

# **MINUTES OF MEETING**

## **HARMONY COMMUNITY DEVELOPMENT DISTRICT**

The regular meeting of the Board of Supervisors of the Harmony Community Development District was held Thursday, February 23, 2017, at 6:00 p.m. at Harmony Golf Preserve Clubhouse, 7251 Five Oaks Drive, Harmony, Florida.

Present and constituting a quorum were:

Steve Berube	Chairman
Ray Walls	Vice Chairman
Bill Bokunic	Assistant Secretary
David Farnsworth	Assistant Secretary
Kerul Kassel	Assistant Secretary

Also present were:

Gary Moyer	Manager: Moyer Management Group
Tim Qualls ( <i>by phone</i> )	Attorney: Young Qualls, P.A.
Peter Brill	Severn Trent Services
Rick Mansfield	Davey Commercial Grounds
Ashley Roberts	Davey Commercial Grounds
Amber Sambuca	Starwood Land Ventures
Gerhard van der Snel	Harmony District Staff
Residents and Members of the Public	

### **FIRST ORDER OF BUSINESS**

#### **Roll Call**

Mr. Berube called the meeting to order at 6:00 p.m.

Mr. Berube called the roll and stated a quorum was present for the meeting.

Ms. Kassel was not present at roll call.

### **SECOND ORDER OF BUSINESS**

#### **Audience Comments**

There being none, the next order of business followed.

### **THIRD ORDER OF BUSINESS**

#### **Approval of the Minutes of the January 26, 2017, Meeting**

Mr. Berube stated there are no minutes available because our transcriber has been rather ill. We will have them to approve along with February's minutes at the March meeting.

### **FOURTH ORDER OF BUSINESS**

#### **Subcontractor Reports**

##### **A. Landscaping: Davey Tree**

##### **i. Monthly Highlight Report**

The monthly highlight report is contained in the agenda package and available for public review in the District Office during normal business hours or on the website.

Mr. Berube stated Ms. Roberts has done a lot in the past couple months, and I think things have gotten a lot smoother.

Mr. Mansfield stated yes.

Ms. Roberts stated I have the Harmony scope of work frequency charts that are highlighted. Yellow is what is completed, red is not completed, blue is what has been moved and when it will be completed, and green is added services. I will distribute this to all of you.

Mr. Berube asked is this different from what Mr. van der Snel signs off on routinely?

Ms. Roberts stated yes.

Mr. Mansfield stated this is the plan for the whole year, and it is copied for the first quarter. It goes out for the whole year. Anytime you want to know when something is being done, it shows the week it will be done. We highlight it afterward so you know if it was done or if it was moved to another week.

Mr. Berube stated this is why Ms. Roberts seems to be doing a lot of paperwork very frequently.

Ms. Roberts stated I am doing it all the time. This report shows what we did since the last meeting. We installed 8,000 square feet of new sod along Five Oaks across from the houses.

Mr. Farnsworth asked when was the sod put along Cat Brier, at the second house next to me?

Mr. van der Snel stated that was the first load from a couple weeks ago.

Mr. Farnsworth stated I was surprised when it showed up.

Mr. Berube stated much of it is in segments. I do not think there has been more than 400 or 500 square feet laid down in any one place. It is scattered all around, which is fine because that is typically what happens with dead patches. When you hear 8,000 square, it sounds like a big area of sod, but it is not going down in one section. I think 8,000 square feet is a truck load.

Ms. Roberts stated that is correct, a semi truck load.

Mr. Berube stated that is the most efficient way of buying it and installing it. They do 8,000 square feet at a time.

Ms. Roberts stated that was at no charge. The tree trimming will be complete by the end of the week and includes Dark Sky and the Estates. We are going to start crepe

myrtle pruning at the parks except for the square; the square is the only area we are not touching. I will be incorporating a routine tree trimming and training all our staff. I discussed with you the pine trees inside Lakeshore Park and other areas that have never been touched. I will train my crews on that, so it will be consistent.

Mr. Berube stated the Board should know that Mr. van der Snel and I had a meeting yesterday with Mr. Mark Svozil and Mr. Sean Fitzgerald. They are with Davey's Ohio office. I asked them to come back and take a look a month after the last meeting. They pointed out a number of things, some of which we had concerns with, and some of which they still have some concerns. Overall, they agreed that Ms. Roberts and her crew are doing a fine job moving us forward, and I agree. Mr. Svozil noticed the dwarf crepe magnolias, specifically in the area along U.S. Hwy 192 in H-2 where the bahia is reedy along the fence line. They look like they are growing right out of the ground. He did not want to countermand whatever Mr. Adam Jackson wrote in the tree report. His opinion was that those ought to be lifted. The reason I mention this is because you are talking about trimming crepes. What is the specific plan for those where the branches are right on the mulch? Or have you not thought about that yet?

Ms. Roberts stated you do selective pruning because you do not want to shock a tree. I showed those to Mr. Jackson, and I discussed this with Mr. van der Snel. Trimming a magnolia has to be specific trimming because it is susceptible to so many different diseases and you can actually harm it. You do not really raise it up but you bring it in. I met with Mr. Jackson regarding all the trees on the property, so I am waiting until he comes back with a plan on how I can prune them because they are dwarf magnolias. The problem is, they are more susceptible than the southern magnolias at the square. Once I get a plan and how he recommends we do it, we will get that done.

Mr. Berube stated it seems problematic because branches are sitting on the mulch. It looks like they sprouted out of the ground. We discussed it a little, we are all in agreement, and you are working on it.

