

DRAFT
MINUTES OF MEETING
HARMONY COMMUNITY DEVELOPMENT DISTRICT

The regular meeting of the Board of Supervisors of the Harmony Community Development District was held on Thursday, January 31, 2019 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
Bill Bokunic
Kerul Kassel
David Farnsworth
Mike Scarborough

Chairman
Vice Chairman
Assistant Secretary
Assistant Secretary
Assistant Secretary

Also present were:

Kristen Suit
Timothy Qualls
Gerhard van der Snel
Scott Feliciano
Jason Miguez
Dick Jerman
Stephen Bloom
Alan Baldwin
Liz Moore
Residents and Members of the Public

District Manager: InfraMark
District Counsel: Young Qualls, P.A.
District Staff: Field Manager
Servello
Servello
Developer: SunTerra
InfraMark: Finance Director (via phone)
InfraMark: Accounting Manager (via phone)
InfraMark: Senior Assessment Specialist (via phone)

FIRST ORDER OF BUSINESS

Roll Call

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

Supv Berube called the roll and stated the record will reflect we have a full Board.

SECOND ORDER OF BUSINESS

Developer's Report

A. Discussion of Items Directly Related to VC-10/Buck Lake Acquisition

Supv Berube: We are going to try to confine this to items directly related to the VC-10/Buck Lake acquisition project that has been going on for a few months. I am not sure where we want to open with this, but District Counsel has been directly involved in this.

Mr. Qualls: Supervisor Kassel, Ms. Suit, Mr. Jerman and I had a very productive meeting on the 15th. We had a checklist and covered several items. We talked about the delinquent non-ad valorem assessments that are liens against the property, and the developer made clear that, as put in his letter, but we had to ask, that it would be something the District would have to take care of. To summarize it was very a good meeting. We recommend he come here today to address any additional questions you might have about the deal. Based on everything that I have seen, it is a legal thing the District has the ability, under Chapter 190, to undertake. I wanted to make sure tonight you are armed with the information to make a sound policy decision.

Supv Kassel: We will get back almost the entire amount from the Tax Collector; there would only be a couple of thousand dollars we would be out. In the meeting with Mr. Jerman, we discussed having a border around the lake except for Harmony West, to have more control over lake access. We agreed Harmony West residents would be subject to the same rules and regulations that Harmony main has. Mr. Jerman stated he would resolve the ACOE issues. In addition, he will do an environmental inspection on the property to assure

them everything is copacetic with the property and a legal description. The District will do a survey of the property. Is there anything else you can think of?

Mr. Qualls: Just keep in mind there is the continued obligation to the bondholders of \$28,000 per year for the life of the bonds, and also as we discussed there are three options for the O&M. You are not going to levy O&M against the parcel you own so either you need to reduce your budget, create a line item for it or, as put on the chart, the O&M assessments would be spread out amongst the other properties owners that would bear that. I just wanted to cover those again and make sure they are in the record.

Supv Kassel: I believe they are in the agenda package as well.

Ms. Suit: Yes, the memorandum provided by Inframark.

Supv Berube: To cover the financials in a nutshell, we have two years of outstanding tax bills at the Tax Collector, which have to be paid. The good news is the majority of the money will come back to us save for a few thousand dollars in administrative fees so it is basically a wash. Starting this year and moving forward through 2036 the only external costs, since we will not be billing ourselves O&M, is we do have to pay the bondholder debt on the parcel. The lake has nothing to do with this; this is the parcel outside VC-10. It is about \$28,000 per year from now until 2036 when the Series 2015 bonds are done. The total cost is roughly \$500,000 for the acquisition of the land. By eliminating this income, we are forced to change the budget to cover the O&M that we will no longer be getting as a result of not having a landowner paying the fees; that increase is 2.76% in the budget.

Supv Kassel: We should mention that there are two parcels being discussed. One is VC-10, which is the parcel that has the debt; and the other is the lake, which does not have the CDD debt.

Supv Berube: The financial impact of increasing the budget 2.76% is roughly less than \$150,000 per year overall, which can be handled because this fiscal year we finished the streetlight buy down and we have been plugging \$330,000 per year into the streetlights. That money is going to sit in the budget, so you have your \$150,000 per year covered, and it is going to leave \$180,000 for other incidentals. That is the financial impact of doing this overall unless there is something we are missing. There will be minor lake management fees, but all of that for the most part is going to be lake inspection fees. The lake itself will come under the management of the CDD staff; they are managing the ponds now and will now manage a lake. It is just a bigger body of water. It seems like a good financial deal; from what I can tell. There will be no increase in CDD fees for the owners required to manage this. There are a couple of little things, and maybe Mr. Jerman can speak to this, but the parcel that is being turned over for the lake is outlined in red, that is the Tax Collectors parcel ID, some of the lake falls outside of the parcel. Are you going to adjust it?

Mr. Jerman: Yes, the intent is you get the lake.

Supv Berube: The whole lake.

Mr. Jerman: For the red area, I think Supervisor Kassel pointed out you do not want the whole red area you want a buffer of 25 or 50 feet.

Supv Kassel: We will take the whole red area; it is conservation.

Supv Berube: If it is easier to shift the whole parcel.

Mr. Jerman: It really does not make a difference; whatever you want to do.

Supv Berube: We will take that, but we want to be sure that the rest of it is adjusted.

Mr. Jerman: That is correct. I did not catch that it was not part of the parcel.

Supv Berube: When you look at the little picture, it is hard; but when you blow it up, it comes up. I think in your initial offer you were going to handle all of the deed costs, legal fees, and paperwork.

Mr. Jerman: On our side.

Supv Berube: Questions from the Board?

Supv Farnsworth: My question had to do with the uncovered boundaries, but if you are going to address that then I have no question left.

Supv Kassel: The lake itself is multiple parcels; correct?

Mr. Jerman: No, it is one parcel. Do not get carried away by what the Tax Collector labels as parcels. We are going to do a legal description and that is what gets conveyed.

Supv Berube: The legal description will encompass everything in blue plus some boundary outside it.

Mr. Jerman: That is right.

Supv Berube: Out to the mean high water mark.

Supv Kassel: Beyond that. I requested a 25 to 50 foot buffer around the high water mark.

Mr. Jerman: It is all the red except for the north side.

Supv Berube: What is our next step to moving this forward? I know the financials have to be plugged into the budget and all of that; it is going to be a line item. We will figure all of that out later. Of course, the budget process we go through in June will handle manipulating all the funds to make sure the line items are lined up properly, but to move this forward now you tell us what we are doing, we have never done this one before.

Mr. Qualls: I think you made a motion some weeks ago that you were comfortable with the deal so long as your professionals reviewed it and covered any items. We have now done that and brought those to your attention. I did have a conversation with Ms. Kristen Idle, who is the attorney for the developer, and there are a lot of things she is putting together. The things we have to put together are an Interlocal Agreement with Harmony West concerning management and also concerning access. I want you to factor in that Harmony West is going to have access; and for the two Districts, the division would be that they would work together to manage the lake and to share that cost, and the residents of both Districts would be entitled to follow the rules and utilize the lake.

