

**MINUTES OF MEETING
HARMONY COMMUNITY DEVELOPMENT DISTRICT**

The regular meeting of the Board of Supervisors of the Harmony Community Development District was held Thursday, July 27, 2017, at 6:00 p.m. at the Harmony Golf Preserve Clubhouse, located at 7251 Five Oaks Drive, Harmony, Florida.

Present and constituting a quorum were:

Steve Berube
Ray Walls
David Farnsworth
William Bokunic

Chairman
Vice Chairman
Assistant Secretary
Assistant Secretary

Also present were:

Gary L. Moyer
Chuck Walter
Timothy Qualls
Steve Boyd
Richard Druckenmiller
Gerhard van der Snel
Rick Mansfield
Ashley Roberts
James Whitaker
Steve Campbell
Residents and Members of the Public

Manager: Moyer Management Group
District Manager Severn Trent Services
District Counsel
District Engineer
Assistant Field Manager
Field Manager
Davey Tree Expert Company
Davey Tree Expert Company
Servello & Sons Landscaping
Servello & Sons Landscaping

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.

SECOND ORDER OF BUSINESS

Audience Comments

Ms. Cindy Rodenhizer a resident on 3132 Dark Sky addressed the Board. She stated I know we have been communicating back and forth regarding some drainage concerns. I just wanted to let you know Mr. David Nicholson, Development Review Inspector was out this week. He was referred to an engineer for the County to look at the area. He is concerned about the swale and farther down from us as well, the standing water issue.

Mr. Berube stated as it happens, the District engineer is here tonight.

Mr. Boyd stated Mr. Nicholson contacted me and I have been out to look at it. I know what you are speaking about. It is the swale on the north side, correct? I did see that. I am going to get with the contractor because that swale is supposed to evenly drain to the inlet that is in it. There is a low point that has trapped water and it cannot get to that inlet. We are going to address that.

Ms. Rodenhizer stated the catch basin does not seem to be draining as well.

Mr. Boyd stated the catch basin is low. It is intentionally low to collect water from the surrounding area. The water level you see in it is dictated by the pond. The pond is in the process of recovering from a storm right now.

Ms. Rodenhizer stated it was high prior the storm which is my concern.

Mr. Boyd state there will always be standing water in that box. The intention is for any water which collects in the swale should freely drain to the inlet.

Ms. Rodenhizer stated there is a lot of debris in there.

Mr. Boyd stated another thing I have observed is a lot of construction debris. This is something which needs to be addressed. The construction debris inhibits the flow to the pipes and structures.

Mr. Berube stated the field services staff have been out there. I think we cleaned them. The field services staff will be there on a routine basis cleaning the drains on both sides, because you are going to get some stuff in there. We must get a screen or something over the grates to prevent material from getting in.

Ms. Rodenhizer stated yes you can see the large debris. I guess I am more concerned about the sand and the clippings and that type of debris which will inhibit that drainage.

Mr. Boyd stated I suspected there was a lot of debris in the pipes at the beginning of the storm event. One of the good things was it was probably washed out.

Mr. Berube stated those drains are a direct shot down and across and they go right into that pond. It is an open shot. When the pond rises, all the water comes back. When the pond goes down, all the water goes down. It is a constant whooshing affect back and forth. We had two very unusual rain events in one week as you know. We have never had that kind of water rise before. You have our attention. We do not want anyone flooded.

Ms. Rodenhizer stated I know we have not opened that drain on the curb side yet. All that water that was back there was just from the rain event.

Mr. Boyd stated the sock pipes are still in the street. Those inlets were not able to catch the water.

Ms. Rodenhizer stated I just want to make sure we are on the radar.

Mr. Boyd stated I have been down there twice since Mr. Berube called me and will continue to visit.

THIRD ORDER OF BUSINESS **Organizational Matters**

A. Consideration of Resolution 2017-06 Designating

Mr. Chuck Walter as Secretary

Mr. Moyer read Resolution 2017-06 into the record by title.

Mr. Moyer stated I have served on the Board in my role as District manager for a number of years for you all. Now that Mr. Walter will be attending more often probably than I will be, I think it would be appropriate to have Mr. Walter be the Secretary.

There being no further discussion,

ON MOTION by Mr. Farnsworth, seconded by Mr. Bokunic, with all in favor, Resolution 2017-06 removing Gary Moyer as Secretary and designating Chuck Walter as Secretary of the Harmony Community Development District, was adopted.
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B. Consideration of Resolution 2017-07 Designating Officers of the District

Mr. Moyer read Resolution 2017-07 into the record by title.

Mr. Moyer stated this is typical when we have elections to the Board, or change officers to the Board, to provide a resolution to designate officers if you want to do that, other than changing the Secretary.

Mr. Walls stated we have already done this.

Mr. Farnsworth stated no, that is not the same.

Mr. Walls stated we just made him Secretary. We did not change anything else.

Mr. Farnsworth stated you must change this document.

Mr. Farnsworth MOVED to designate Mr. Chuck Walter as Secretary and retain the same officer structure as adopted in Resolution 2017-02.

Mr. Bokunic SECONDED the prior motion.

There being no further discussion,

On VOICE vote with all in favor, unanimous approval was given to adopt Resolution 2017-07, as discussed

FOURTH ORDER OF BUSINESS

Approval of the Minutes of the June 29, 2017 Workshop and June 29, 2017 Meeting

Mr. Farnsworth stated there were minor transcription corrections that were sent to Ms. Burgess and she incorporated them. There is another issue. If nobody is going to relieve me of the burden, I will have to broach it.

Mr. Berube asked with both sets of minutes?

Mr. Farnsworth responded the problem exists in both of them. The issue is one of what is the proper way to address, or the proper salutation for an elected official? In other words, you are elected to the office of Supervisor. Therefore, when I am addressing you, while you are working on this Board, you are a Supervisor. Outside, your title may be CEO, but while you are here you are not CEO, you are Supervisor. It is the same thing. A title regardless of what it is, is applicable to your private life or professional life and does not apply while you are working on this body. It applies to any public official, anywhere, at any level. This last set of minutes violated this, and it needs to be corrected.

Mr. Berube asked what was violated?

Mr. Farnsworth responded I will show you.

Mr. Berube stated something changed recently and I think I know where you are headed. Give it to us verbally.

Mr. Farnsworth stated it was the budget workshop meeting minutes. See the word right there? It says Dr. Kerul Kassel and it does not belong. It is propagated all the way down through the minutes. Every statement she made is referenced this way. It does not belong in a transcription of public proceedings. It is not a matter of what you think

anybody is qualified for that salutation. The salutation does not belong here. It is a private salutation.

Mr. Berube stated I tend to agree, but in this regard, nobody has a modifier in front of their name except for her. When you go through the minutes, it is always Mr. or Dr.

Mr. Farnsworth stated no. Every time it is in this document it is Dr. Before, it was always Ms. This is totally new.

Mr. Berube asked can it be offered how this came about?

Mr. Moyer responded Mr. Farnsworth pointed this out to us all.

Mr. Berube stated no. How did it get to be a salutation to Dr.?