Ms. Roberts stated the playground mulch is complete. All the pine bark inside Harmony is done. We will do a few bundles of pine straw for certain areas that just need some fluffing up. I have to complete the pine bark on U.S. Hwy 192 in the median and trim back those grasses. Then the mulching will be completely done, and that is looking forward on Monday. On the annual flowers we installed, we used dianthus, which is pink,

and dusty miller as the backsplash with yellow viola. I rode with Ms. Kassel and reviewed the property for all the warranty items. We will warranty the swamp fern, and I am coming up with a couple different things to put there, something that will make it, especially with all the pine straw that falls on them all the time. Everything else she showed me was from 2014, and there were a lot of areas. Those are not under warranty anymore. They are older. I do not know what caused it, whether it was not enough irrigation or run over or pulled out. There are so many different variables on those. If you want me to come with a proposal on what to put in there at the CDD's cost, we will do it, but I cannot warranty those items.

Mr. Berube stated I tend to agree with you because that was a long time ago. However, we have been having this conversation about items that have died for some period of time. I can tell you that Davey is the only company that has installed anything that we are discussing. The maintenance would have been done by Davey. I am not giving you an argument. Ms. Kassel is not here yet, and I am sure she will have some input, as well. Irrigation and maintenance should be just like every other plant out here. She needs to think about that. I did not go back as far as 2014, but I went back to 2015. I am not sure what she is putting together. We will not argue about it at this point. We understand, and I see there is some progress on getting dead items. The biggest one is the ferns that disappeared. There might be more miscellaneous items, but I am sure we can work that out.

Mr. Walls stated I have not seen Ms. Kassel's list that she provided, and I do not know where you went. My issue is similar to what Mr. Berube said. They did not just die now but have been dead for a while. The issue we have been having up until this point is maintenance on a lot of our plant material. I think the arrangement we worked out was that if it was an irrigation issue, you will let us know. We will fix it and get it going so that plants are not dying because they are not getting water. I do not think that is the case on a lot of these things. Personally, I think a lot of it died because it was not maintained by Davey. I will be interested to hear what Ms. Kassel says because I do not know if we are talking about \$10,000 worth of plants or \$3,000 worth of plants. I do not know what that number is. I think Davey should take some responsibility for some of it because they have been under contract for several years to maintain it, and it did not happen. We can discuss it further next month when Ms. Kassel is here, but that is my position.

Mr. Bokunic asked is there documentation as to when they were first alerted to this? It sounds like it has been going on for some time.

Mr. Walls stated they take care of all the areas, so if they see something, they should let us know.

Mr. Farnsworth stated sometimes the best documentation is to go back through the minutes.

Mr. Berube stated the problem is, we do a lot of little pieces here and there, like we are doing now with the crotons that went in at the square. A lot of little patchwork jobs are done. When you want to see everything that has been happening, you have to look through prior invoices and look for things that are not part of the contract. Usually you can figure out the area because it is not always well documented where the material went. It is usually not shown as being across from 6913 Beargrass Road.

Mr. Farnsworth asked to address what you said about not being well documented, will her new report help?

Ms. Roberts asked do you want me to keep presenting it?

Mr. Farnsworth stated not just this, but little things that are added in should have records kept so that we do not run into this question of being unsure where the items are.

Mr. Berube stated the recent invoices since Mr. Mansfield has been on board have had a few problems. Where there has been non-contract work, the details are much clearer than when Mr. John Rukkila or Mr. Garth Rinard was writing the invoice details. When you look back, it is probably easier on current invoicing to see where it went. We will see if that holds true because we will start getting invoices for improvements. I think the detailing will be better. It is important when you go back and look. I think Ms. Roberts hears what we are saying. It does not have to be GPS coordinates, but give a bit better description, such as small dog park east corner.

Ms. Roberts stated whenever I do these for Mr. van der Snel as part of the day's activities, that is specified on what I have done: the number of plants, the number of square feet of sod, how much it cost per plant, and the subtotal. It will show the recommendations for watering. On the last one for the day, I said we are doing the outskirts with crotons and will move all the grasses in. It is pretty detailed. Mr. van der Snel gets a copy, I get a copy, plus it is scanned and emailed to the office coordinator and to Mr. Mansfield. Copies are everywhere, so we are all now getting copies.

Mr. Mansfield stated that is a level of recording that has not been taking place.

Mr. Farnsworth stated I can think of another level of recording that can be done. Those reports could be collected together rather than just be separate sheets.

Mr. van der Snel stated let me explain the process. Ms. Roberts will come to me with a request, or I will go to her with a request. She will write up a quote and provide it to me. If it is small and I approve it, I write a purchase order for it, which number is the date. That is how we trace it back to the quote Ms. Roberts gives me.

Mr. Berube stated those quotes show up on the invoices that we get from Davey, so we have a cross reference.

Mr. Farnsworth stated the invoices are part of the agenda package. Is there a log of those invoices, not just loose sheets?

Mr. van der Snel stated if I did this, she does the work and sends an invoice to Severn Trent, and I approve it.

Mr. Farnsworth stated I understand the general procedure you have set up. That is not my question. Once she writes a proposal and you approve it and they start doing the work, where is the record kept?

Mr. Walls stated Severn Trent retains our records.

Mr. Farnsworth asked in what form?

Mr. Moyer stated the purchase order and invoice.

Mr. Farnsworth asked you get a piece of paper?

Mr. Berube stated yes.

Mr. Farnsworth asked not an electronic record? There is no electronic log?

Mr. Moyer stated when the invoice is paid, there is a general ledger that is a computer-generated document that shows the check and the number. In your agenda package is that type of information showing the check number, the vendor, the purpose, and the amount.

Mr. Farnsworth asked that is where it finally gets into an electronic log form?

Mr. Moyer stated yes.

