

Mr. Evans responded it is the interpretation of the document, what is platted versus unplatted. In turn, means how do you calculate the dollar amount in terms of \$47,000 over how many acres?

Sup. Farnsworth responded I want to be clear on how the calculation is derived.

Sup. Walls stated I do not think this is the forum to litigate the issue. What I would hope is this provides us their assessment of the issue. Maybe you can provide your objections to their determination.

Mr. Evans stated we provided a direction three weeks ago.

Sup. Walls stated this is fine. It can be included in the document I am asking you for. Here are the objections from the developer. Like I said, we either agree or disagree with staff's determinations.

Sup. Walls asked Mr. Qualls, what is the penalty if we do not provide the estoppel before their closing?

Mr. Qualls responded I am not prepared to say that. What I am prepared to say is I believe, this should be determined before closing if possible. At the very least, the potential buyer needs to be aware. If the Board says issue those estoppel certificates, the developer is not going to agree with the amount. Your professionals do not have a dispute. We are not fuzzy on the math. Severn Trent has done the analysis. Your option for getting more information and determining this later would require scheduling an emergency Board meeting. You can leave this one open and continue it at a time decided during this meeting.

Sup. Berube stated we understand. We need a separate time and meeting to go through all of this. We need documentation including briefs from everyone involved. I would like to schedule an emergency meeting for one week from tonight.

Sup. Farnsworth stated you can call it a workshop or whatever you want. It needs to be done.

Sup. Kassel asked how about September 14<sup>th</sup>?

Sup. Walls responded they decided this money is owed. What if they issue the estoppel letter with the money on it? Is it under the agreement we are working on? It is under your interpretation. I have a public hearing next Thursday I have to attend. I cannot be here.

Sup. Berube asked what date did you say **Sup. Kassel**, September 14<sup>th</sup>?

Sup. Kassel responded yes.

Sup. Berube asked when is it closing?

Mr. Evans responded I think it is September 27<sup>th</sup>.

Sup. Berube stated September 25<sup>th</sup> is a Monday. Yes, it is September 27<sup>th</sup>. I know this because of other related business. Can everyone make September 14<sup>th</sup>?

Sup. Kassel responded I want to address the question you just brought up. I assume we first have to approve this amount. We have to agree or determine if this is the correct amount. We still need to do that even if we issue the letter in that amount. We still need to agree to it. And to agree to it, we still need to look at the documents.

Sup. Walls stated yes or we can do it tentatively pending a review at the next meeting. Can we do that?

Sup. Farnsworth asked can you issue a tentative estoppel?

Sup. Berube responded an estoppel is an estoppel. **Sup.** Kassel, can you make September 14<sup>th</sup>? We will put together an emergency meeting and send notice of it. The agenda is a single item.

Mr. Moyer stated if it happens September 14<sup>th</sup> we will have time to advertise it. It is better to do it in this fashion.

Sup. Berube stated however you want to call it. Special meeting or emergency meeting, this should get us as close as we can to accommodate the time-frame. Sometimes the developer is friendly, sometimes not. If you have information which needs to come to us, it is the same deal. Mr. Walter will you be handling this? Counsel, we need whatever briefs you have available. Give us your arguments and let us get educated. The sooner the better so we are not waiting until the last minute again.

Sup. Walls stated just so the residents know the meeting is going to cost them money. We are doing it to meet the time constraints of the developer. We did not set the closing date.

Sup. Berube stated residents should know we already run \$5,000 in legal on occurrences like this one.

Sup. Walls stated I am opposed to having an additional meeting, but will comply if the rest of the Board wants to do it this way.

Sup. Berube stated we are scheduled for September 14<sup>th</sup>.

Mr. Farnsworth responded, I think Sup. Kassel sent corrections to Ms. Burgess on the minutes. I think Ms. Burgess asked if she would like to be referred to as Doctor. I think it was Mr. Moyer, but it may have been ~~Sup.~~<sup>Mr.</sup> Farnsworth. It sounds like it was Mr. Moyer.

Mr. Moyer stated yes, I think it was me.

Sup. Farnsworth stated I sent her the same correction.

Sup. Kassel stated this is the correction to the minutes. The sentence should read Mr. Moyer instead of ~~Sup.~~<sup>Mr.</sup> Farnsworth. I sent Ms. Burgess some additional corrections.

Sup. Farnsworth stated when I sent them to her, she said she is not handling it any longer and forwarded it on to someone else. I do not know exactly who.