Supv Farnsworth: That is an Interlocal Agreement.

Supv Berube: We currently have a Lake Usage Agreement, which the developer writes in favor of him and we sign; it is almost perpetual and renews every year. What is going to shift, if I am reading this right, we will now write the Lake Usage Agreement and give it to the developer by and through his relationship with Harmony West. I anticipate the Lake Usage Agreement will mirror what we have now.

Mr. Qualls: I do not know that it will mirror it. An Interlocal is between two governments so Harmony CDD will have an agreement with Harmony West CDD saying we are going to work together. We both have the power to manage this facility so we are going to work together to achieve economies of scale to do so. You will adopt rules concerning the utilization of the lake, and we will want to make sure that Harmony West and everyone is playing by the same rules. The other thing asked about was the amount of title insurance. She has recommended on the finger parcel that you would use the appraised value; it is a little more challenging on the lake and I would be looking for some guidance there for how much title insurance you would want to get for Buck Lake. I do not have a recommendation.

Supv Farnsworth: What exactly are you insuring?

Mr. Qualls: A clean title.

Supv Berube: How do you set a value on a 550-acre private enclosed lake?

Mr. Qualls: Call an appraiser; I do not know. Maybe work with the developer to come up with something that makes sense.

Mr. Jerman: I do not think the value of what you do the title insurance as much as the fact that you get a policy number one and your lawyers and everybody has reviewed it so it is a clean title. The only reason to put a value on it is so if you had to make a claim on the title because there was a problem.

Supv Berube: You are a developer and get into this stuff all the time, my first thought is you value it at \$250,000 so there is a reasonable defense that can be mounted if there is a title issue.

Mr. Jerman: That is good. You need to put something on it.

Supv Kassel: In this document under Real Estate Matters – Item 4 – it says \$16,200; what is that? Is that the lake?

Supv Berube: That is the lake.

Supv Kassel: There is your value.

Supv Berube: Why don't we go with \$275,000, since they are appraising it at \$264,600; any other questions?

Supv Kassel: For the conservation easements and exhibits that came from the CDD Manager's office and how they bear on this acceptance of this property.

Supv Berube: That is for the Third Party Enforcement Rights.

Ms. Suit: It is not for this.

Supv Berube: You have two things dealing with permits – SFWMD and ACOE – and they are separate from this.

Supv Kassel: I just did not know if they had any bearing on our acceptance of this.

Ms. Suit: I was asked to put it on the agenda; I think it is something your Engineer will be looking into.

Mr. Boyd: I will address it under my report. I do not think affects anything you are talking about with the land swap.

Supv Kassel: Thank you.

Mr. Qualls: There is going to be work to be done by the attorneys to get everything together. I think Ms. Idle said she could pounce on it quickly; in fact, she was going to do some legwork, but I recommended we take it to the Board to see if there were any other outstanding questions. I would think, if you considered a motion to go ahead and approve this deal, instructing your professionals to get it finalized, and instruct your management company to pay the outstanding tax certificates off. Unfortunately, it is the 31st and you are going to see a little bump in interest starting tomorrow. You would want to make sure it is paid in February, get it taken care and I think we can have a closing by the next meeting, go over all the final documents and get everything signed. I think we can get it done sooner than that.

Supv Berube: Let us get it done right and take our time, but not wait until the week before the next meeting to get started because that is how these things normally work.

Mr. Qualls: We will get started tomorrow.

Ms. Suit: For the record, when he is referencing "Kristen", he is referencing the Developer's attorney; not "Kristen", your District Manager.

Mr. Qualls: Ms. Kristen Idle.

On MOTION by *Supv Berube*, seconded by *Supv Kassel*, with all in favor, to instruct District Counsel to work with Developer personnel, including developer attorneys, to move the acquisition forward; and, as part of this motion, instruct Inframark to pay off the two outstanding tax certificates as soon as practicable, to limit the amount of interest and fees, was approved.

Supv Berube: Thank you Mr. Jerman for coming.

Mr. Jerman: Did you execute to get the ACOE resolved with those easements?

Supv Berube: We have it coming up with the engineer. I do not anticipate any problem getting it done and we will get it to you as soon as possible.

Ms. Suit: To pay off the two tax certificates we will be taking from the unassigned cash in the General Fund.

Supv Kassel: Unassigned Fund Balance.

Supv Berube: Unless you can do it out of operating cash. Thank you again, Mr. Jerman, for coming out.

Mr. Jerman: We will get this done this month.

Supv Kassel: Thank you for the parcels.

Supv Berube: Harmony West is looking very nice.

Mr. Jerman: We are getting there.

Ms. Suit: Will we be discussing this further under District Counsel? We have Mr. Bloom, Mr. Baldwin, and Ms. Moore on the phone if there are any questions for them.

Supv Berube: I think we are done. The thing we will have to do in the future is rearrange budget line items to cover all of this, but that does not have to be done right now. The immediate thing is getting those tax bills paid off and moving the paperwork forward so we can close on this, hopefully next month.

Supv Kassel: I have something for Mr. Baldwin before he goes; that Capital Fund with \$5 in it. Do we still need that account?

Supv Farnsworth: Why are we getting rid of it?

Mr. Baldwin: It was interest that was earned at the time of trying to close the account. I will notify the Trustee to officially close it and have the funds moved.

Supv Farnsworth: It was a placeholder while you could set aside funds for building.

Supv Berube: No, it is a different fund.

Supv Kassel: You cannot set aside money in that fund; the fund was created through the refinancing of the bond. This is the \$5 still left in that fund. If we want to create another fund for doing something else we can do so, but that fund was for something else.

Supv Berube: It ran down to a \$5 balance so the fund stayed in the budget so you could see where the money went.

Supv Farnsworth: Someplace, we need a building fund; or whatever you want to call it.

Supv Berube: We are not building anything yet. Thank you to District Counsel & District Management for all the background; and to Supervisor Kassel for going to the meeting. A lot of boilerplate stuff here and discussion, and there is plenty of paperwork in the background going on with this.

Mr. Qualls: I also want to thank Supervisor Kassel. She was very prepared and it was a very productive meeting. Everybody working together made it easy. Thank you.

THIRD ORDER OF BUSINES

Audience Comments

Mr. Mike Ivers: Recently I went to Village Trail and Lookout Loop and it is gated off. Did something change there that we can no longer go in?

Supv Kassel: Dan was just in touch with me about this. We are able to access the trail with a combination, but however, there are cattle there now and so we can access the trail, but we have to be very careful to close the gate and lock it so the cattle do not get out.

Mr. Ivers: It was well roped off, and there was also a steel chain with a lock. I got through the first gate, but the second gate was so roped you would be 20 minutes untying it.