Mr. Farnsworth responded I think Ms. Kassel sent corrections to Ms. Burgess on the minutes and I think Ms. Burgess asked her if she would like to be referred to as Doctor.

Mr. Farnsworth stated it is not proper salutation. I do not care whether she would like it or not. It is not proper salutation.

Mr. Moyer stated I think Ms. Burgess did it out of respect.

Mr. Berube asked do you want to make a formal request?

Mr. Farnsworth responded I do. It does not belong here.

Mr. Berube asked what do you want to do?

Mr. Farnsworth responded I want the two sets of minutes with the proper salutation inserted. Either what has been used in the past, would be Mr. and Ms. Or change all of it to simply for the salutation for everybody would be Supervisor this, Supervisor that. Either way, I do not care, but something has to be consistent. This is not consistent. It is not historically accurate.

Mr. Berube stated be clear – Mr. Farnsworth stated the easiest correction is to revert to what has historically been used. It would be Mr. and Ms., and removal of Dr. in the salutation up in the listing of the Supervisors.

On MOTION by Mr. Farnsworth, seconded by Mr. Berube, with all in favor, unanimous approval was given to keep salutations in minutes to address officers as Mr. or Ms.

Mr. Farnsworth stated this is one that I wish somebody had relieved me of the burden.

Mr. Berube stated I noticed it and thought it did not really matter to me, but if you have a problem with it, then okay. We all sit here on equal terms.

Mr. Farnsworth stated no place else in any other government body is this done, so it should not be done here.

Mr. Walls stated Mr. Berube, if I may, I just wanted to thank the Board for the last meeting in carrying the burden. I had an unexpected death in the family. I could not make it but I appreciate you doing it. I know you had some big issues come up.

Mr. Farnsworth addressed the board to make a statement and was reminded by Mr. Berube the minutes had not been approved yet.

Mr. Berube asked for a motion for approval of the Minutes for the June 29, 2017, workshop to include the revisions that were just handled in the motion.

On MOTION by Mr. Bokunic, seconded by Mr. Farnsworth, with all in favor, unanimous approval was given to the Minutes of the June 29, 2017 workshop, with the inclusions as previously discussed.
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Mr. Berube stated now, approval of the minutes of the June 29, 2017, regular meeting to include the revisions that we just handled in the prior motion.

On MOTION by Mr. Farnsworth, seconded by Mr. Walls with all in favor, with unanimous approval was given to the Minutes of the June 29, 2017, meeting as amended.
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Mr. Farnsworth stated this is very brief. I want to give Mr. Moyer a statement of our appreciation. This is short and sweet. For as long as the community of Harmony has existed, you have provided a steady and dependable hand at the helm of all business dealings with the Harmony Community Development District. You are a responsible, knowledgeable, and comforting presence at every District meeting. This District and the many others you have served will be diminished by your absence and you will be sorely missed. We wish you success in whatever endeavors your future holds.

Mr. Berube stated thank you for being here. It has been a long time.

Mr. Moyer stated it has been my honor and pleasure to be a part of this Board.

Mr. Berube stated you are welcome to show up as often as you want.

Mr. Moyer stated I appreciate it very much. Thank you all.

Mr. Berube stated I think we will be getting a formal one of those at some point, something you can hang on your wall. Is that all Mr. Farnsworth?

Mr. Farnsworth responded yes.

FIFTH ORDER OF BUSINESS

Subcontractor Reports

A. Landscaping

i. Davey Tree Monthly Landscape Report

Mr. Mansfield greeted the Board by thanking everyone for the opportunity to be here and good luck to the new gentlemen who are coming on. If you need anything, please let us know. We will be transitioning out of the yard by end of business on Monday, the 31st. All the Connex boxes and everything will be cleaned up. Everything will be out. In the meantime, we are going to make sure that we continue to do the job, and continue on the weeds which need to be done. I have hired Billy, the Signature Sod guy who does our fertilization to come in on Monday and spray all of it so it will all get sprayed as we exit the property. He is also putting down sod. I think by the end of Saturday the St. Augustine sod will be installed. He is also putting down approximately 1,300 to 1,400 hundred square feet of Bermuda sod on the fields to take care of that issue, of where it is at.

Mr. Berube stated there was supposed to be some Bahia going in Neighborhood H-1 around the playground.

Mr. Mansfield asked do you still want that? That was a question that I had. He can still put it in. We are ready to go with it if you are.

Mr. Berube stated we already approved it all, so you might as well. I do not see any reason not to.

Mr. Mansfield stated that will probably be in on Monday.

Mr. Farnsworth asked does that give you enough time?

Mr. Mansfield responded yes. We are all prepared except for ordering the sod. All the annual flowers are in. All the fertilization has been completed. It is supposed to be at this point. I think really that is about it. Those were the major items, to make sure

all the warranty items, Bermuda sod, and all those things were done; and to make sure we were on top of the weeds by the time we exited out.

Mr. Berube stated I think we have some pictures coming up here on the screen.

Mr. Farnsworth asked do you want those now?

Mr. Berube responded yes.

Mr. Farnsworth stated okay.

Mr. Berube stated this would be, I think, Mr. van der Snel's.

Mr. van der Snel stated this is the U.S. Hwy. 192 median. What you see in the middle used to be mulch and a bed which is now overgrown with weeds and grass. Next is Cherry Hill. It is the first part of Chery Hill. It has not been mowed for three weeks. It is a part of the contract though. Obviously, I opened a response on this one. That is the first part across from the school.

Mr. Bokunic asked why has this not been mowed in three weeks?

Ms. Roberts responded we did not mow it last week. There were construction trailers there. It has been mowed today. The week before that it was full of wood and construction debris which I have photos of.

Mr. Bokunic stated I do not recall seeing construction.

Ms. Roberts stated there were 2x4's. We picked a bunch of them up today.

Mr. van der Snel stated this is milkweed. I just took pictures of weeds. This is Cordgrass Place, coming out of H-2.

Mr. Berube stated you and I have identical pictures.

Mr. van der Snel stated again I see on the side of Cordgrass at Five Oaks, where the palm is.

Mr. Mansfield asked were those taken this week?

Mr. van der Snel responded they were taken today, this morning actually. This is the dancer roundabout. The bed has weeds. There are three pictures of it.

Mr. Berube stated I think it is self-explanatory. You just keep rolling through them Mr. Farnsworth.

Mr. van der Snel stated this is an annual bed that has curling weeds on it. This is the main concern. This is the east entrance behind the fence. It is like a forest. I was riding through with the new landscapers and it raised their concern too, because that is

quite some work. You cannot spray this. This has to be hand-pulled. This is quite an area. It is the east entrance again on the left side, behind the fence. This is the play area in the Green neighborhood. Weeds are growing through the mulch, and it is pretty much eminent. This is again U.S. Hwy. 192. They are all mixed up and I do not know why. The entire berm on U.S. Hwy. 192 is overgrown with weeds. I do not know if there is dewgrass there. I do not know if you can spray in between the dew grass. In my opinion, it should be hand-pulled; otherwise you will kill the dew grass. This is not the dew grass though. This is another bed that used to be mulch and now is overgrown with weeds. There are some nice flowers in there, but it is weeds. It is an example of how the whole U.S. Hwy. 192 median looks. This is behind the Swim Club, the mulch area behind where the Swim Club where the closet is. It is just not maintained. This is again one of the areas behind the Swim Club where the irrigation clock is. This is one of the entrances. I think it is the east entrance, in between the evergreen and the gold mounds; there are weeds popping up. As you see, this is a little close-up in between the gold mounds.