Mr. Walter Stated Ms. Burgess will no longer do the minutes. As you have comments, we should be able to make the transition relatively quickly. Ms. Burgess is doing a great job forwarding them on to a recording secretary. In the future if you have comments along the way, forward them to me. I will forward them to the recording secretary.

Sup. Farnsworth asked send them to you rather than going to your assistant?

Sup. Berube responded yes, send them to Mr. Walter.

Sup. Walls stated in the Attorney's report last month, we requested the minutes would include the pictures of the punchlist items for Davey. I did not see those in there. Whether you wanted them in there or not, is up to you. I do think there needs to be a reflection of it and we need to document where we are with the outcome of Davey.

Sup. Farnsworth asked is it any of what you have here?

Sup. Berube responded no, it is on the drive I gave you last month. Did someone copy the drive to something? I have the drive back. I just presume they copied the contents of the photos to a digital file, right?

Sup. Walls asked can we just make a reference the photos were shown and they are available in the District office?

Sup. Farnsworth asked will it satisfy legally? Do you really need to have them?

Sup. Walls responded as long as we have them. I do think it would be helpful for there to be a reference to them where we can access them.

Sup. Berube stated they are available by request in the District office which is what it normally says with most of our documentation.

Sup. Berube stated while we are on the subject of publishing, on the minutes of this month's meeting, there were some names which were incorrect as being present last month. One was Richard Drunkenmiller as Assistant Field Manager. He has not been on our staff for three years.

Sup. Kassel asked his name was in the minutes?

Sup. Berube responded on this page in the attendance list. The folks listed from Servello and son were listed as James Whitaker and Steve Campbell. I think James Whitaker was here. The other attendee was Keith Campbell. So we had his first name wrong.

Sup. Kassel stated it should have been in the minutes approval. It just dawned on me since we spoke about publishing. How this ever got put in there is beyond, I do not know. Especially with Mr. Drunkenmiller. Someone had to really reach for that one.

Sup. Farnsworth stated I did notice one thing I forgot to bring up. I did pose the question, but nobody knew the answer. Did you request to be William rather than Bill?

Sup. Walls responded I do not think he cares.

Sup. Bokunic stated it does not matter one way or the other. That's a legal name I use, which is Bill.

Mr. Moyer stated the reason I came here is to turn this over to Mr. Walter. I will leave this in his capable hands and wish you a good night. I'll be back. You will see me from time to time as I said.

## **FIFTH ORDER OF BUSINESS**

## **Subcontractor Reports**

### **A. Servello Landscaping**

#### **i. Monthly Landscape Report**

Sup. Berube introduced James Campbell from Servello and asked his associate to introduce himself.

Mr. Scott Feliciano introduced himself as the Vice President of Operations.

Sup. Farnsworth asked who do you want up first?

Mr. Feliciano responded Mr. Campbell will talk about the work schedule since he is your onsite **Supervisor.** **Sup.** He will handle any work schedule or reports which is being turned in.

Mr. Campbell stated the work schedule tells you exactly what you see there. It tells you the number of cuts you get a year. It tells you starting the in the month of

motion to go with that, can now make a motion to reconsider, then make a determination on that. Once it is out of the way, you move forward on what you want to do from there. Does that make sense?

Sup. Kassel asked it has to be approved and then we vote on it?

Sup. Berube responded we are rescinding the Davey contract award.

On MOTION by Sup. Kassel, seconded by Sup. Berube with all in favor, to rescind the contract previously awarded to Davey Tree Expert Company for the trees for the Butterfly Sidewalk Project, was rescinded.

On MOTION by Sup. Kassel, seconded by Sup. Walls with all in favor, a proposal in the amount of \$18,900 for installation of 35 Live Oaks of three-inch caliper from Servello & Sons, for the Butterfly Sidewalk Project was approved.

Mr. Campbell stated the trees are actually taller than you specify. Mine are 14 or 15 feet.

Sup. Berube stated we gave them the engineering drawings and I think I saw pictures.

On VOICE VOTE, with Sup. Berube, Bokunic, Farnsworth and Kassel voting aye, and Sup. Walls voting nay, the prior motion was approved as discussed.

Sup. Berube asked you understand we are not ready to go with these trees yet, right? He will be coordinating the sidewalk with you.

Ms. Carlo asked when are the trees going in?

Sup. Berube responded after the sidewalk is in.

Ms. Carlo asked when is it?

Sup. Berube responded in six months.