Mr. Bokunic stated back to the original issue, I hear what you are saying. If we have been complaining about this for two years and suddenly they are out of warranty now, we are not talking about invoices but some sort of notification. Have we been pointing this out for two years?

Mr. Berube stated if you go back and read the minutes, there have been complaints about plant materials going back for six or eight months. We just kept pushing it because it was always a manpower problem. Finally, at the December meeting, we decided to pull all the invoices, and Ms. Kassel went through that. I pulled up a bunch and reviewed them. She asked Mr. Moyer to get backup for all the invoices. She had a pile of invoices at last month's meeting. I think she met with Ms. Roberts two weeks ago and went over this. A lot of stuff has already been taken care of. Some salvias were replaced with jack frost and various other things. I think the majority of it is probably handled. Ms. Kassel may have a couple discrepancies. It is unfair to hammer them at this point.

Mr. Bokunic stated I am trying to get a handle on the level of this issue.

Mr. Berube stated we can wait another month.

Mr. Mansfield stated everything that was in the minutes that we discussed were the items such as the salvia and other things that needed to be done. It was not a list of a group of four or five things that needed to be redone. Those items did get done and are finished. It was the previous period of time, so then they wanted to check every invoice. There are really two different sections that we are dealing with.

Mr. Berube stated understood. Part of the problem with the landscaping additions, such as the ferns, a lot of them went in and they were not very closely bunched. They were there for a few months, and one day they were gone. We did not know what happened, and it was over a large area. This happens with landscape enhancements. Plant material dies, and your crews see it is dead so they pull it. Then three months later, we notice it. This is what happens, and it is why we have the documentation. We will figure it out. We will get Ms. Kassel's version of it, and we will make some decisions as to where we are going to go.

Mr. Mansfield stated Ms. Roberts is willing to provide the labor for it.

Ms. Roberts stated yes, I will provide the labor, but the CDD will pay for the plants.

Mr. Berube stated it is not a big deal. For the most part, I think these are small dollar amounts. It is nothing huge.

Ms. Roberts stated it is in various areas on the property where she showed me. I redid some of the flag pole area. I removed what was there and replaced it with arboricola around the flag pole. I should be getting a call on the roses in the middle of next week to put between the arboricola around the flag pole. We also put in azaleas on the sides,

almost 100 of them. That was at our cost. I filled in beds of mondo grass that were killed by Roundup spray. I took that upon myself and ordered and installed them. They are looking great. Deer plucked some out, but they did not like them and spit them back out. The enhancement at the dancer is complete, as you may have seen if you drove around. We removed the shillings and added a nice pop of color with crotons around it. That way, when you come in, it gives a nice full view. Instead of one annual bed, we added three more. One is on each section of it. We added ornamental grasses and replanted those inside closer to the dancer instead of removing them. We just reused what we had.

Mr. Walls stated it looks very good there.

Mr. Berube stated yes. The overall effect as you go from east to west across the property is noticeable and visible. I told you that today. Things are coming along very nicely. It is a huge property, and we understand that, but the change is much appreciated. When you get a full staff back, the pace will probably pick up even better, and things should return to a stable environment fairly quickly. Mr. van der Snel emails you on a daily basis. I see you around town a couple times a week. I think things are going along well. Mr. van der Snel stands on the brunt of it, and he says you are doing a fine job. I cannot argue with that. We are not where we need to be yet, but the pace of progress has been very satisfactory in my view. We are looking good. Thanks for your efforts. Mr. Mansfield made a good choice in selecting Ms. Roberts.

## **ii. Turf Report**

Mr. Berube stated this was the crux of the meeting yesterday regarding turf conditions. I think Mr. Svozil is having some internal discussions as to what will be replaced and where and when. Some treatments are coming up for weeds. Spring is coming, so there will be some discussions and treatments of the turf. We will see what greens up and what does not. Then we will figure out where we are going with it.

Ms. Roberts stated we just did a liquid application on the turf on all the St. Augustine last Tuesday. Next Tuesday, everything will have a granular fertilizer and a herbicide on both Bahia and St. Augustine.

Mr. Berube stated by the next meeting, we should have a better handle on what turf is going to green up and what is not and then who is going to be responsible for what areas. I did not get a lot of pushback from Mr. Svozil yesterday on any of our concerns. Time will take its toll, and we will see where we end up.



Ms. Roberts stated I have a quote for the Bahia sod replacement at the playground in H-1 that was damaged by construction from putting in the playground. It is 3,200 square feet at \$.65 per square foot, which is \$2,080.

Mr. van der Snel stated that is a high amount. I advised Ms. Roberts to bring it to the Board. It is needed. It was a bad area already, but the construction finished it off due to grading the play area. Right now, it does not look child friendly at all with all the dirt.

Mr. Berube stated when they got here with all the machines and graded it plus dragging poles, it made a mess of the sod.

Mr. Walls stated I think we need to pay for that out of the project fund because it is part of that project.

Mr. Berube stated yes.

Mr. van der Snel stated I wanted to make the Board aware of the amount.

On MOTION by Mr. Berube, seconded by Mr. Walls, with all in favor, unanimous approval was given to the proposal from Davey for sod replacement at the playground area in neighborhood H-1 in the amount of \$2,080, as discussed.
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### **iii. Tree Inspection Report**

Mr. Berube stated a tree plan will be coming with more details on girdling roots and trimming the crepe myrtles.

## **FIFTH ORDER OF BUSINESS**

### **Developer's Report**

Ms. Sambuca stated I wanted to share the site plan with the Board for parcel M. I spoke about this briefly before. Parcel M has not been named yet. It is 65 fifty-foot lots. The development will begin about the third quarter of this year. The plan is preliminary.