Mr. Berube stated I think it is only fair to say this could be taken as a condemnation of Ms. Roberts and the work she has been doing. The reality is, she has not had a whole lot of people here for the last six weeks, give or take.

Mr. Mansfield stated she has had a full staff, temporary or not. There have only been a few times when she did not have help.

Mr. Berube stated I disagree with that. There have been equipment breakdowns, and the one person I see working steadily is her. She is always on a mower. She is doing something. Though we are putting pictures up of where we see problems, I think she is doing the best she can with the hand that she has been dealt realistically. Again, there are tree rings with weeds. This was dated this morning, weeds growing, no flower beds and tree rings. Weeds are the big deal right now. Notice a significant lack of mulch in many of these. There are probably hundreds of trees with virtually no mulch. There were a couple pallets of mulch that Mr. Mark Svozil, last week decided to have their staff put down, which they did. There are still hundreds of trees and many beds that have virtually no mulch. Part of that is because when the mulch was put down, it was a thin layer. Then the mowers run over this and rain washes it all away, so you end up with halfway

through the year with no mulch. This is over by Lakeshore Park near the soccer field. The point here is it looks like bright green grass, but that is what it looks like close up. There is very little grass in there. There is dollar weed and whatever that bright green stuff is. That is another pair of tree rings behind the playground at Lakeshore Park. That should be covered with pine needles. This is what the soccer field at Lakeshore Park is supposed to look like. When you take a close-up of some of those lousy areas, that is pretty much what you see. Whether this is going to come back or not remains to be seen. We have been waiting seven months for it to return from dormancy and it is not pretty. Weeds are growing through all the grasses. It is going to have to be hand-pulled. There is no doubt about it. You spray Round-up on it and you can see the vines growing in the bottom there. Those vines are extending all through the evergreens. The only way to get rid of all of that is to hand-pull it. Tree ring after tree ring with virtually no mulch. This is the same picture Mr. van der Snel had at H-2. We both went through all the same this with identical pictures. This is Little Blue Lane. This is Bahia, there is no doubt about that. It is green right now, but again, show the next picture. That is a pine bed up off the side of that along the fence line. The bedding areas look heavily weeded. Next picture. When you look at that, what looked like green grass, two slides back along the lane, that is really what it looks like. That is what it looks like close up. There is not a whole lot of grass there. It is full of weeds and other growth. The problem is when you spray that, to get rid of all those weeds, the weeds are going to turn brown and be eliminated. There will not be a whole lot of grass left. You are going to have dirt. This is what was new Bermuda sod installed by Davey two years ago, in neighborhood F at the playground. It is somewhat green. You can see the lines that are left from the fertilization and weed killing efforts which have turned some of this green. There are still areas that look largely like that. Go ahead. That is another close-up area. It is pretty eaten up. It is going to be hard to get this back to nice. You can see the inset areas. It is pretty much a mess. I do not know what the outcome is going to be. I do not know if spring there is done. There are small weeds growing in there. Again, there are vines growing up through the evergreens around that neighborhood F park.

Mr. Farnsworth stated this is the last one there.

Mr. Berube stated yes that is the end of them. Weeds are a big deal.

Mr. Mansfield stated as I said, we will take care of it before we leave. I understand they are going to be massive, but we will take care of it.

Mr. Berube stated weeds are a big issue. The two Bermuda turf fields that we have been talking about for a long time are greening.

Mr. Mansfield stated some of that will be replaced.

Mr. Berube stated yes you said that. We will see what happens there. And then of course sod going down over the next couple of days. We have not addressed any of the sod issues that are widespread. We do not know how much of that is going to get taken care of by the truckload of sod they are going to put down. We will be revisiting all of this again after you vacate. We will have some notifications to you and Mr. Svozil because that is what he asked for and I agree. Then we will work it all out and see where is ends up.

Mr. Mansfield stated okay. We appreciate that. Thank you.

Mr. Berube introduced the next landscape group. He stated our new landscape contractor, Servello is here.

Mr. Whitaker stated I am CEO of the company and Mr. Campbell is going to be the onsite account manager. We have already done our preliminary tour with Mr. van der Snel the other day. I know we are going to work closely with him getting to know the property. It is probably going to take us a good 60 days, my guess, to really get to know all the ins and outs of everything. We are starting in the prime time of the year.

Mr. Berube stated to introduce you to everyone, Mr. Walter is our newest manager. Gary Moyer is the outgoing Manager. You already know Mr. van der Snel. The gentleman in the checkered shirt is Mr. Boyd District engineer. The guy who looks like an attorney, is our District attorney Mr. Qualls. Everybody here, all the professionals, have been involved in the process of selecting you. We hope not to have any meetings like what just took place. For three years, the meetings all went very nicely. Then things changed. We are very cognizant of the fact that you are inheriting a mess. We just demonstrated it. I know that counsel is going to want to have some opinion here about offsetting costs for, however, this place gets left and what it takes to fix it back up. As we know after next Tuesday, when you folks start, we are going to need to know what is over and above in some manner as you see things what the over and

above costs are likely to be to get things to where they need to be. This is not a pick on Davey exercise. It is not to slam Davey. It is what it is, but you have looked around and figured out that it does not look very nice. They are telling us it is going to be pretty in four days.

Mr. Bokunic asked what is your opinion?

Mr. Whitaker responded it is going to take a while to clean it up. Scott who is our vice president of operations is going to come in with me here again next week. We are going to reevaluate every little piece of the property what we were talking to Mr. van der Snel about. We are going to photo document the whole place so we can kind of break things down into sections and see what is really going to be needed. We are starting at the worst time of year to start a large contract like this, but we can do it. The irrigation guys are getting a little bit of a break anyway.

Mr. Berube stated as you know Mr. van der Snel is the lead man here on the ground. He has four people who ably assist him. They have four-wheelers. This is a big place from one end to the other, front to back. Do not be afraid to ask what you need to do. There are a lot of little pockets, because you have driven around a couple of times already. Get to know it. You can put flags around it – this is the zone so your guys know. We do not have any problem with that. There are lot of ins and outs.

Mr. Whitaker stated we have been out here several times in the last two weeks already, and I will be back again before we get started. It is going to take a while to do a complete evaluation on everything. I do not know what they are going to have completed. We are going to have to wait and see what happens by the end of the day Monday. The first week I will probably be out here two days. Being that its starting on a Tuesday, which is just the way the month falls, we might have to run into Saturday the first week. We are not sure until you get into it. We will be working with Mr. van der Snel quite a bit. He knows that. He has opened his phone lines. He said just call him and do not hesitate. We will not because we want to make sure we do not miss anything.

Mr. Farnsworth stated you are prepared to hit the ground running as far as mowing and everything else.