Supv Kassel: I wish you had brought this up five minutes ago when Mr. Jerman was still here because he contacted me and asked me about an agreement. Maybe, we can ask Mr. Qualls or Mr. Boyd what they know about Billy's Trail, if anything.

Supv Berube: Billy's Trail is not on our property.

Supv Kassel: Lookout Loop will largely be. [Supervisor Kassel outlined areas on map].

Supv Farnsworth: The yellow portion is the red, but this trail is outside of it.

Mr. Ivers: You cannot access Lookout Loop unless Billy's Trail is included in it.

Supv Farnsworth: Lookout Bridge is in the red, but the rest of Billy's Trail is not.

Supv Kassel: If the residents make enough noise about this to the developer, hopefully, we can keep that. It has been part of marketing and advertising for the developer since 2003 to perspective buyers as being available for residents to use.

Mr. Ivers: Billy's Trail is part of the plan for development.

Supv Kassel: What do you mean it is part of the plan?

Mr. Ivers: With the County, the PD that covers all of Harmony has Butterfly Trail and Billy's Trail shown as part of that.

Mr. Boyd: I believe it is shown as a trail on the PD map.

Supv Kassel: I shared that information with Mr. Jerman. If you are willing to write me emails, to Kerul@HarmonyCDD.org, I will pass them on to Mr. Jerman to help persuade him that those gates need to remain open and accessible.

Mr. van der Snel: The main problem in the past was, and I participated myself chasing cows, because people leave the gates open.

Mr. Ivers: Why not put some cattle crossings in there.

Supv Kassel: The Harmony ROA has taken on the responsibility for maintaining the trails it is possible if the HROA were to fund some kissing gates that the cows cannot fit through. They are essentially open and people can pass through, but vehicles and cows cannot pass through.

Supv Berube: This trail thing keeps coming up and I understand why. It seems there are people who use or want to use the trails and they want reasonable access to them. The HROA probably has an easier path towards making something happen rather than going through the hieroglyphics that are required to do it here.

The HROA does not have any people to do maintenance or any work. The question becomes can the CDD take on a certain amount of limited trail maintenance.

Supv Kassel: The HROA is paying for the trail maintenance. We have a contractor who mows.

Supv Berube: It is a limited amount of work. I sit on the Board of the HROA and I listen to what goes on here, but I am leaning towards what Supervisor Kassel is saying which is that it will probably be easier to have the HROA manage trails in cooperation with the developer. The trail questions probably should come before the HROA. We can probably make something happen there easier than we can here. This Board is limited to what we can do on private property.

Supv Kassel: I did reach out to our former Conservation Director about Billy's Trail, due to Mr. Jerman's question about whether there was a formal agreement, and he was the one who brought up the PD and how the trails are in the PD as part of the planned development. I shared that with Mr. Jerman.

Supv Berube: We will shift the trails to the HROA and see if we can get it on the agenda for next month's meeting to see if we can come up with a more cohesive plan towards getting trails maintained for the residents of Harmony.

Mr. Boyd: We are not involved in it, but the neighborhood that will be developed where you walk through to get access to Billy's Trail, when that plan comes in you need to make sure you have an easement across it to allow you to continue to get to Billy's Trail.

Mr. Ivers: If you look at the tax map there is already a CDD owned sliver along there.

Mr. Boyd: There are no improvements on it.

Supv Kassel: We are going to depend on you Mr. Boyd.

Mr. Lucas Jacanas: We apparently have a playground that is a climbing playground. I have a picture that I can show you; it is two poles that you can climb. The kids do not play with it; it is not sufficient. I am here to request the CDD replace it with an actual playground that consists of slides and swings. I have gathered about 20 signatures from our community to replace it.

Supv Berube: Give the petition to the District Manager, please.

Supv Farnsworth: Which community is this?

Supv Berube: Middlebrook and Feathergrass.

Supv Kassel: It is called Waterside.

Supv Berube: I understand your concern. Not every neighborhood has a playground, many do. For a number of years, the developer opened neighborhoods and did not put a whole lot of play equipment in and we put a playground here and there. We had outlying areas similar to you; I call it the outlying area because you are detached from the main circle of Harmony. A couple of years ago we had Neighborhoods H1 and H2 open, which are detached, and at the west entrance, same situation there, it opens with no playground equipment. The developer at the time said you did not catch us for it at the time, it is open now. People there had the same concern you do so people came to the Board to say we want more playground equipment. We got involved, and the Board said yes; and we put in one piece of equipment in H1 and one piece of equipment in H2. I will look to the Field Manager to remind me how much the two pieces of play equipment costs. Was it \$20,000 apiece?

Mr. van der Snel: Together it was \$39,000; because one was a little bigger than the other.

Supv Berube: It is surprisingly expensive when you look what you get. It is a very minimal piece of equipment; there is not much there for \$20,000.

Supv Kassel: Because it is commercial.

Supv Farnsworth: There is certainly more than what he has here.

Mr. Jacanas: I would like to make two comments; one it is dangerous for little kids. I have a two-year-old tries to climb it and he has already fell once. There are a lot of kids who live on our street and there are a lot of kids who run through the street. They need to have something to play with; it is not sufficient enough. Two, the majority of our homes have the CDD bonds paid off. Meritage has paid off a lot of the houses there, including mine and many other residents, so that money is in the CDD somewhere.

Supv Berube: No, it is not.

Mr. Jacanas: Where is it?

Supv Berube: It went to the bondholders. The only piece that you pay every year that stays here is the O&M. When we look at this, this Board is charged with representing the interest of all 906 different homeowners; not limited to the 20 you bring forward. When we spend money, we are spending everybody's money; there is a limited pot of money. One of my concerns is there is a playground, there are two pieces and you happen to live on the side with climbing rack. The one on the other side has the swing set. Myself and the Field Manager, when we had the discussion on Facebook a few weeks back, went out there to look and our first thought was maybe we should connect these two pieces together, but sadly the area behind the pond where we could put in a walking path, without spending a lot of money on land repair is not amenable to making a walking path so you still end up with two separate play areas. The one concern I have is before you bought there you saw what was there and it is still there. I realize you do not like it now, but you got what you paid for at the time. I am not saying no. The first step; and I appreciate that you came out, did the groundwork and got the people to say yes we want it, you here, it takes an effort and we get that. A lot of people just put it on Facebook and go their way. The first method of getting something done here is to get this Board to agree to spend some amount of money on adding additional play equipment there. If the Board agrees, it then has to be budgeted. There is no money in this year's budget, in fact, we are about \$80,000 in the hole on this year's budget because we have already paid off the debt that was not paid, we have had an increase in management fees, and we paved the road, outside the budget, down to the parking area and garden facility. We are \$80,000 over the budget and we are only a third of the way there. I cannot tell you if we have money in this year's budget to do this.