Mr. Berube stated it is located basically diagonally across from this building behind the horse ring. Will the corral disappear?

Ms. Sambuca stated yes, it will disappear because it is in this tract. The barn itself will not at this point. The dog park, I believe, will be shifted slightly. It may not be. That park will then become part of that neighborhood.

Mr. Berube stated it will go behind the horse barn and head toward U.S. Hwy 192.

Ms. Sambuca stated that is correct.

Mr. Berube asked does this neighborhood have some parks?

Ms. Sambuca stated as of yet, there is nothing planned. This plan is conceptual since it is still early. We can discuss that with the team like we did with Waterside. We are in the early stages.

Mr. Farnsworth asked where is parcel M?

Ms. Sambuca stated between parcel O and the barn, north of 47.

Mr. van der Snel stated 47 has an arrow on top.

Ms. Sambuca stated it is a little west of there. I had the wrong facility. It is actually below 24. On parcel O, Waterside, we are near turnover, as we have shared previously. I believe we tentatively scheduled it for the beginning of March. The site has been cleaned up, and we can schedule a walk-through to see if you have any concerns or for us to address any issues you feel are not satisfactory at this point. Mr. van der Snel and I spoke briefly about some of the pines up front and the tie straps. As they grow before the straps are ready to be removed, it may have an effect on those trees. I consulted with the team, and they said that is typically standard maintenance to adjust the straps over time. These are within the maintenance scope of services. They are warrantied, but that does not mean they cannot be maintained. We can discuss it further when Mr. Kent Foreman is onsite.

Mr. Berube stated the problem in calling it maintenance is, it is a fairly small tree. We looked at this last week, and the green strap is wrapped around the tree. In most cases, they have done a couple wraps around the tree, tied it in a knot so it is tight, and then stretched it out to the stakes. That is tight as well, but the purpose is to hold the tree steady so it does not blow over. Maintaining that is not going to be easy. It is not as easy as adjusting it. You have to undo a knot.

Mr. Walls stated you probably have to restake it every time.

Ms. Sambuca stated I understand it will take a few minutes and some adjustments. I can address it further with the team and get any suggestions.

Mr. van der Snel stated there are other forms of straps available.

Mr. Berube stated through rings.

Mr. van der Snel stated there are flexible straps. These trees are five feet tall and an inch or inch-and-a-half thin. They are in the prime of their growth, so they grow fast. With those forms of straps, it will not work.

Mr. Berube stated we just had this problem with H-2 in the ditch. There were many problems. We are paying Davey to maintain them, and they are looking at all these trees.

I do not think they did anything with them, to be honest, but the trees grew up to the point of being girdled by the straps. I think in 14 cases, the tops of the pine trees broke off where the straps were. The point is, we are going into a maintenance headache before we take it over. We do not necessarily want to do this again.

Ms. Sambuca asked has this been the first occurrence where you have seen this? Is it the whole neighborhood?

Mr. Berube stated it is H-2.

Ms. Sambuca asked have you seen it anywhere other than H-2?

Mr. Berube stated the straps were taken off in F across from the school. Those were removed by someone, but a number of them have not been touched yet because of permitting for the ditch they are sitting in. They all end up with the same problem when those straps are tight. It is not the biggest concern, but we like to avoid these kinds of things.

Ms. Sambuca stated we understand. We will keep it on the action list. When Mr. Foreman comes back onsite to schedule a walk-through, we can include that.

Mr. Berube asked do you have a sense when you will have that walk-through? March 1 is next week.

Ms. Sambuca stated when you are ready, we are ready.

Mr. Berube stated I am going out of town next week, so that will be a problem. Tomorrow is probably short notice.

Ms. Sambuca stated yes. Mr. van der Snel and I can work that out.

Mr. van der Snel stated I do not know Mr. Berube's schedule.

Mr. Berube stated my only concern is the trees. That is the only thing I saw. I think the walls of the ponds seem to be holding. Nothing is escaping into the ponds. I did not see much else.

Mr. van der Snel stated in my opinion, those straps can be changed to another form of strap that is flexible. In neighborhood F, they used 10- to 12-foot trees. These are five feet, and they still need two years to get to be 10 or 12 feet. In that period of time, they will be growing. Something must be on the market to have elastic around it. We have probably 30 or 40 trees. Let us investigate what is in the market and use flexible bands on them.

Ms. Sambuca stated I will consult with the team and see what their suggestions are if that is the only issue.

Mr. van der Snel stated yes.

Ms. Sambuca stated lastly, I want to address F and H-2. We have some tree replacement work being done, which has been delayed slightly. Jr. Davis was doing some stormwater work there, which was delayed a little for various reasons. They should be about a week or two out. After that, the tree work will be done by REW. You are looking at about 130 days for an estimate. While REW is onsite, they will also be doing another project that I brought to the Board as a preliminary last month to put a landscape buffer in Hawthorne on the CDD tract between the park and the adjacent home. I wanted to share a site plan with you.

Mr. Berube stated if you recall, we put the playground in H-2 which went between a green conservation area and a finished home. I do not know if they have kids, but someone made the suggestion to put in a noise and visual barrier.

Ms. Sambuca stated we thought it would be beneficial for everyone, not just that home owner. I mentioned another tree, but we thought the little gem magnolias would be best. They are about five or five-and-a-half feet at planting. You can see approximately where they are. There will be five of them, and we will space them out accordingly so they will have plenty of room to grow, and it will act as a buffer. With the Board's approval, we would like to proceed with that. It will probably be 30 to 60 days when REW is mobilized onsite. Once we do that, Mr. van der Snel's team will sod it afterward. This work includes irrigation hookups and all the proper things necessary to make sure the trees are sufficiently planted.