Mr. Whitaker stated absolutely. We have all our equipment already staged and waiting to come down here. The big thing is going to be the containers. We have to wait

for them to get their stuff out so we can plug everything in. It is going to be a transition. We have worked with Severn Trent in the past and we do some properties with them as well now. Some of them we have had for quite some time. I will say right now, it is not going to be perfect. One thing we do as a company is whatever it takes to do it right. It is a progression.

Mr. Berube stated trust us, we do not like changing landscapers. It is much nicer when the meetings go with everything being good. It has been less than that for some period of time here.

Mr. Whitaker stated Mr. Campbell will be on site here every day.

Mr. Berube asked he will be the meeting attendee?

Mr. Whitaker responded he will and either Scott or I will be here.

Mr. Berube stated we appreciate you attending.

SIXTH ORDER OF BUSINESS

Developer's Report

Mr. Berube stated there will be no developer representative here tonight as we know. I have something residents have brought up, and I have been thinking about it for a couple of months. I think everyone on the Board remembers the developer came to us several years ago, and wanted to put fountains in the ponds. Do you remember the fountains? We never did draw up a formal use agreement, but the agreement was, if they maintained and operated the fountains and everything was good, they could leave them in the ponds.

Mr. Farnsworth asked how long have the fountains been in the ponds?

Mr. Berube responded I want to say three or four years.

Mr. Farnsworth asked if it was not before that?

Mr. Walls responded it was probably longer than that.

Mr. Berube stated it was before this group. It was when Mr. Brock Nicholas was here. We just kind of said yes and they put the fountains in the pond, turned them on, turned the lights on, and everything was good. They found out how much they cost and started turning them off in the middle of the night. Now we have one dead fountain which is in the pond west of Ashley Park. They are not going to repair it because it costs too much money and it costs too much money to operate. The problem is that thing is sitting in our pond.

Mr. Farnsworth asked is it visible?

Mr. Berube responded yes.

Mr. Farnsworth asked is it visible on the surface? Like it sticks up?

Mr. Berube responded yes, it is visible. Yes, it does stick up. They have some electrical stuff on the side because of the underwater stuff that you do not see. While it is there, at some point, it is going to start to look nasty because birds are going to land on it and do their thing on it. It is going to get rusty. Whatever is going to happen. The developer, as we know, is going to exit soon. If he exits and leaves that fountain in the pond, at some point someone will get stuck removing it and it will be us. I do not want that to happen. The question is, do we want to prepare a formal request or verbal? What I am asking is, do we want to ask the developer?

Mr. Walls responded I think we absolutely send a letter from the District manager requesting they remove the fountain from the pond.

Mr. Berube stated they are not going to repair it.

Mr. Walls stated they are not going to repair it, and I do not think we want to pay to keep it running when they leave, because it is expensive. I would say that we just ask the District manager to send a letter and ask that it be removed, and if it does not, then we get our attorney involved.

Mr. Farnsworth stated you might have to give them the option of repairing it. They are not likely to take that choice.

Mr. Walls stated that is our pond. We can ask to have it removed.

Mr. Berube stated the problem is there are operational ones here now. There are some that still work.

Mr. Farnsworth asked are you addressing all of them or just the one?

Mr. Berube responded it is something we must think about. This developer is going to be leaving.

Mr. Farnsworth stated I realize that. In the letter you are sending them right now, are you addressing one or addressing all?

Mr. Bokunic responded you might as well address them all.

Mr. Berube asked do you want them all out?

Mr. Walls responded yes.

Mr. Berube stated okay.

Mr. Farnsworth asked when you say soon, how soon do you mean? Next month, or five to six years?

Mr. Walls responded give them 60 days.

Mr. Berube stated it is much closer to one month than it is five or six years out.

Mr. Farnsworth stated okay.

Mr. Berube stated the alternative is, they take out the one that is dead and leave the others, and when they leave there will be a new developer. If the new developer picks up the operation of those, then that is fine. We do not know what is going to happen.

Mr. Walls stated we do not want to take that risk.

Mr. Bokunic stated I agree. Let us send them a letter.

Mr. Farnsworth stated I did not know all the background or conditions imposed here.

Mr. Berube stated we do not have a formal agreement on the fountains which is part of the problem. We never do that.

Mr. Walls stated there are minutes from when they requested. There was a verbal agreement that they would take care of it and operate it, and we would allow them to do it if they did those things.

Mr. Berube stated yes. I do not think we thought about what happens when they die though.

Mr. Walls stated I think it is implicit in our verbal agreement that if they are not being taken care of and they are not being operated, they need to be pulled out.

Mr. Berube stated they must go. There is no doubt. At least the dead one should either be repaired or gone, and if they are resistant to pull out the operating ones, we need some sort of agreement from this developer as to what happens when we pull it. We open that conversation at the very least.

Mr. Bokunic stated I totally agree.

Mr. Berube asked you know how to word that, correct?

SEVENTH ORDER OF BUSINESS
A. Engineer

Staff Reports

Mr. Boyd stated I do not have anything specific to report, but I am available for questions. Acknowledging we had a pretty intense storm last week, there was some temporary staging of water that drained out quickly. I have been down to check everything and will continue to check everything and make sure there are not any abnormal circumstances with outfalls.

Mr. Walls asked are you working with a contract on that one particular issue with the drainage swale?

Mr. Boyd responded yes that one specifically I am going to address with the contractor who installed it to get it leveled out.

Mr. Walls asked is there anything else you notice that we need to do in terms of maintenance additions or anything?

Mr. Boyd responded the big thing I notice is a lot of construction debris – orbs, water bottles, other silt fence pieces and a lot of structures. Pond 2-1, which is the far northwest pond had quite a bit of debris in it.

Mr. Berube stated perhaps when Mr. Mike Scarborough goes around and does his pond spraying, have him look at the structures and pick up the trash.

Mr. van der Snel stated there were some structures. There were eight bottles in there, but that is pretty much it.

Mr. Berube stated we should have him look at everything on a routine basis. We are out there on all the ponds every month anyway. We will try to keep everything cleaned up.

Mr. Boyd stated I think it is worse than usual right now because it is an active construction site. A lot of things that had collected in the pipe, over the past few months, got pushed out to the control structure. When it does that, it does inhibit water from getting out. The debris rises under the grate and creates blockage. Get that out of there and you will be good. One other thing I would point out is, when I was out there, and I think this came up in a previous meeting, I did see some hydrilla in that same pond. I think it is something you probably want to take care of.

Mr. Berube stated we have already noted it on the pond report.

Mr. van der Snel stated we already have a supervisor coach who give us mixtures we can use on hydrillas, so it is ordered.

Mr. Berube stated it has been noticed. I noticed some emails back and forth on the Butterfly Drive walk path. It looks like Florida Site & Seed must be getting ready to go, because they wanted all the permits and documentation from the County. I guess they are going to schedule a pre-construction meeting very soon from what I have read.

Mr. Boyd stated yes, he asked us for help today in setting it up. I will follow up with the County in the morning and get the pre-construction meeting scheduled.