Supv Kassel: Plus, we are not going to get the O&M on this year's budget.

Supv Berube: There is going to be a budget hit this year, as you heard, of 2.76% – which is about \$150,000 – that we are not going to get on the O&M side. We are \$230,000 into it.

Mr. Jacanas: You mentioned something about the lights that were \$300,000.

Supv Berube: Here is the problem, for this fiscal year we have already spent \$287,000 of that \$330,000. We paid off those lights this year. It does not leave a whole lot of money.

Mr. Jacanas: For me, I would not be so passionate about it, but these are my kids. This is to make sure the kids are safe and have a good time not running through the streets and possibly being hit.

Supv Berube: We get it.

Supv Farnsworth: There are two areas so are we talking about two playgrounds or just one?

Supv Berube: If you are going to do one, you better do two.

Supv Farnsworth: I am asking the gentleman.

Mr. Jacanas: We live on Middlebrook Place and that is what I am concerned about; I am not worried about the other place.

Supv Bokunic: You raised an issue of safety and that needs to be addressed if what is there is not safe.

Mr. Jacanas: It is not.

Supv Bokunic: Then we need to remove it.

Supv Berube: It is commercially rated play equipment. Let us not get into the safety. Let us figure out what we are going to do for the gentleman's request. We will deal with safety separately. On Feathergrass, there is a swing set; and on Middlebrook, there is a climbing rack.

Supv Farnsworth: If the other one has a swing then this one needs more help.

Supv Berube: The other one is not heavily populated yet and what is going to happen is when people move in on Feathergrass they are going to come before us and say you added more over there.

Supv Farnsworth: I hear you, but that is in the future.

Supv Berube: If we are going to do this, we have to think about it. First question to the Board is, if we put in one piece of playground equipment, by the time we get through with permitting, construction cost, assembly, the equipment and all of that, and we have to take a look to make sure there is room there, it is not only the playground equipment, there are rules with commercial playgrounds for a fly off and landing areas so it takes a bigger spot than what you think.

Mr. Jacanas: It is a pretty good area.

Supv Berube: Not all of it is available to us. We are probably going to spend \$20,000 to \$25,000. Let us say it is \$25,000.

Mr. Jacanas: Why would you say \$25,000 when it was \$39,000 for two?

Supv Berube: That was four years ago, and we bought both of those on a closeout.

Mr. van der Snel: You can go to GameTime.com to look at the prices for the commercial graded play areas. It has to be prepped and the contractor has to put it in. If you have a playground that costs \$16,000, the contractor will ask \$10,000 to install it, because he has to follow guidelines and has to be certified. It is not really the price of the equipment that hits you, it is the contractor. CDD Field Services cannot install it because we are not certified.

Supv Berube: It is fabulously expensive to do anything as a governmental body. You think other governments would cooperate with us for permitting and such, but they treat us worse than any resident would ever get treated. I do not think we have the money to do it this fiscal year, but would you [looking to the Board] be amenable to expanding the playground on Middlebrook at a probable cost of \$25,000?

Supv Farnsworth: I have no problems with it; in fact, I would consider it on the budget discussions. If you can work it in earlier than October, then do so.

Supv Scarborough: I am thinking the same thing. This fiscal year we will probably have to table it.

Supv Bokunic: I am fine with it.

Supv Kassel: I am thinking of the previous meeting where we had the discussion about increasing the hours for the swimming pool and that there will be extensive costs if we choose to do that. It is a previous request that is still on the table.

Supv Berube: That would have to go into the budget for June also.

Mr. Boyd: I have a more in depth report under my report, but it will be about \$15,000.

Supv Kassel: This is something that came before the Board prior to this gentleman's request, so it is something we have to take into account as well.

Supv Berube: In general, we are amenable to putting it into the budget discussions in June and see where it all lands. It is noted and as Supervisor Farnsworth said, as we get closer to the end of the budget year, and there is money, we will try to figure it out.

FOURTH ORDER OF BUSINESS

Approval of the Minutes

A. December 20, 2018 - Regular Monthly Meeting Minutes

Supv Kassel: I sent a couple of corrections. Ms. Suit has them printed for you to sign.

On MOTION by *Supv Kassel*, seconded by *Supv Farnsworth*, with all in favor, the December 20, 2018 regular meeting minutes were approved, as amended.

FIFTH ORDER OF BUSINESS

Subcontractors Reports

A. Servello Landscape Solutions

i. Grounds Maintenance Status (*Work Chart*)

Mr. Migues: For the week of November 5th, proposal 597, sod removal was started on East Five Oaks. For the week of November 12th, proposal 597, sod installed on East Five Oaks and removed on West Five Oaks. For the week of November 19th, proposal 597 was completed. For the week of November 26th, the Oak tree on Cupseed was replaced. December 3rd, we applied fungicide and application of Heritage to all the new turf areas on Five Oaks, Cat Brier, and East Five Oaks. We also applied granular ant bait per Mr. van der Snel's request.

Supv Berube: Mr. van der Snel, your concerns and comments?

Mr. van der Snel: At this time, I have no concerns or comments. We are still working on getting the little glitches out of our communication. They have been trimming and cutting a lot of the brush.

Mr. Migues: We have been trimming back a lot of the ornamental grasses.

Mr. van der Snel: Everything is up to snuff, in my opinion.

Mr. Migues: We have also started the ponds.

Supv Berube: Most of the ponds got trimmed. I have not looked around the golf course. Did you get around those ponds?

Mr. Migues: We are out there; we are working our way around; but we are not finished yet.

Supv Berube: I saw weeds growing in tree rings and certain planter beds. It is probably better. I have seen you out a number of times with the sprayer so you are having some effect. The one ongoing thing we have talked about a number of times and I realize the big project is pushing back the intrusive growth along the conservation area lines.

Supv Scarborough: It keeps inching in.

Supv Berube: It gets closer and closer. The easy way of noticing is because the conservation area signs are sitting back three or four feet from where the intrusive stuff is. I do not know how you beat it back; it is a big job, but if we let it the forest is going to overtake us. It has got to be pushed back.

Mr. Feliciano: What I will probably do is schedule the bush hog here, Mr. Migues can run it.

Supv Berube: What do you do up here?

Mr. Feliciano: It will pretty much take down everything.

Supv Berube: 10 or 12 feet?

Mr. Feliciano: Yes.

Supv Berube: I am not talking growing out of the ground.

Mr. Feliciano: The branches will have to be cut back with power trimmers or pole saws.

Supv Berube: It really needs to be done. There are several areas where it is very intrusive, but wherever you see the conservation area signs, it is coming in.

Mr. Feliciano: I have especially noticed it at Lakeshore Park.

Mr. van der Snel: Schoolhouse Road.

Supv Berube: Behind the ponds on H1 and H2. It is growing.

Mr. Miguez: There are some areas that I hit more frequently, like Schoolhouse Road.