Mr. Walls asked is there any cost to the CDD associated with this work?

Ms. Sambuca stated no, it is at the developer's cost.

Mr. Berube stated we will be providing maintenance.

<p>On MOTION by Mr. Walls, seconded by Mr. Bokunic, with all in favor, unanimous approval was given to allow the developer to plant a buffer of five little gem magnolias on the District's tract between the playground at neighborhood H-2 and the adjacent home, as discussed.</p>
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## **SIXTH ORDER OF BUSINESS**

## **Staff Reports**

### **A. Engineer**

#### **i. Sidewalk at the Linear Park**

Mr. Berube stated I spoke to Mr. Steve Boyd about a couple things. He was waiting on Mr. Foreman to provide the tree layout proposal for the sidewalk. He expected that yesterday or today, so it is coming anytime. That is the final piece for the permitting required by the County. As soon as he gets that plan, he will submit the permits to the County. Pending their approval, we will go back to Mr. Justin Ferrell. He indicated affirmatively that we could do the sidewalk at the previously negotiated price. It looks like we might finally be just days or weeks away installing the sidewalk.

Mr. Walls stated I will note that we now have \$2,000 less to spend from the construction fund.

Mr. Berube stated yes.

#### **ii. Swale in Neighborhood F**

Mr. Berube stated as Ms. Sambuca mentioned, there have been some delays in getting Jr. Davis, who is the preferred contractor for the developer, to do that remedial work in the ditch in neighborhood F and to drill holes in the pond outfalls and other work. They have been rather busy in St. Cloud on U.S. Hwy 192, so our project got pushed back. They anticipate having that lined up in the next week or two. Once they do that, you should see lower pond levels. They also decided to lower the bottom of the F ditch, which is what is holding up the trees. There is no reason to plant trees in the bottom of the ditch if you are going to lower the water level. It is all tied together.

### **B. Attorney**

There being nothing to report, the next item followed.

*The record will reflect that Ms. Kassel joined the meeting.*

### **C. Field Manager**

#### **i. Facilities Maintenance (Parks, Pools, Boats, etc.)**

The monthly facilities maintenance report is contained in the agenda package and is available for public review in the District Office during normal business hours or on the website.

#### **ii. Facilities Usage (Boats and Others)**

The monthly facilities usage report is contained in the agenda package and is available for public review in the District Office during normal business hours or on the website.

### **iii. Facebook Report**

The monthly Facebook activities report is contained in the agenda package and is available for public review in the District Office during normal business hours or on the website.

### **iv. Pond Report**

The pond report is contained in the agenda package and is available for public review in the District Office during normal business hours or on the website.

Mr. Farnsworth stated I want to compliment you on the generation of the map. They put together a map where you can actually see the pond numbers rather than enlarging it to see the little numbers that Mr. Boyd originally provided.

Mr. Berube stated I understand Mr. Farnsworth had something to do with that.

Mr. Farnsworth stated no, they set it up. All I did was transfer it to Mr. Boyd's map. I do not know who did it, but they took a wall-size photograph and overlaid those numbers on it. I thought it was a good idea.

Mr. van der Snel stated it is an evolving thing. We will get there.

Mr. Farnsworth stated I believe the same comment at the bottom of the report was there last month about mechanical removal at pond #25. I could not understand why you were emphasizing pond #25 when ponds #22, #23, and #24 are shown as being in much worse condition, at level three. Why the emphasis on pond #25 which is minimal at level one?

Mr. Berube asked did we discuss this last month, and that note just carried over?

Mr. van der Snel stated pond #25 is across from the entrance to the office, and that pond changes by the week. Sometimes it has algae, and another time it is clear when we treat it with SeClear. It is a small pond. We even have to use the hippo for algae on that pond. The ponds are an evolving thing. Sometimes they look bad, and sometimes we have to adjust treatment. Wintertime is for us to prepare them not to be shocked in the spring with unwanted plants.

Mr. Farnsworth stated what I am hearing is, there are more kinds of activities going on in the background that is difficult to report on a monthly basis.

Mr. van der Snel stated I am trying to give you a general idea of what we do with the ponds on the pond report. It is a report for a month or four weeks. A pond can look great in the first week, and it can look very bad the third week. We will treat it, and then it will look great again.

Mr. Farnsworth asked how do you handle the report when you have that much going on?

Mr. Berube stated average it.

Mr. van der Snel stated yes, we take the average.

Mr. Farnsworth stated the report gave no indication that so much was going on.

Mr. Berube stated I think more importantly, when you look at the ponds, they generally all look pretty good. The detail you are getting is because you are asking for detail. We are managing ponds for their own health for the benefit of turtles, snakes, fish, ducks, and others. We are also doing a minimal amount of chemical treatment to keep them looking nice aesthetically, as well. It is a balancing act. We can clean it all the way to the corners and remove everything that is growing in the water, but we have to decide how much chemical we want to use.

Mr. Farnsworth stated I am trying to conceptualize some way of getting something down like the table they generated. The table looks good, but the content of that table is changing so fast that it is meaningless by the time I see it. There must be some way of getting a handle on this so that when we see it, we know whether there is an issue or not. If it is changing all the time, what state is it in?

Mr. Berube stated every bit of information we have in the agenda is old by the time we see it. The pond is a living organism that is going to change. If we have several cold weeks, they will be pretty stagnant. When we get a lot of sun and warmth, things will blossom. I do not know how to do any better than the average we are getting.

Ms. Kassel stated it seems to me that the important thing is the table over time.

Mr. Berube stated yes, over the long term, just like the pictures.