Mr. Berube stated for those who have been listening about the new sidewalk going in along Butterfly Drive for the last three years, it is finally going to get started, probably next month.

A Resident asked have you ever heard anything from Toho Water Authority (TOHO) as to the reason they constantly come onto Cordgrass and blow out those fire hydrants? They are doing it every week.

Mr. Berube stated in response to people's complaints about water problems, they flush the system to freshen the water. Part of the issue is, the water plant and the water system here is designed for thousands of homes. You have these big pipes in the ground which will extend all the way out to service these new homes. There is not much flow through those pipes, and the water goes stagnant and gets smelly. Therefore, you see the hydrants running around town all the time. That is drinking water running out of those hydrants and going down the storm drains, which keeps the water fresh and smelling, tasting and looking better. Until all 7,200 homes are here, or there is a lot more flow through the pipes, they will probably let that fresh water run through. People complain on Facebook. One resident reported her water was running red. When people call them, they come out and open hydrants to flush the pipes. If you are around town, you can see the hydrants with extension tubes running water.

B. Attorney

i. Discussion of Davey Tree Punchlist Items

Mr. Qualls stated just to let you know, the Florida Site & Seed contract has been executed. I am not sure when the work will commence. The last OUC agreement for D-2 and E has been executed. They have already accepted the check. This is just a formal item. I wanted to discuss the contract with Davey again. It says on termination of the agreement, the contractor shall be entitled to payment for all work rendered subject to whatever claims or offsets the District may have against the contractors. I would ask you

all to determine how to go about finalizing, as of Tuesday, what is on that punchlist. I think you went over it, and the record will reflect it. I will ask that those pictures be in the minutes so it is on the record and reflect Davey was there. My recommendation is perhaps consider appointing a liaison on the Board, one Board member, so you do not have any Sunshine issues to work with Mr. van der Snel, and go through a District manager, whoever wants to get involved. And I would recommend if it is possible to go through with Davey on Tuesday, to give them a chance to respond. If they agree things need to be done, have them done. I am not telling you what the methodology should be. My concern is down the road, if you withhold certain amounts as offsets and they contest it, this is my job. I am not suggesting it would happen, but we get in front of some arbiter to decide we need to be able to prove what was and was not done. We need to be able to have a method for assigning a dollar value to that. Those would be the things I would ask you to consider and come up with a plan of action on.

Mr. Farnsworth asked were these just representative numbers? Who assigned a dollar value in the example?

Mr. van der Snel responded I did. What we did with Cherry Hill, we had subcontracted first with them, and it was \$2,000 a month. A weekly mow is \$500.

Mr. Berube stated despite what the report says that week to week they got everything done, it did not get done. It has not been getting done. I was not going to challenge them with it tonight. When you talk to Ms. Roberts, she knows. Mr. Mansfield makes that report and he checks off every single box, that everything was done.

Mr. Farnsworth stated one thing you could use is that report. We have the Excel file for it. You can take that and block the ones that truly did not get done. Then you can have that as documentation.

Mr. Walls stated you have to be more methodical than that. What you did today, going around and taking pictures, I think it is good you did that and gave them notice. I think you almost need to take those same pictures on Tuesday and say here is what it looked like when they left. Then they cannot say they fixed the stuff we showed them in the pictures. Here is what it looked like when they left and if it still looks the same, I do not know how they can say they do not owe us money. You take a map of their service

area and drive around. It may take all day, but I think that is what we need to do. Assign a value either like what we pay in the contract, or, talking with the new landscaper and saying what it would cost to bring this area back up to par. You may not be able to get it all done in a day. This is a big area, and they have not touched a lot of areas, which is obvious from those pictures.

Mr. Berube stated I spent a couple of hours this morning out taking pictures. I did not touch a tenth of it. It could have been 500 pictures easily to document everything that is not right. How far do you want to go? Three dozen gives you the idea. Mr. Svozil, the general manager from Ohio, was here last week. He agreed that it is messy. He said he has no problem with us holding bills for 30 days or so until we figure out what is going on. He expects some offsets. He also asked to be notified what the deficiencies are so they have a chance to fix them. My opinion about that is, we have been telling about the deficiencies for a long time now.

Mr. Farnsworth stated it is probably late to get very much fixed.

Mr. Walls stated if we have to replace that soccer field, that is equivalent to one month of their pay.

Mr. Berube stated it is \$4,000 minimum to replace that. We know we spent \$22,000 in sod at Neighborhood F-1 and I do not think that it is coming back. It is somewhat green, but it has been sprayed green and there is other stuff growing. I think what counsel is asking for is the Board to appoint someone from the Board to negotiate with Davey. Seeing I have been doing it for the last six or eight months, I will address them if this is what the Board wants.

Mr. Farnsworth asked do we need a motion?

Mr. Walls responded I would go with you if it did not violate the Sunshine Law.

Mr. Berube asked is everyone okay with me doing the negotiation with Davey?

Mr. Farnsworth responded I do not see anyone shaking their head.

Mr. Qualls stated this is the time to be thorough and to document everything.

Mr. van de Snel stated the punchlist is purely historic from June and July. Also, I have noticed the Green neighborhood play area was \$12,000 for the Bermuda. I assess the soccer field at the same value of \$12,000 because it is about the same size. I took

pictures and sent them to Mr. Campbell. A resident complained the dog park was not mowed and Cherry Hill was not mowed. The whole section was not mowed.

Mr. Berube stated what has been going on is, I have been communicating with Ms. Roberts every week since they gave us notice. She sends a service report telling me what did and did not get done. The stuff that Mr. van der Snel and I notice during the week, I give back to her. Some of it gets fixed and some does not. More of it does not get fixed. Her service reports on a weekly basis are basic. She tells us the truth. Then when you look at what comes out of corporate headquarters on that fancy multi-colored sheet, it does not jive with what the local people are saying is working.

Mr. Farnsworth stated I was wondering about that but I am not on the ground looking at it.

Mr. Berube stated there are issues. We will just leave that alone.

Mr. Walls stated we have to coordinate with Servello. We have to look at these areas before they come in and mow.

Mr. Berube stated they may be here Monday but we will see. They are not going to be ready to start mowing on Tuesday. They have to organize that compound. Tuesday is going to be an organizational day for Servello. We will also ask them to keep some sort of list of what is out of control here and how much it is going to cost. Some of this we do not have a value. When they missed a cutting three weeks ago, and it is worth \$400, we are never going to recover that. My big concerns are the two fields and the cost of getting rid of all these weeds. There are weeds all around this place.

Mr. Walls stated especially the ones that are inside the plant material we have that is living. It is killing the plants.

Mr. Berube stated they need to hand-pull those. That is what we will do there. We will revisit the punchlist again next month or sometime before that.

Mr. Qualls stated there was a public records request which came in and I received a subsequent email from the person who made the request. He made several points and I told him I am happy to discuss it with him, but just be careful putting stuff out there on social media. We advise not to do it. It opens up these sorts of issues. I have spoken with the Supervisor about it and had a great discussion. Everyone is doing the right thing. I always like to remind my governmental clients that some people whose

livelihood consists of making requests and suing governments when those requests are not responded to their satisfaction. The Legislature has made a change that was approved by the Governor that puts some additional requirements in there. Just be careful when putting information out on the internet.