Supv Berube: That is the two concerns I had. When are we starting mulch? I know you did the playground this week.

Mr. Feliciano: the playground mulch was done this week. We are going to do the mulch right after the trees. Mr. van der Snel and I are going to meet next Wednesday, drive the property and map the areas to start the tree process. The trees are going to run a lot smoother than last year because we limbed up a lot of trees. I know the contract states 10-feet, but what we are going to concentrate on this year is sucker pruning, removing crossed branches, dead branches and trying to level off the tree. Once we meet and map out the area, we will put it in next month's agenda package. We will also send before and after pictures of what the tree is supposed to look like. Once we are done with the tree work then we will put down the mulch.

Supv Berube: That is going to be pruning trees, removing branches and all of that.

Mr. Feliciano: Yes.

Supv Berube: Are you going to be chipping that?

Mr. Feliciano: Yes.

Supv Berube: The Garden Manager was here earlier this evening and commented that she read the minutes of last month's meeting and she would like to have some of it dumped outside the corner of the garden. I will get a more specific area when you get into that. She will spread it in the garden area along the paths to beat down the weeds.

Mr. Feliciano: Whatever she wants she can have. If you want it on some of the walking trails; we just cannot dump it in areas where turf is growing and we cannot dump it in conservation areas. We can dump some of it on the path you were talking about picking.

Supv Berube: We can coordinate it. Is Barbara managing the trail work and all of that?

Supv Kassel: She does not manage it; she participates in that. It is the Nature Committee, which I lead; you can contact me about it and I will discuss it with everybody. Most of the trails are in conservation areas, but there are some trailheads that could be made more obvious by mulch.

Mr. van der Snel: Can we make a deadline for mulch? Say it has to start on at least March 1st.

Mr. Feliciano: We are starting the trees March 1st and the mulch is to follow. I can tell you it will not be as long as the last time with the tree trimming. Mostly what we will be taking care of is the larger trees, mainly along Cat Brier, Schoolhouse Road.

Mr. van der Snel: My concern is the mulching will be in April or May and I think that is too late.

Mr. Feliciano: If you want us to push it up, that is fine. I do not mind doing that and coordinating the tree trimming with the mulching. My concern is the weather we are having and if we get a couple more pushes of cold weather, whether we trim trees or not, you are going to have leaves fall regardless. You will put down new mulch, leaves fall in it and it is not going to give you the appearance you want.

Supv Berube: I think his concern is the mulch went on forever last year, like the tree trimming went on forever, Rain or Shine was here for weeks.

Mr. van der Snel: Maybe we can combine it and when this tree trimming is done, that mulching will be done.

Mr. Feliciano: Absolutely. It is something we can discuss Wednesday when we meet.

Supv Berube: If you can, get the mulching done. When you look around the mulch is gone, there is no mulch left. It would be nice if they put a reasonable thickness when they put it down.

Mr. van der Snel: Last year it was too thin.

Supv Scarborough: That is what happens when they blow it.

Supv Berube: Are you going to use the same guys?

Mr. Feliciano: Yes, I am going to use them. They are under different management right now. We have met with the owner and they want our business.

Supv Berube: They probably don't want to drive a truck across a muddy area behind a soccer field or turnaround in soft areas around the garden road.

Mr. Feliciano: In some of the areas where they should have applied the mulch thicker and did not is because they used the mulch in areas that should have been pine straw.

Supv Berube: Are you still working on a comprehensive tree management program for us?

Mr. Feliciano: We are. It is mostly going to be fertilization of certain trees. Again, with the larger Oak trees and things like that there are really no fertilization or anything you can do with them. Maybe a couple spikes here and there, but it is not going to do anything to your Oaks once they are established; same with the Maples and Sycamores.

Supv Berube: The larger concern is getting on some sort of cycle for the exterior trees, interior trees, the trees around Lakeshore Park in the planting areas, play areas, park areas. We have been hit or missing this forever and now we have mature trees. I would rather not hit or miss it anymore; we kind of get to a tree trimming when there are a bunch of complaints about them hitting the cars and everything else and we decide let's do it. We are late in this year to do any big trimming, but it would be nice to have a plan in place for next fall. What do we need to do, what needs management, how do we lift it, a plan.

Mr. Feliciano: Next year your homes are probably going to need trimmed and when we proposed it I said two to three years we would trim them. They are fine right now, a lot of your Sycamores when driving through the community are still pretty high and where we want them to be. With Sycamores and Maples, the biggest issues you have are leaves.

Supv Berube: When you speak to us, it lands; we think about it for a few hours, and then it goes away; and then next month, we say what about. If we have a piece a paper in front of us, it is a whole lot easier to manage.

SIXTH ORDER OF BUSINESS

Staff Reports

A. District Engineer

Mr. Boyd: I have a couple of things to present; one thing that was asked about, and then two other things. I am going to start with the simplest one. Mr. Jerman handed this to me, and I was aware of it. Harmony Neighborhood J, which is the last community on the right as you go Five Oaks to East Lake, is ready to be transferred to the operating entity, which is the CDD. There are no new ponds in that neighborhood. All the ponds were surveyed and accepted by the CDD when Neighborhood I, South Lake, was completed. Nevertheless, the SFWMD permits needs a record of who is the maintenance entity for that permit. I have the O&M transfer for that permit, requesting the District Manager sign it on behalf of the CDD; and if you would authorize her to do that.

Supv Berube: To be clear this is just for the stormwater maintenance permit coming from developer ownership and going under our general stormwater maintenance permit with SFWMD.

Mr. Boyd: That is correct. It specifically deals with the maintenance of the ponds and in this case you have already accepted the ponds, but because it is a separate permit it still requires this piece of paper to be submitted showing who the maintenance entity is.

Supv Berube: This is routine. We are not transferring ownership just the stormwater permit.

Mr. Boyd: There is no ownership transfer; that is correct.

Supv Berube: Along those same lines, because it is the same entity, there has been a lot of paperwork going back and forth from SFWMD and today was the latest one, which you and I conversed about. Explain to the Board, if you would, what is going on there because it is related, but separate from what we just talked about.

Mr. Boyd: Let me address that item next, and it was something that just came together today so I will pass out a couple of things and bear with me while I explain what I am giving you. This goes back to 2001 when the original infrastructure for Harmony was put in place. That permits which provided for the construction of the first infrastructure right-of-ways, Five Oaks Drive. The permit says the golf course, but it was more than the golf course it was the master infrastructure ponds that serves as the core of the community. The permit included the dedication of a conservation easement, which surrounds Harmony, the Harmony CDD and includes the wetlands inside the Harmony CDD. As a condition of the permit it required that for five consecutive years monitoring of the wetlands occur and reports be submitted for the five consecutive years. That monitoring did not happen in those first five consecutive years and in a later audit the District brought it to the developer's attention, which was Starwood at that time, and the first report was completed and submitted to SFWMD in 2017 and SFWMD agreed to reset the clock saying this is our first report now we need four more reports from this point moving forward. The developer at that time engaged BioTech Consulting to do the first monitoring report and submit it. They did and it was submitted in October 2017. SFWMD recently sent out a notice basically stating that the report for 2018 that was due on December 1st had not been received. BioTech Consulting is no longer retained by anybody and there a report was not prepared or submitted. Digging into this a little bit, what is required is for a report to be prepared and submitted to SFWMD for 2018 and then we will need to do the reports through 2021.