Ms. Kassel stated over time, month to month.

Mr. Farnsworth stated if there was some kind of a plot involved over time, I would love to see it, showing it over time.

Ms. Kassel stated perhaps you can plot it.

Mr. Berube stated Mr. Farnsworth did a great job on the street maps. See if you can put something together to show us. I do not know how much more time you want to devote to this.

Mr. Farnsworth stated I am not trying to get someone to devote a lot of time. I am just trying to find something that I am comfortable with that everything is okay.

Mr. Walls stated for me, I rely on Mr. van der Snel. He will tell us if there is a problem in a particular pond. This report is more than we were getting from Bio-Tech. This tells us you treated pond #25 with SeClear, and the date is shown. It is a good historical record in terms of that. If we need to follow up on an issue, then Mr. van der Snel will tell us. If we need to do something else, he will tell us.

Ms. Kassel asked how often do you take the photographs?

Mr. van der Snel stated every three months.

Ms. Kassel asked if they are electronic, can you put them on Google Drive that we can have access to? Then in the notes, you can give us the link to Google Drive so we can look at the pictures over time. It is free.

Mr. van der Snel stated yes. I have them on file electronically, and I can find someone to help do that.

Mr. Farnsworth stated Microsoft has OneDrive.

Ms. Kassel stated Google Drive is free. You get a link to it. You can be given permission to it or it can be open. Since it is a public entity, we can just go straight to that link, which can be in the pond report. Then you just click on the link.

Mr. Farnsworth stated that would give you this picture over time.

Ms. Kassel stated yes, that is my point.

Mr. Berube stated it would do that more than the paper file would.

Mr. Farnsworth stated that is fine.

Mr. van der Snel stated the best way to assess the ponds is to look at them. Just drive around and see how they look.

Mr. Berube stated that is true. If you take a picture, you need to blow it up because it is hard to see.

Mr. Walls stated these ponds are very big.

Mr. Berube stated yes, some ponds are big and will take two or three pictures to get the whole thing. One of the four-wheelers had a trailer added to it and a specific sprayer set up on the back. Mr. Scarborough has become the pond sprayer. He had some concerns over the cost of the SeClear that we were buying. Mr. Scarborough has been working with the concentration of that, which still works. He also found out that you can buy it in granular form. So we are not paying to transport water as part of the SeClear. He mixes up the exact batches that he needs. The SeClear cost will be decreasing. We will still get



the same effect with far less cost because that is the most expensive chemical to use. It works, but it is expensive to use. The good news is, you cannot overdose anything with it, so the company tells you how much to use. If you cut it in half, you get the same effect. He reduced it in half again and still had the same effect. I have seen Mr. Scarborough around the past few weeks on the cart. He has it all set up and it is working. The ponds look good. We are minimizing our chemicals going into the water, which was the intent. There are very few invasives, and they are looking pretty good.

**v. Miscellaneous**

Ms. Sambuca stated I wanted to make you aware of some pictures I got in South Lake. We are trying to minimize irrigation issues. I will address this with the builder, as well, but a subcontractor had a giant truck on the sod on the park. You may see some damage that happened today. There was plenty of space around, but they were on the grass. There are probably big indentions from this truck.

Mr. van der Snel stated on all the new construction in H-1 and H-2 and South Lake, there has been significant damage on parks in H-1 from construction by Lennar. I talked with Mr. Foreman about this, and I agreed with him that once these developments are done, we will do a walk-through with the builders and Mr. Foreman or Ms. Sambuca or whomever is available to assess the damage. We will need to come to agreement with the builders to repair the damage. Right now, they are slamming our parks in H-1 and H-2 and damaging irrigation. The parks were there prior to construction. Especially now in South Lake, I asked Jeff, the supervisor, to give me a heads up whenever he starts grading. Mr. Foreman got in touch with Mr. David Dalton, who was going to cap off the areas that are to be graded. However, that did not happen in some areas. Today, we figured out significant damage to the by-ring of the Maxicom system because of silt fencing by the contractor.

Ms. Sambuca stated I spoke to Mr. Dalton about that particular lot, and they will not be ready to grade for a month. It looks like one of their trash sweepers came in and clipped the top of it, so they capped it this afternoon. He will be on vacation for a few days, but it will be fine for now. They are not grading for a month. In this case, procedure did not happen because it was not ready to happen, but there was still damage. He is prepared to fix those types of things, and we have that process in place. The builder emailed back because the subcontractor damaged the irrigation wiring, so they will replace that. We will continue with the process of filtering these things. We will make

sure it goes to the right team. I am staying on top of the builder to get these subcontractors neater and safer.

Mr. Farnsworth asked you will be monitoring that repair?

Mr. van der Snel stated I will be.

Ms. Sambuca stated we are trying to make the process easier so that we are not continually putting out fires and causing people to spend their time on it. I think that will improve.

Mr. Berube stated the CDD saved probably 50% on blue shirts for the staff since Mr. Mike Scarborough also runs an apparel business on the side. He has access to t-shirts and silk screen designs at a wholesale rate. He also has a silk screening machine. The cost of the blue shirts that they wear on a regular basis was just reduced in half.

Mr. van der Snel stated the splash pad has been repaired. The manifold works really great, and we had no big issues with it. Today we transferred a park bench to the H-2 play area.

Mr. Berube asked who donated the concrete?

Mr. van der Snel stated it was a barter that I did with Richmond American Homes. I did something for her, and she gave us the concrete slab with what was left in their concrete truck. I laid out the template, and they poured it.

## **SEVENTH ORDER OF BUSINESS**

### **District Manager's Report**

#### **A. Financial Statements for January 31, 2017**

Mr. Moyer reviewed the financial statements, which are included in the agenda package and are available for public review in the District Office during normal business hours.