Mr. Bokunic stated since this issue came down, a lot of CDD issues are still being discussed. What I have been doing is telling people to come to the meetings. I have been avoiding answering questions, but everyone is chiming in on various issues. Should we continue to chime in?

Mr. Qualls responded I would encourage you not to chime in on any issue that may come before this Board at a meeting for there to be a determination. If you want to report on past history, you can simply refer them to the minutes that are online. We are trying to avoid the appearance of a meeting having taken place outside of a publicly noticed meeting. The law is clear: If one Supervisor was to email another Supervisor and in that email back and forth, discuss something that was coming before the Board, that has been found by the courts to constitute a meeting outside of the Sunshine. I checked very recently, and the Attorney General has opined that same scenario on Facebook when one official posts something and another official responds, that also could constitute a meeting. It is for issues that are going to come before the Board and having a discussion with one or more Supervisors about those issues in an electronic setting. That could be determined to constitute a meeting. I understand your frustration because your job as elected officials is to be responsive to your citizens, and you should be responsive to your citizens and constituents. The key is to encourage them to come to a meeting. Just tell them you will not discuss anything that may come before this Board. That is the perfect response. If they want to hear the discussion, they should come to a meeting. It is open to everyone and has been advertised. There is nothing wrong in telling them the history, and there is nothing wrong with sharing opinions on things that have happened before. Just do not get into issues that may come before the Board in the future.

Mr. Walls stated you can talk with them in private. You can talk with them privately via email.

Mr. Berube stated before anyone does anything on Facebook or other social media, you need to look at the whole thing and make sure no other Supervisor has joined in. The one that is in question, I was typing a response to it, but then saw Mr. Bokunic had already made a response, so I deleted it. I almost joined in that discussion, which would have been a problem. We understand, and I think we are all careful. That raises another question. Where does a resident get the right to start spending public money in contacting the District's legal counsel directly?

Mr. Qualls responded I will be frank. I saw this email earlier in July, but I just replied to him that I was happy to discuss it with him when I noticed I had not replied to him. I do not know if what he is claiming is true at all. He identified three things he perceives in his opinion that were questionable.

Mr. Berube stated that is not my point. If he has a freedom of information request, there is a procedure for doing that, and it does not include going to the attorney.

Mr. Qualls stated that is correct. When I received his email, I forwarded it to the manager. I just want to make you aware of this. You are correct; I would not take the time and use the public resources on that without bringing it to the Board.

Mr. Bokunic asked is this issue still hanging around?

Mr. Qualls responded I do not know. I responded to him that I was happy to discuss it, and I copied the manager. I found through the years that it is best to have an open line of communication and not let these things fester. I think the record that I am aware of has been provided. As far as I am concerned, it is not still hanging around, but it did give me the opportunity to remind everyone.

Mr. Farnsworth stated that was my question, if the record he requested was supplied to him.

Mr. Qualls stated yes.

Mr. Moyer stated we have a very good protocol on public records requests. As soon as we get a public records request, we acknowledge it, so they know it will not sit around and that we are not going to do anything. We then go ahead and determine if it is going to take an excessive amount of staff time, which will lead to expenses. If there are excessive expenses, the requestor is required to pay those based upon our estimate of what it will cost to do that. We may respond that they are requesting 3,000 pages, which

is going to take x amount of time for us to compile at a certain rate, and once we receive payment for that amount, we will provide the public records. If they pay, then we provide the public records immediately. It is a pretty tight system.

Mr. Farnsworth stated I just wondered about the disposition of this request.

Mr. Qualls stated the record that was requested was provided pursuant to the requirements of Florida law.

Mr. Bokunic asked are you saying there is something else? Do we need to discuss this privately?

Mr. Qualls responded no, it is something that is not a secret. It is a long email and he brought up several things. I do not know if there is anything there or not.

Mr. Berube stated let it die.

Mr. Qualls stated yes, this just afforded me of the opportunity to remind you of these things.

Mr. Berube stated in watching what goes on with Facebook, I think everyone is a lot more careful than we were in the past. I would say all the Facebook commentary is very clean, day after day. Everyone joins in on Facebook occasionally, and the vast majority has nothing to do with CDD business. When it was CDD business, I have never noticed where two Supervisors jumped in on the discussion. Everyone is quite aware of it.

Mr. Qualls stated everyone remember that I am not saying anyone did anything wrong. I just want this constituent to know that I saw his email, I brought it to the Board's attention, and we discussed these very issues which are always good and healthy to discuss.

Mr. Moyer stated if someone is asking you questions and you do not want to not acknowledge or not talk to them, direct them to the website. Just about everything we can think of is on the website. The minutes are posted if they want to go back and read the detailed minutes of the meetings.

Mr. Farnsworth stated they will have to look, but there are very few things that are not available.

Mr. Berube asked speaking of the website, is that housed on a computer owned by you or by Severn Trent?

Mr. Moyer responded we have a host. For years, it was a fairly *de minimus* amount. I just picked it up myself. You do not pay for that. You are now paying I believe a little bit because of all the phishing that is going on. We got hit with malware, and we had to buy a policy to make sure we did not get hit again. It is a little bit higher. You probably had to pay a *de minimus* amount.

Mr. Berube stated the reason I ask is because you are moving on, and at some point, you will not be involved in this anymore.

Mr. Moyer stated we are already transitioning with Severn Trent.

Mr. Qualls stated the response for you Supervisors is that you are happy to discuss this, just not in this electronic format. We want to encourage you to talk with your constituents. We want to discourage you from doing it on social media.

Mr. Bokunic stated this is a hassle, and no one wants a hassle. I asked you this question, and I am going to ask it again. I know this is a public forum, and hopefully this individual is reading this. I own the forum. I inherited it from the gentleman who started it. I can remove whomever I want. If someone is causing trouble, I know it will not look good, but if this guy is watching everything we are doing, why can I not just remove him? It is my forum.

Mr. Qualls stated I would not do that. I would get rid of the whole forum, frankly.

Mr. Farnsworth stated you have to watch it.

Mr. Qualls stated I am not telling you to do that, but to me, it would make things a lot easier. I have not taken the time to legally research that. I think that could lead to more trouble. It becomes a free speech issue potentially.

Mr. Berube stated the resident asked, he got what he requested, and we moved on.

C. Field Manager

i. Facilities Maintenance

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

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.

v. Miscellaneous Discussions

Mr. Farnsworth stated there was one question on the Cherry Hill L-3 level and it stated as treatment ineffective. What is that all about?

Mr. van der Snel responded it was already brought up with the engineer that we have hydrilla there and obviously, the treatment was ineffectual. We tried to treat it and that did not work. We called our coach from the manufacturer and he is making the mix for us to treat hydrilla and he will send it out to us.

Mr. Farnsworth stated you have taken very deliberate action to address the problem. That is the point. Good.

Mr. Walls stated hydrilla does not go away.

Mr. Berube stated hydrilla is nearly impossible once you have it.