Supv Farnsworth: Who handled the contract for BioTech Consulting before? Was it the developer?

Mr. Boyd: It was the developer.

Supv Farnsworth: You are now saying we need to handle it, is that what I am hearing?

Mr. Boyd: The current developer's position is the permit is CDD as the operations and maintenance entity and this should be a CDD responsibility. I looked at the land ownership of the conservation areas, which is the exhibit I have given you. The areas in the conservation area, some of which are owned by the CDD and

some of which are owned by Florida Harmony Land, and is probably 50/50 if not slightly more for Florida Harmony Land ownership. It would appear to me that it is a shared responsibility, even though the CDD is official O&M entity; based on ownership. I asked BioTech if they could share with me what it cost to prepare the report and they sent me a copy of their menu of services that they had been performing at Harmony in the past, updated to today's date, and in looking at it most of these services do not relate to the conservation easement monitoring and maintenance. It appears Items 1 and 2 would be the services required to prepare the report. Task 1 is wetland monitoring and Xeric Oak easement monitoring for \$1,000 per event and Item 2 is wetland monitoring and Xeric Oak easement reporting which would be the report at \$1,200 per report. In looking at this it would appear that it would take about \$2,200 for BioTech to update the prior report and submit it to SFWMD. Again, this would be repeated for this year and three more years.

Supv Scarborough: Does it require a contractor to submit a report; we cannot do it in-house?

Mr. Boyd: That is a good question; I can ask SFWMD if it requires an environmental professional or if it can be done in house. It is a scientific monitoring and evaluation so it would take someone with some environmental expertise; it would not have to necessarily be a professional consulting firm. For example, someone like, Mr. Greg Gologowski probably could have done it.

Supv Kassel: Perhaps we could hire him to do it. I know when BioTech was retained by the developer for the monitoring the lakes and ponds their performance left something to be desired.

Supv Berube: BioTech does not exactly have a stellar environmental record in this county. All you have to do is read the paper lately to find out what has been going on.

Supv Scarborough: I would say their scientific method was probably a little less scientific.

Supv Berube: If you would check with SFWMD to find out if our trained aquatic and herbicide guys can do it. They know how to identify weeds which is basically what they want to do when you read Item 1, to record and control invasive vegetation to keep it below 5%. That is easy to go in and look around.

Supv Farnsworth: Control requires more than looking.

Supv Berube: As long as it is below 5% you do not have to do anything.

Supv Farnsworth: Item 3 is herbicide management.

Supv Berube: We are only talking about Items 1 and 2.

Supv Farnsworth: I realize that; I read ahead. It was one of the other things and I was wondering if they are no longer doing that, and (yet) it was part of the service they were providing, who is doing that now?

Supv Scarborough: I think they were just monitoring; I don't think they did anything.

Supv Berube: They basically did a report that said it was under 5%.

Supv Bokunic: I would have Mr. Gologowski.

Supv Berube: The problem with hiring Mr. Gologowski is if he is not in business with liability insurance and all the certificates, and willing to take a W-9 we cannot hire him.

Supv Bokunic: We can ask him.

Supv Kassel: We do not know whether he has something set up or not.

Supv Berube: Let us find out if it has to be a certified environmental consultant or if a qualified individual.

Mr. Boyd: I can ask the question. I can also get a quote from a couple of other environmental firms. I will let SFWMD know the CDD is moving forward and there is a transition period here. In the past, they have been understanding in a transition like this. I will reassure them it is getting done. I can forward you some

information prior to the next Board meeting so you can have it on the agenda to take some formal action. Again, the CDD is the operating entity however the land ownership is split.

Supv Berube: If it comes down to that we have to hire a contractor then we will talk to Mr. Jerman to say it is 50/50, here we go. Supervisor Kassel, do you have a relationship with Mr. Gologowski where you can get hold of him?

Supv Kassel: Absolutely. There was also a company that was doing some work on the pipeline. They had their own environmental consultants they contract with.

Supv Berube: We had the other permit with the Third Party Enforcement Rights. I think you were involved in that.

Mr. Boyd: I am aware of it, but I am not aware of any action that I need to report on. I will get back with you next month on this.

**i. Discussion of Cost for Pool Lighting, Installation, Permitting, etc.
Required for Pool to Be Open After Dusk/Dark**

Mr. Boyd: The other item is the pool lighting. I contacted SESCO Lighting, which is probably the most well know lighting supplier for commercial items like this. Mr. Don Ryan, who I spoke with, was very familiar with Harmony and knew about the dark sky at Harmony as he was contacted by Martha when she first started pursuing the dark sky concept. When I told him what we were trying to do, he mentioned one of the problems with dark sky is reflective light from pool decks and things like that. I said “*I understand but we want to investigate lighting*”. As part of the service, they will provide a preliminary design; and he provided me with a budget number. They will also contract with the electrical engineer to prepare permit drawings, and they will handle installation. They are a one-stop shop. He provided me with technical data, selected a fixture, and he did a photometric analysis.

An unidentified speaker: Can I ask which pool you are discussing?

Supv Berube: The Swim Club pool. Only that pool because it is not near houses.

Mr. Boyd: [*Distributed information for review.*] The last page is a foldout plan of the Swim Club. I will try to give you some of the technical data he shared with me. To make a pool operable at night you are required to light the water surface and four feet around the water surface. You do not have to illuminate the entire deck to that level. He did a photometric analysis, which shows pinpoints, and each red dot is the lighting level at a particular location on the pool deck. They are hard to see, but there are five proposed fixtures. One in the corner north of the spa, two on the north end of the pool, and one on the west end of the pool. He has determined that fixture placement will work, and is intending to put them all in unpaved areas with direct bury poles so you would not have to tear up any of the pool deck.

Supv Berube: We are talking like a street light pole.

Mr. Boyd: This is will be a 25-foot pole with LED fixtures. He said the color would be a warm color similar to an incandescent bulb. To do this work he gave me a budget figure of \$2,800 per pole, adding about \$700 to have an engineer certify it for permitting. It comes to about \$14,700. Again, this is not a quote, I asked him to give me a budget figure.

Supv Bokunic: How much total?

Mr. Boyd: Based on what he told me I am thinking \$15,000. They would do the design, permitting and installation.

Supv Farnsworth: All of that for \$15,000?

Mr. Boyd: That is the number he gave me. I am surprised as well. If you voted to proceed I would go back and ask them to provide us a contract to do the work.