Mr. Moyer stated we are 72% collected on our non-ad valorem assessments, which is a little better than where we were a year ago. On the expenditure side, we are \$79,000 under budget for the first four months. Some of that \$79,000 lies in the \$330,000 electric buyout line item that we have not spent any money from so far.

#### **B. Invoice Approval #202, Check Register, and Debit Invoices**

Mr. Moyer reviewed the invoices, check register, and debit invoices, which are included in the agenda package and are available for public review in the District Office during normal business hours or on the website, and requested approval.

On MOTION by Mr. Berube, seconded by Mr. Bokunic, with all in favor, unanimous approval was given to invoice approval #202, check register, and debit invoices, as presented.

### **C. Budget Amendment for Fiscal Year 2017**

Mr. Moyer stated the Board discussed this at a previous meeting. The new Davey contract does not correspond exactly with the old contract. In order for the accountant to report what is being spent accurately, we deleted the line items that were in the old contract and added the line items we identified in the new contract. That is the only change for this budget amendment.

Ms. Kassel stated it says irrigation maintenance. I thought we excluded that from the contract.

Mr. Berube stated it is. That line item should just say landscape.

Ms. Kassel stated we either need to delete that from the resolution or create a new resolution.

Mr. Moyer stated the Board can approve the direction that we delete irrigation maintenance.

Mr. Berube stated Mr. Brill and I discussed this. The numbers that are presented do not align exactly with our current contracts. The reason is that we have at least neighborhood O coming online, which we anticipated. I do not think any other neighborhoods will be coming online this fiscal year. The numbers reflected here are 5.5% over the contract value to allow for neighborhood O and any other minor adjustments. The end result is that we should finish the fiscal year slightly under budget for the line items as listed.

Mr. Farnsworth stated so the line item name for irrigation maintenance will be deleted.

Mr. Moyer stated that is correct.

Mr. Berube stated the new line items will be contracts—landscape, contracts—groundcover and annuals, and contracts—mulch.

On MOTION by Ms. Kassel, seconded by Mr. Farnsworth, with all in favor, unanimous approval was given to the budget amendment for fiscal year 2017, deleting irrigation maintenance under contracts—landscape, as discussed.

**D. Facility Usage Application from the St. Cloud Soccer Club**

Mr. Moyer reviewed the facility usage application from the St. Cloud Soccer Club.

Mr. Berube stated we get these twice a year, and we normally accept them.

Ms. Kassel stated they need to pay the usage fee, although Mr. Qualls's firm has sponsored it in the past.

Mr. Walls stated I do not believe he did the last time.

Mr. Berube stated no, he did not.

Mr. Walls stated I presume they paid.

Mr. Berube stated they have a deposit on file.

Mr. Walls stated it is beyond the deposit.

Mr. Berube stated yes, the deposit is covered but the usage fee is not. I think our standard response has been to charge them \$250, which caused some heartburn last time.

Ms. Kassel stated no, it was going to be \$450 or \$480, and that is when Mr. Qualls offered to sponsor that the first time. I do not remember what happened last time.

Mr. Berube stated I know there is always some number that we get hung up on.

Mr. Walls stated we need to use the amount on the fee schedule, which we have done the last three or four times.

Ms. Kassel stated perhaps they can find a sponsor.

Mr. Farnsworth asked do we need a motion?

Mr. Moyer stated no.

Ms. Kassel stated Mr. Moyer approves them all the time without Board approval.

**EIGHTH ORDER OF BUSINESS**

**Topical Subject Discussion**

**A. Consideration of OUC Street Light Buyout**

Mr. Berube stated Mr. Farnsworth provided his suggested payment chart. We have \$330,000 budgeted for this buyout. We are limited in what we can do.

Mr. Walls stated I am not opposed to using that \$330,000, but I think it would be wise to wait at least a few months to see what the budget looks like just to make sure.

Mr. Farnsworth stated if you take loans #9 and #4, that is \$282,000, which is well under the \$330,000 that is allocated.

Mr. Berube stated I had loans #9, #4, and #2.

Mr. Farnsworth stated you can do more than #9 and #4, but we can do at least those two.

Ms. Kassel asked what is the payoff on #9?

Mr. Berube stated it is \$232,105 in May.

Ms. Kassel stated the chart says March 2017.

Mr. Berube stated March is \$233,986. If you do #9, #4, and #2 and pay them off next month, it is \$324,000. If you do them in May, it goes down to \$320,000.

Ms. Kassel stated my suggestion is to pay off one and retain the balance for a few months. That way, we get the highest financial benefit from paying off the one loan, and yet we allay Mr. Walls's concerns and mine a bit, too, that we retain enough cash for a little later in the budget year. We can do this again in May.

Mr. Walls stated I am okay with that.

Mr. Berube stated we have ancillary costs in doing this, including legal fees. Is that the only cost we would incur if we did this in two pieces?

Mr. Moyer stated that is correct. The good news is, because of all the hard work Mr. Qualls did on the first iteration when we made the deal, those people now understand what the deal is and have been pretty responsive. I would expect that they will run the amortization schedule and verify what is on this chart in terms of the buyout amount, but I do not think there will be a lot of legal fees.

Mr. Walls stated it should not be much more than them coming up with the number, sending us the bill, and us paying the bill.

Mr. Qualls stated I agree. As long as they use the same agreement we have always used, there really should be no legal work. I would not worry about that.

On MOTION by Ms. Kassel, seconded by Mr. Walls, with all in favor except Mr. Farnsworth, approval was given to buyout OUC street light loan #9 for Drake 2 in the amount of \$232,105, as soon as is practicable.
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Mr. Farnsworth stated in my opinion, that is the wrong way to do it.