Mr. van der Snel stated they have a special mix that we ordered pre-mixed and will treat the pond.

Mr. Berube stated if that does not work, we are going to put guys in scuba suits to go in and hand pick it all.

Mr. van der Snel stated we would have to hire them. We did have some damage from the thunderstorm. Buck Lake has some damage but this is a yearly thing I guess. It is not in the report I do not think. The access control center has been damaged again. Everything pretty much on Buck Lake had a power surge. We had to replace adapters. GFIs did a good job though. However, we had to replace some minor things due to the thunderstorm.

Mr. Bokunic stated it was lightning.

Mr. van der Snel responded that is correct. You do not want to be there at that point.

Mr. Farnsworth asked that all occurred after this report was generated, right?

Mr. van der Snel responded yes.

Mr. Berube stated interestingly last month in the budget meeting, we talked about putting more money in the budget for vehicle repairs because they are getting older and there is time on them. We should maybe consider replacing them because things happen. Two weeks ago, we lost the engine in the little Kawasaki mule. The good news is the engine is common. Ebay wanted \$1,680 for one. Amazon was \$1,490 or something like that. And on our government deal at Central Florida Yamaha, we can buy an engine for \$1,363 delivered. It is the oldest vehicle. It has over 4,500 hours on it. They came to me because it was smoking, quitting and everything else. I started looking at it. The spark plug had sand all over it. This is a dead giveaway that something is wrong. Turns out the air filter has a plastic rubber collar on it that slides over a tube where it goes into the carburetor. For whatever reason, that plastic rubber collar, probably from heat, hardened up and turned into hard plastic. It would not seal anymore. As this thing drives around, the dirt takes the easiest path in and goes right around that hard seal which does not fit tight anymore, right into the carburetor and thus the engine. It is just one of those things. Guess what is going to be in the new change list with the Kawasaki mule with the new engine? Once a year, we will get a brand new air filter. The thing had 4,500 hours on it. They do not normally last that long anyway, considering the abuse that thing had. We lost an engine. It will be in next week. I will put it in. It will be back up and running with a new air filter. It is the first major loss we have had on any of the vehicles which is good considering our use every day, every week, every month, all the time. It just dawned on me we have to put money in the budget for maintenance on these vehicles we got. When you have sand on the spark plug and the rings are all worn and just burning oil, that is what happens. There is always a reason.

EIGHTH ORDER OF BUSINESS

District Manager's Report

A. Financial Statements for June 30, 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 the good news is, we have collected all our non-ad valorem assessments. The better news is, we are substantially under budget now, so overall, we are in good shape. The \$1,300 will not be a problem in this fiscal year to cover it with the budget.

Mr. Berube stated it will be on the vehicle maintenance line, but we are okay in the general columns line.

B. Invoice Approval #207, 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 on the website, and requested approval.

Mr. Berube stated in the invoice package, there was a weird invoice in there for \$1,152 from Severn Trent to Gabriel Amunday. That was in the invoice package. It does not show up in the recap or anything as far as I could tell. I have no idea what that is. I am hoping that someone blended it in and it has nothing to do with us.

Mr. van der Snel stated it says for Stoneybrook.

Mr. Walls stated that was my assumption since it was not on the list.

Mr. Moyer stated we will delete it when you make you motion on it.

Mr. Berube asked are we holding the Davey invoices in anticipation of any offsets?

Mr. Moyer responded we have not paid Davey at all.

Mr. Berube stated invoice approval #207 is subject to removal of the inappropriate invoice from Severn Trent to the Wesley Chapel, Florida address.

There being no further discussion,

On MOTION by Mr. Walls, seconded by Mr. Bokunic with all in favor, unanimous approval was given to invoice approval #207, check register, and debit invoices, as amended to delete the invoice for \$1,152 as discussed.
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C. Discussion of the Fiscal Year 2018 Budget

Mr. Moyer stated we had a good workshop last month on the budget. We incorporated those changes. Your public hearing has been scheduled for the end of August on this budget. We will certify that then after the Board adopts the budget to the property appraiser to extend our non-ad-valorem assessments on the real estate tax bills. For all of those in the audience who wants to know what that means, it means we are not increasing assessments to residents.

Mr. Berube stated assessments are not going up yet for another year. Services are increasing through the buying out expensive streetlight leases. This saves us a lot of money with OUC every month and every year. That money goes into the operation and maintenance side that we are not giving OUC. It lets us keep your assessments level and keeps services right where they need to be. One thing on the budget, when you look at landscape services, we still have the mulch contract and the shrubs and ground cover and annuals separated from the main body. The new contract is not like that.

Mr. Moyer stated we will add them up.

Mr. Berube stated I think the numbers are close, but they should not be on three separate lines.

Mr. Bokunic asked is it because that is the way Davey did it?

Mr. Berube responded this is the way Davey did it, yes. That was the way the thing printed.

Mr. Farnsworth stated I think I am agreeing with what you are going to say, that we are going to have to adjust how the line items are here, regardless of whether we adopt it as is. We are going to have to adjust the line items so they fit the new contract, as long as the bottom line dollar comes out matched.

Mr. Berube stated I noticed our capital outlay for streetlights increased. I am presuming you used that as a plug number and stuck money in there.

Mr. Moyer stated yes.

Mr. Berube stated everything else looks pretty much as expected after our discussion last month. Unless anyone else has questions or discussion on the upcoming budget, I think we can just run with it. That is a separately advertised public hearing, but we do that within the regular meeting next month.

Mr. Moyer stated yes.

D. Consideration of Engagement Letter for Arbitrage Rebate Services for the Series 2015 Capital Improvement Revenue Refunding Bonds

Mr. Moyer stated LLS Tax Solutions is the company who does our arbitrage rebate calculations. Their contract is over now. They want us to renew their contract. Again, it is \$600 a year. As I have mentioned to the Board before, there are several companies that do this, but the market is \$600. They all charge \$600. You gentlemen are all aware of why we have to do the arbitrage rebate calculations as related to the bonds, to make sure we do not earn more money on our investments than we pay to the bondholder. If we do, we have to put that into an account and then every five years we have to rebate that to the United States Federal Treasury. It is an exercise we must go through, but on its face, when you are paying 4% or 5% on your bonds and your investments are at .5% to 1.5%, it should be a no brainer to say we are not making more money than the bondholders, but we still have to do this. The first part is I would like to renew that contract. They have done a good job for the \$600 per year as stated in their letter.

On MOTION by Mr. Walls, seconded by Mr. Farnsworth with all in favor, unanimous approval was given to the engagement letter with LLS Tax Solutions Inc. to perform arbitrage rebate services for the \$13,530,000 Series 2015 Capital Improvement Revenue Refunding Bonds.
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E. Acceptance of the Arbitrage Rebate Report for the Series 2015 Capital Improvement Revenue Refunding Bonds for the Period Ended April 27, 2017

Mr. Moyer stated they did a report on the 2015 Bonds, and as we expected, they stated there is no arbitrage rebate liability.

There being no comments or questions from the Board,

On MOTION by Mr. Walls, seconded by Mr. Bokunic with all in favor, the arbitrage rebate report for the Series 2015 Capital Improvement Revenue Refunding Bonds was accepted.

