming at you.

Mr. Mills: Oh, I know.

Resident (Not Identified): It was not nice. So, you really have to have some historical background to realize that this particular Board has been extremely proactive. I've been sitting listening to them worrying about money and this catch up is continuing.

Ms. Hill: Part of what we're also encountering, is just like what we talked about today with the asphalt. Okay? That wasn't in the budget. It just happened. Last year down on Balmoral, we got a big sinkhole. It wasn't in the budget. But those things keep happening. So, every time we think we are a little bit ahead, something happens.

Mr. Mills: We had a well go dry and it cost us \$10,000. We had one last year go dry and it cost us another \$10,000.

Resident (Not Identified): This sounds like buying a house to repair.

Mr. Mills: Exactly.

Ms. Hill: Its very similar.

Mr. Pawelczyk: One way to look at it, let's say you have 461 homes and you're adding a \$500,000 project, which is not in the budget. If you take \$500,000 divided by 461, that's your assessment increase just for that particular project. I've been here for a long time and these guys have been here just as long as well. They are very proactive compared to a lot of Districts. Jeremy would agree. I'm just kind of letting you know because you haven't been to a lot of meetings.

Resident (Not Identified): Could we help in that way?

Mr. Pawelczyk: Well, you know, one of the other things Districts will do, is you can borrow money to do a bunch of projects, but you're going to do the same thing you would if you just assessed that amount and tried to fill the Reserve Fund, like this District does. By doing that, you don't pay me, you don't pay Jeremy, you don't pay Bond Counsel, you don't pay Underwriter's Counsel, you don't pay the bank, you don't pay the underwriters discount, you don't pay the Trustee. This Board has always tried not to borrow more money, beyond what they borrowed years ago, what the prior Board had to borrow as part of infrastructure.

Resident (Not Identified): That's all gone.

December 4, 2024

Baytree CDD

Mr. Pawelczyk: Yeah.

Resident (Not Identified): I'm just throwing something out there. I'm not trying to create a problem without trying to give something to kind of help you with that. Is there a way possible, maybe down the road, that we could create a couple of community events, such as come as you will, come as you want and be volunteer based on whoever runs it? You can maybe have a chili drive, where people have their chili dogs in the pavilion and whatever money comes from that, if they buy a ticket, we can use it for a repair fee. We can put that money back into a pot for our whatever. Could we do a couple events like that a year where we can help you guys with costs for those unforeseen things?

Ms. Hill: We can't even get people to come when it's free.

Resident (Not Identified): Right, but I'm just trying to throw something out there, because I want to help you. I don't want to be a problem. I want to try to help figure out some way to give you guys support. But again, it would also kill two birds with one stone, to get more community involvement in a certain way, but also get them involved in the community.

Mr. Mills: The unfortunate part for us, is we are a government entity and there are certain things by law we can do and certain things that we can't do. That would be a legal issue. You're talking more about a BCA issue, than a CDD issue.

Mr. Pawelczyk: I agree, because then the BCA could donate \$100,000 to the CDD or enter into an agreement like we've done in other Districts.

Mr. Darby: We did it with the pavilion.

Mr. Pawelczyk: Donate the money and the CDD would build it. So, you could do something like that.

Resident (Not Identified): They won't even raise the \$95.

Mr. Brown: Well, not when they're sitting with \$70,000 in CDs in the bank. They can't do anything with that money.

Mr. Bosseler: They could give it to us to fix the pool.

Resident (Not Identified): We are competing against some brand-new subdivisions.

Mr. Brown: Those brand-new subdivisions in 20 years are going to have the same issues.

Mr. Mills: Let me address that. US Lawns told me the other day, that the Viera Corporation asked them who is doing Baytree. They want their organization to look like Baytree. Now that's a compliment. The lady that does our flowers will not do theirs.

December 4, 2024

Baytree CDD

Resident (Not Identified): Okay.

Resident (Not Identified): Did we ever find out who did the pole vaulting, so we can bill their parents?

Mr. Brown: No.

Resident (Not Identified): It's not funny.

Mr. Brown: I looked at the video and their backs were to the camera.

Resident (Not Identified): Such a bummer, right?

Mr. Brown: When we had the audio, the guard in the guardhouse would yell at them and they would startle the living daylight out of these kids and all of a sudden they bolt, because the guard says, "Hey, you're on private property, you're trespassing. I've already called the police. You better get your, you know what out of that pool" and they did, until the audio broke. It's been two years since and we don't have it.

Mr. Mills: They even stacked the chairs on top of each other and used it as a diving board.

Resident (Not Identified): That's pretty creative. This happens every day, to be honest. Every Springtime, they're breaking the rules.

Mr. Brown: That's why I bring it up at every meeting.

Mr. Mills: If there's nothing further, I think we'll adjourn the meeting. By the way, I would like to wish all of you have a very Merry Christmas, Happy New Year and a happy holiday.

TWELFTH ORDER OF BUSINESS

Adjournment

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

Signed by:

Jeremy LeBrun

665CD7AA7BB8455...

Secretary / Assistant Secretary

DocuSigned by:

Melvin Mills

78C12389045140B...

Chairman / Vice Chairman