Supv Kassel: Before we do that, the pool lighting is only one issue. The others are staffing, safety at night – is there something we need to be doing to do in order to ensure adequate safety and security.

Mr. van der Snel: I think safety is the biggest issue. CDD Field Services has worked hard for the last couple of years to keep the pool safe. It is safe now; there are no known incidents for the last couple of years. We are afraid those incidents will occur if the pool will be open in the evening. Staffing-wise we will use more staffing hours to guarantee that safety. It all depends on what the Board decides. If the Board decides to have no staff available during those extra times, then there will be no staff available. However, in the summer the pool needs to be closed at a certain point so there has to be a closing time. If the Board decides there is going to be no closing time, 24/7, then staff does not need to be there to close the pool.

Supv Berube: On the subject of time; last month the folks here agreed 9:00 p.m. would be an acceptable time. If I remember right, we are closing the pool at 8:30 p.m. in the peak of the summer.

Mr. van der Snel: 7:45 p.m. is the latest we close the pool. That is 30 minutes before sunset.

Supv Berube: So we are gaining 1¼ hours at a cost of \$15,000. The other thing I see with nighttime that people have not thought about is bugs. There is no screen. We have to think about all of these things before we commit to spending the money and end up with a pool that is lighted, but not used. I know when you go outside a night and put lights there, you are going to have bugs.

Mr. van der Snel: There are also the raccoons that will be present. They will get very familiar with residents and steal food from your table.

Supv Berube: I am all for using the pool as much as possible, but there are other things that come into the conversation before we make this giant move.

Supv Farnsworth: Ms. Suit, do you know of other CDD's that do open their pools at night.

Ms. Suit: No, and I am not questioning their pricing, but I am surprised at \$15,000. They do not because of the costs of the commercial lighting and having extra staff and things like that. I do not have one district that allows it.

Supv Farnsworth: So you do not personally know of another. Does anybody?

Supv Berube: There are HOA's that do it.

Ms. Suit: Where the clubhouse or pools are owned by the HOA, they might.

Supv Berube: To the point of time, Mr. Qualls, we have a dawn-to-dusk open time in our rules. It is not a legal thing; it is just a policy we have always had. Is that correct?

Mr. Qualls: That is correct; you adopted that in your rules.

Supv Scarborough: It is not a State thing?

Mr. van der Snel: I think it is.

Ms. Suit: No, it is in your Rules of Procedure.

Mr. Qualls: It is not a State law that I am aware of. There is nothing in Chapter 190.

Mr. van der Snel: When there are no overhead lights available at the pool area.

Ms. Suit: We are not saying without lights; we are assuming you would install lights.

Supv Kassel: We have to.

Supv Berube: I am just asking the question of how we get to the timeframe we have. It is just a policy, there is no state law governing it?

Mr. Qualls: I will research it again. I feel like I researched it a long time ago, but what everyone is saying is correct. As a public pool you cannot keep it open at night without lights.

Supv Berube: We do have lights and that is the next question for the Engineer – how do we know the lights we have do not meet four foot-candles [*illumination level*]?

Mr. Boyd: I have not been out there at night so I was not aware that you had lights in the pool area.

Mr. van der Snel: They are underwater.

Mr. Boyd: The deck has to be lighted.

Supv Berube: What do you want to do?

Supv Scarborough: To Supervisor Kassel's point, I think the biggest issues are staffing and safety. Is it a free-for-all? Is there something we can do with technology that will maybe eliminate staffing?

Supv Berube: It is monitored, there are cameras and lights, but somebody has to look at the cameras to see what is going on.

Supv Scarborough: Exactly, but when I was there if the pool closes at 7:30 p.m. and you go in there at 7:15 p.m. you say okay we are closing in 15 minutes and at 7:40 p.m. they are still in the pool.

Supv Berube: I understand people want to use the pool.

Supv Bokunic: No matter what time you say there is always going to be somebody.

Supv Scarborough: Do we install big sirens that go off or an audible that says the pool is now closed.

Supv Berube: That is not really the issue. The issue is, are we going to make a policy decision to extend the hours, despite the cautions of our Field Manager of no staff onboard. If we listen to that then we are going to add staff to have them there for the period of time the pool is going to be open on an extended basis. Which way do we go there?

Supv Farnsworth: Even there the way you worded your statement was staff available and that could be on an on-call basis. You do not normally have someone sitting at the pool every hour it is open; he is available, he is not at the pool.

Mr. van der Snel: If they are on-call they have to be paid; nobody stays on-call for free. They cannot go anywhere at night because you have to stay home until 9:00 p.m. because you are on-call, so you have to get paid.

Supv Farnsworth: If he is on-call in that way, then you might as well have him sitting at the pool. There is no point in sitting at home and getting paid.

Supv Kassel: To Supervisor Berube's point, if we have a sunrise to sunset rule for all our facilities whether it is the dog parks, Lakeshore Park or whatever, and they can be extended to 9:00 p.m. then people can use the parks in the evening and get more use out of them. A lot of people still use the parks; I go to the dog park at 6:00 a.m.

Supv Berube: There is nobody enforcing the rules, which is part of the issue. We know what goes on at the pool because it is closed and within the fenced enclosures it is pretty easy to monitor and get people out, but the dog parks and other open areas people are there all the time.

Supv Kassel: My point is: we have had problems in the parks with roving bored youth's getting into trouble. If we have somebody available for a couple extra hours, I do not know what the costs would be; and

before we say yes, we would have to look at what the added cost is going to be, and when we would do this budget wise; and if we did it Monday through Friday instead of seven days a week.

Supv Scarborough: I think you would get a lot of pushback.

Supv Berube: You are going to get a lot of flak from whatever staffer has to work those hours at night because it is outside the realm of norm; you are talking a second shift here. Your running costs of adding a staffer are about \$35 per hour. If you are adding a four-hour shift at the end of the day, you are talking \$120 per day times seven days per week. The weekly running costs would be \$850 per week, \$3,000 per month.

Supv Scarborough: Is that 365 days per year? They are afforded holidays.

Supv Berube: You would have to hire somebody with the thought that it would be his shift. None of the current group is going to want to start at 7:00 a.m. in the morning, work until 9:00 p.m. at night, and take half the day off. It is a lousy shift and duty; you will have to go in and throw people out every night because they will want to stay because the lights are on.

Supv Scarborough: To your point of extending the hours, you are making the point absent lighting, which we cannot.

Supv Berube: You could extend it a little and there would be enough sunlight, but pushing it more than 30 minutes cannot get it to 9:00 p.m. The whole idea is vision and why it has to be lighted. If someone is in the pool, at the bottom you have to be able to see every corner equally lighted with no shadows and all the way around the deck in case someone is in trouble. In our case the deck would extend to the men rooms, out to the fences and everything else. We are hearing pushback from staff, there is a cost element to be considered, and I am not sure how much we are going to spend this kind of money. For half the year, nobody is going to want to be in the pool, lighted or not when it is below 70 degrees.