Mr. Berube stated I tend to agree, too, but I want to move it forward. I understand Mr. Walls's concern about the budget. We have another five months.

Mr. Walls stated if it is July or August and everything looks great, then I am fine with buying out those other two.

Ms. Kassel stated I think we can push it for May. It is only February, so it is another two or three months.

Mr. Berube stated we set aside \$330,000, which was our promise to the people and why we raised assessments. I do not think we are deviating from it at this point because we are still within the budget year.

Mr. Farnsworth asked if we do not have a catastrophe in the next two or three months, what are additional ones we are going to do?

Mr. Berube stated take it up to the \$330,000 that is in our budget.

Ms. Kassel stated the ones that have the highest percent return.

Mr. Berube stated we will be limited to go another \$96,000, so realistically, we will only be able to do #4 and #2, which total about \$89,000 out of the remaining \$96,000. That is where we will end up.

Mr. Farnsworth stated that is as far as we can go this year.

Mr. Berube stated yes, unless you want to go over budget.

Mr. Farnsworth stated no, I do not want to do that, but you need a plan.

Mr. Walls stated realistically, the savings from those other two are comparatively small. I am more comfortable with the safety of having the extra money going forward. If everything looks good, we can spend it and buy those out to save a little more money.

Mr. Berube stated we will discuss this in the future.

## **NINTH ORDER OF BUSINESS**

### **Supervisor Requests**

Ms. Kassel stated I apologize for not being here on time. It was one of those things that could not be helped. I would like to know if anyone gave Davey pushback on the report regarding all the items that were pushed off for replacement.

Mr. Berube stated yes.

Ms. Kassel asked what was the response?

Mr. Berube stated the response was to discuss this next month when you are here. Ms. Roberts is sticking pretty much to what is in the report, and I think she got the message that we are not very happy with that. It says they will not cover it because they cannot verify who has been watering and who has been maintaining. Davey installed the plants, and they maintained them. We have been watering, but never has there been an issue with the water. They are taking their side, but we told them we would revisit it next month.

Mr. Walls stated what we did not know was what conversations Ms. Kassel had with them and how much, if it is \$10,000 or \$20,000.

Ms. Kassel stated I do not know what the number is. That is something she has to figure out. The point is, the reason we are doing it in 2017 from 2014 is because it kept getting pushed off by Davey because of personnel problems, changes, and other issues.

Mr. Berube stated Mr. van der Snel and I had another meeting with Mr. Svozil and Mr. Fitzgerald from the Davey Ohio office yesterday. Two versions of what is going on are being provided to Ohio. One is the real version they get when they come here and see, and the second is the version provided by Mr. Mansfield. Mr. Svozil is very clear that when he comes here, he has not read any of the reports that have been produced for our meetings. He comes here and listens to us. He and Mr. Fitzgerald drove around for an hour before we met with them. You get the feeling that they are not terribly happy with what has transpired here for the last year. He did not come out and say it, but there is still probably 8,000 to 12,000 square feet of sod to be replaced.

Mr. van der Snel stated it is more than 12,000.

Mr. Berube stated he did not come out and say that they would. Last month, we were going to get a proposal in the agenda package that they wanted us to pay for the 8,000 square feet that they put down at no cost. I said they did not want to bring that issue before this Board, and smartly, they did not. We rode around yesterday in the rain and looked at the property. He was getting the edited version of why the sod is dying, but yesterday, he got a closer look. His question to me was why I did not say anything to him about this last month. I responded that there were no flags out. When they mention 8,000 square feet of sod, I had no idea where it was going to go. A lot of areas need sod, but I could not tell. I figured we would get the 8,000 square feet put down and the place was going to look good, but that 8,000 square feet did not make a dent. Mr. Svozil is very agreeable. We had a concern over the billing today, and we communicated by email. He does not give a lot of pushback. He disclosed to me yesterday that they replaced 300,000 square feet of sod in Celebration at their cost. They are used to this sod issue. They cheated all last year. He knows that if you do not fertilize and put down pesticide, herbicide, insecticide, and fungicide last year, you will pay the price this year. That is what is going on. They skipped a number of treatments last year, and we are seeing the results in the sod. He will come back next month. He is in Florida one week a month, and Harmony is now on his list to stop by and see what is going on. If we cannot come to terms with these people at this level over what we believe to be plant material that needs

to be warrantied, then we will take it to that level. I do not think we need to go there yet, but they got some pushback tonight on them not wanting to warranty anything from 2014, which is how that reads. Overall, it is good. Ms. Roberts is doing a good job. Everyone is happy. If you look around, you can see obvious change. They are proceeding from east to west and are probably two-thirds of the way across. Overall, they are working out very well. We have the connection with the Ohio management now, so that is good.

Ms. Kassel asked what is the map for neighborhood M, and what is the gray square?

Mr. Berube stated we do not know. It is very preliminary. The one thing I asked was where the parks will be, and Ms. Sambuca said nothing has been dedicated for parks yet. She knew we would ask, and she will discuss it with the team and include some parks somewhere.

Ms. Kassel asked she just handed this out as a conceptual plan?

Mr. Berube stated yes, a first draft.

#### **TENTH ORDER OF BUSINESS**

#### **Adjournment**

The next meeting is scheduled for Thursday, March 30, 2017, at 6:00 p.m.

On MOTION by Mr. Walls, seconded by Mr. Bokunic,  
with all in favor, the meeting was adjourned at 7:10 p.m.

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Gary L. Moyer, Secretary

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Steve Berube, Chairman