Ms. Carlo asked is the contract valid until the tree is cut?

Sup. Berube responded yes. They are going to be here for a long time.

Ms. Carlo asked are the trees under warranty?

On MOTION by Sup. Kassel, seconded by Sup. Walls with all in favor, the Arbitrage Rebate Report for the Series 2014 Capital Improvement Revenue Refunding Bonds was approved.

## TENTH ORDER OF BUSINESS

## Topical Subject Discussion

Sup. Kassel stated there was a discussion which took place last month when I was not here. There was a change in the format of the minutes. I think you all know from Mr. Moyer, it came by way of Ms. Burgess and not by me. You did not ask for any examples or evidence to support Mr. Farnsworth's contention. There was no request in the minutes from Mr. Moyer for his experience. I asked him about it. He said the simple answer is in the 44 years I have been doing this, on the hundreds of CDD Boards I have served, nobody has ever made an issue of what title was used for a ~~Sup.~~ <sup>Supervisor.</sup> The staff of our CDD manager, was the one who suggested it. The Board decided on their own volition it was correct without question. The CDD Manager had been the one who suggested it originally.

Sup. Berube stated the minutes do not accurately reflect what took place. Mr. Farnsworth did offer some backup documentation. The bottom line is what you want to do is return to the minutes to reflect your Doctor salutation.

Sup. Kassel stated no. I am requesting the minutes reflect the title ~~Sup.~~ <sup>Supervisor</sup> for each of us. This way we are complying with ~~Sup.~~ <sup>Mr.</sup> Farnsworth's contention the minutes should reflect our roles as ~~Sup.s.~~ <sup>Supervisors.</sup>

Sup. Walls stated it did not make it into the Minutes, but I said I did not care what you call me. The reason I voted for it is because I do not care. I am fine with it.

Sup. Berube stated if we are going to ~~Sup.~~ <sup>Supervisor</sup> why not go to Chairman, Vice Chairman and ~~Sup.~~ <sup>Supervisor</sup> if we are going to get technical? For the existence of the CDD, it has been Mr. and Ms. without an issue. One small change came up. It got noticed and discussed.

~~Sup.~~ <sup>Supy.</sup> On MOTION by ~~Ms.~~ <sup>Supy.</sup> Kassel, seconded by ~~Mr.~~ <sup>Supy.</sup> Walls with all in favor, the preferred title for each Board members is ~~Sup.~~ <sup>Supervisor.</sup>

Sup. Farnsworth stated in making this change to ~~Sup.~~ **Supervisor**, we get on board with it and do exactly what you said.

Sup. Kassel stated the vote was for ~~Sup.~~ **Supervisor.**

Sup. Berube stated when I first saw it, I thought it was okay. I did not care, like Sup. Walls. You brought it up last month. To tell the truth, I thought it was getting a little deep, and I did not want to spend more time on it. We did votes last time and this time. From now on it goes ~~Sup.~~ **Supervisor.**

Sup. Farnsworth stated I wanted to ask ~~Sup.~~ **Mr.** Bokunic, did anyone ask anything further on the issues about the guardian identification on the Power of Attorney for pool use? No-one in the audience was here for the subject.

Sup. Berube stated the lady showed up in an HOA meeting a couple of weeks back. We told her she was at the wrong forum. We told her to come to this forum, which she agreed to attend. She did not attend.

Sup. Farnsworth stated the other thing was the policy manual. Are we going to have a workshop on it?

Sup. Berube responded please add to next month's agenda a discussion of policy and scheduling a workshop. I will just make a note and we will handle it. We will probably schedule a workshop for October for it. It needs to have some time spent on it.

Sup. Kassel stated I have a work obligation at the end of October and will not be here.

Sup. Berube stated you can send your notes to the Manager.

Sup. Kassel stated I already did.

## **ELEVENTH ORDER OF BUSINESS** ~~Sup.~~ **Supervisor** ~~Sup.s'~~ **Requests**

Sup. Berube stated we handled ~~Sup.s'~~ **Supervisor** Requests in topical subject discussion I presume.

Sup. Bokunic stated I want to give thanks to Mr. van der Snel for the responsive and great work he is doing, which is being responsive to residents' needs online, going above and beyond, and it is being noticed. It is being commented on. We just really appreciate it and thank you for the good work.

~~Sup~~ Berube stated for those who do not know, we have a Field Services group here of five people. All five of them are residents. They are ably led by Mr. van der