NINTH ORDER OF BUSINESS

Ratification of Agreement with Servello Regarding Provision of Landscape Maintenance Services

Mr. Berube stated we signed everything. Are we done?

Mr. Qualls responded it was executed by Mr. Walters, I believe. Probably what I recommend is to make a motion to ratify it so it is official. Then I think I would probably advise just to have the Chairman execute it. I think that would probably be the best or the Board authorize the manager to execute it, just so the record reflects it and there are not any questions later. It is good that it was done because we were working on such a tight timeline. Call this an overabundance of caution.

On MOTION by Mr. Walls, seconded by Mr. Bokunic with all in favor, the landscaping contract with Servello was ratified and the Chairman was authorized to execute it.

TENTH ORDER OF BUSINESS

Topical Subject Discussion

Mr. Qualls asked may I ask a personal question of the District?

Mr. Berube responded yes.

Mr. Qualls stated I have a pond on my property with duckweed. I have tried everything to get rid of it. I remember this District got that hippo which is similar to a skimmer. I spoke to Mr. van der Snel. It is not being used. If anyone had a moment's hesitation, just tell me because I would not want to do anything to be above board. My question is if I could rent it, and if there was any damage I would replace it. If you say no, it is not a problem. To me if you have that equipment and it is not being used and

now you are taking care of it and seeing that it is used and you are getting some money back, of course I am a little self-interested in it. I thought I would just throw it out there.

Mr. Farnsworth stated I do not think there is any issue with you using it. I just want to make sure you are aware there is quite a bit of manual labor involved in using it.

The Board concurred they were in favor of this.

Mr. Qualls stated I will prepare a rental agreement. What do you want to do, 5% of the total cost?

Mr. Berube stated will \$250 work for you?

Mr. Qualls responded yes.

Mr. Berube stated for the benefit of the residents, duckweed is this green material that grows on ponds and it literally takes over ponds. It likes to grow in retention ponds that have nitrogen. It is good for the pond because it sucks in nitrogen and phosphorus and other fertilizers. The problem is, it grows and grows, and you cannot get rid of it. A year or so ago, a couple ponds had a problem with it, so we bought a hippo skimmer, which looks like a hippo head. It floats around the pond and has a pump that picks up the duckweed and puts it onto the shore into a box that has nylon socks that catch all the duckweed. The water runs through the nylon socks and goes back into the pond. You set the hippo on the pond, and all you have to do is clean the socks. This duckweed is excellent fertilizer for lawns and gardens. Just let it dry out. It is all nitrogen and phosphorus and other fertilizers.

ELEVENTH ORDER OF BUSINESS

Supervisors' Requests

Mr. Bokunic stated I have one thing. The access card issue that we dealt with went crazy online. The lady originally contacted me. She had a nanny in town. While she was out of town, she wanted the nanny to take the kids to the pool. I asked Mr. van der Snel, and he suggested the resident contact Ms. Rosemary Tschinkel and that the resident get a power of attorney. Apparently, this is not a very common thing that happens. Ms. Tschinkel kicked her back to us, saying she needed to get some document unspecified, and that is when it went crazy online. I made a comment that I would address it and determine how to handle in the future.

Mr. Farnsworth stated I pointed to the rule that addresses this situation.

Mr. Bokunic stated I think the point is Ms. Tschinkel did not know the rules.

Mr. Farnsworth stated that is the issue.

Mr. Berube stated you have to remember that Ms. Tschinkel does not deal only with the Harmony CDD. She deals with how many CDDs?

Mr. Moyer responded she handles 20 CDDs.

Mr. Berube stated right. They all have a unique set of rules, and this one is very obscure. Having said that, she might have kicked it back a little too quickly without looking, whatever the case. It is back to us. Where do you want to go with this?

Mr. Moyer asked how long ago was this?

Mr. Berube responded two weeks.

Mr. Farnsworth stated yes. She should have reached out to Ms. Burgess because she does know the rules.

Mr. van der Snel stated I emailed Ms. Burgess because Ms. Tschinkel wanted to say she was right about this, that the resident must have a power of attorney. Ms. Burgess emailed back saying Ms. Tschinkel was right about this. Ms. Tschinkel did say she needed a power of attorney. The resident just did not accept that as the required answer.

Mr. Bokunic stated the resident heard that answer twice, then went public.

Mr. Walls stated this was something we discussed a few years ago, because at the time, we were having these issues where we had all kinds of people coming to the pools. People were complaining because they were full. People were doing things they should not be doing. The response was, you must show that you live here, or that you have guardianship of these kids, even if it is temporary use of the pools. That is where we went.

Mr. Berube stated I think the reason for the notarized guardianship power of attorney was to protect us if something were to happen to one of any of those children in the pool.

Mr. Walls stated otherwise, we are not just letting anybody bring children in and we do not know who they are, if they live here.

Mr. Berube stated if something goes bad with one of the kids, then the parents come back here and ask what gave us the right to issue a card to their sister. She let my kid get hurt and it is our fault because we gave their sister a card and she took their kids.

This is the reason for the guardianship power of attorney and notarized to make sure it is real. Reading from what the lady said, she did not like that. It is a pain in the neck and we are being obstructionists. I think her words were, we are using your power because we can.

Mr. Bokunic stated what I agreed to do is discuss it and make sure we are all the same page with the proper procedure and that Ms. Tschinkel is apparently right.

Mr. van der Snel stated I offered for the lady to give me a call. For a power of attorney, you can set it up yourself. You can say only for usage of this pool card issue, you will give a power of attorney to this person. You notarize it, and that is it. A power of attorney does not mean you give all your rights away to somebody else. You can specify it for a particular purpose. For her, it would take 10 minutes to write it up and get it notarized. It could have been done in two hours. However, it was blown up. If she gives me a power of attorney and \$10 for the card, I will give her a card.

Mr. Berube stated the bottom line is, we made that part of the rules. That is the rule and nobody is going to go around the pool because that is all done as part of public hearings. Once we violate that, we are done.

Mr. Bokunic stated I was not asking that we violate it.

Mr. Berube stated we are trying to follow the rule. If people on a widespread basis do not like it they can, then as you suggested, come here, and state their case and we will go through the rule again. We can modify it to what works for people, but it requires some time and a public hearing plus it will cost money. As we see tonight I do not think any of the folks here tonight want to talk about guardianship power of attorney for children going into the pool with somebody else. There was a big firestorm on Facebook about this and you suggested the right thing about coming to the meeting.

Mr. Bokunic stated she is out of town, but says she is coming next Thursday.

Mr. Berube stated you did the right thing and it is the right way. That is why we made rules. If you remember, we did that rulemaking process over about six meetings. There was virtually nobody here. Every meeting was publicly advertised that we are revising the rules. No one came. The rules get put in place and now people do not like some of them.

TWELFTH ORDER OF BUSINESS

Adjournment

There being no further business,

On MOTION by Mr. Bokunic, seconded by Mr. Walls with all in favor, the meeting was adjourned at approximately 7:30 p.m.

Chuck Walter
Secretary

Steven Berube
Chairman