Supv Bokunic: The costs are not going to be as great as you are thinking because it is not going to be for the whole year. What if we did it three days per week; Friday, Saturday, and Sunday?

Supv Farnsworth: Be careful with the months you are going to try to eliminate; from the people who came out last month, I got the impression they wanted it then, which was in December. There are very few months you can eliminate because it is too cold.

Supv Berube: Probably four months would have average nights where nobody wants to be in the pool.

Supv Farnsworth: I am not trying to make a strong argument for it; I am just pointing out.

Supv Berube: The budget for six months at \$3,000 per month - \$20,000 a year to add staff to cover the second shift.

Supv Scarborough: Let us start with pole lighting and no staff. Is there a method we can implement that would allow the pool to stay open until 9:00 p.m. unstaffed?

Mr. van der Snel: Who closes the pool?

Supv Scarborough: That is what I am saying.

An unidentified speaker: Who closes the pool now?

{Numerous speakers made inaudible comments.}

Supv Scarborough: A staffer goes to the pool an hour before closing, starts gathering trash and straightening furniture and letting people know they have five minutes.

Supv Bokunic: To your question – is there another method – I think there are probably a couple. Why can there not be a recording that says the pool is closed.

Supv Scarborough: Automate the gate.

Supv Berube: The gate locks when you decide it is going to lock, right?

Mr. van der Snel: You cannot come back in, but you can always get out.

Supv Bokunic: We have talked about this before, but I have people that moved from communities not too far from here because there is a free-for-all at the pool: nobody watching and parties 24/7.

Supv Farnsworth: That is what we are afraid of.

Supv Bokunic: People come to Harmony because we control our pools. We have the vocal people saying one thing and others who are coming here because we have restrictions.

Supv Kassel: I am not sure it is a wise idea to put lighting in and not have any staffing.

Supv Berube: Some will remember we had people come in with the kids about incidents that happened at the pool and what caused us to really jump up and tighten access to the pool, raised the fences to keep people from going over, tightened the access card rules, all of that. Those ladies cried about what happened at the pool and said we do not feel safe when we are in there and we do not feel safe with our kids and at that time our bond to them was we will make it safe. Again, I like the idea of having the pool lighted and if it was up to me to open it 24/7 if we could have control of it. There are people who want to be in the pool at 4:00 a.m. to swim before they go to work. It is a big expense that sits there largely unused for half a day and for now half a year. The heat runs, the lights are on and nobody is using it so I like the thought of expanding it, but I have to think about all of the stuff that can go that can bite us in the butt. I do not ever want to have a Mom come in with her kids and say something happened at that pool last night that really was not right.

Supv Farnsworth: That does not leave you many options to not monitor it.

Supv Kassel: Maybe there is some alternative means of monitoring or paying someone to monitor it that does not have to be a CDD employee.

Supv Scarborough: I think we will spend more money if we try to contract it out.

Supv Berube: We have been down the road before of hiring contractors and you never know what you are going to get. At least with an employee you have direct control of what the result is and if you do not like it you can fix it quickly. Why don't we table this until next month again? We have heard the discussions, we know the cost of lighting, and let us give it some thought. Thank you for doing the work. Let them know their price is not the concern.

Mr. Boyd: He was very helpful. I will ask him again about the price because it does seem low.

Supv Berube: When you think about it, it is four poles, in a non-paved area, ditching to get the wire there is not very much.

Mr. Boyd: He is making an assumption about what circuit he can tie into so there is a variable there.

Supv Berube: There is an electric box there that should more than enough capacity.

Mr. Boyd: I do not have anything else to report; I wanted to make sure we are okay with the District Manager signing the transfer on Neighborhood J.

Supv Berube: Yes.

B. District Counsel

i. Conservation Easement – Third Party Enforcement Rights for ACOE

Mr. Qualls: The only item I have left is the proposed deed on conservation easement. This is where you, as the District, would grant to the SFWMD with third party enforcement rights to the US Army Corps of Engineers. The purpose of the easement is to retain land or water areas in their existing natural vegetative

state. I have read through the agreement, and would look to the District Engineer. We have talked about this, if you have anything to add.

Mr. Boyd: The reason this came up is that there are two entities that control wetlands in the state, those being the SFWMD and the Federal government, ACOE. When the first Harmony permit was issued the easement was recorded to the SFWMD. The same easement was never assigned to the ACOE.

Supv Farnsworth: Was it supposed to be?

Mr. Boyd: According to the ACOE, it was. They have recently come back in an enforcement action and said we need third party enforcement rights over this easement.

Supv Farnsworth: Were we the only ones that messed up and did not give it to them?

Mr. Boyd: I cannot speak to others.

Supv Berube: We did not mess up. If you remember a few years back, we had the dock issue and Starwood could not get it permitted; it is all tied into this. We did not do anything to cause this, but I suspect it would appear from the changing from Starwood Capital to Starwood Land Ventures something happened in that time period and the ACOE did not get notified of anything. Then when the dock permit came in and Starwood wanted to permit the dock expansion for us, suddenly the ACOE came back and said things have changed at Harmony. Many ponds had changed, there was drainage behind the golf course area, bridges over troubled waters and everything else, and the ACOE said we do not know anything about this, hold on and it has taken until now.

Mr. Boyd: This is the resolution of it to get the enforcement rights. It is housekeeping with permit, which was issued years ago. This makes sure that things put in the permit have been done.

Supv Berube: In a nutshell, this gives the ACOE the ability to come in and force us, or any other entity that changes wetlands; they have the ability to come back to say “No, you have to restore it to the way it was.”

Mr. Boyd: That is correct, although they really already have that ability without this easement. This just makes everybody aware.

Mr. Qualls: Also important to note, in the discussions with Mr. Jerman, they are willing to enter an agreement when it comes to this closing. This is tied to the Buck Lake acquisition and they, the developer, are going to essentially hold harmless the District with respect to the ACOE permit issue. They have taken care of that, but I do not how that relates to this easement. It is something the developer is going to take care of as part of the closing.

Supv Berube: I think it relates because every body of water here, when you read the maps, seems to be included in the legal description. Is it safe to sum it up to say this is routine: it has been in existence forever and we are just memorializing; what has been existing in Harmony since day one?

Mr. Boyd: That is a good way to summarize it.

Ms. Suit: When we met with the developer and he specifically stated we will be responsible for the cost and management of finishing ACOE permit violation issue, which has been in process for some time.

Mr. Qualls: I do not know how that ties into this easement, but I know it is part of it. You recommend that the easement should be executed by the District.

Mr. Boyd: Based on what I know, yes. Again, it is my understanding that the thing the ACOE was concerned about getting this executed was the resolution they were looking for.

Supv Berube: The District Engineer is saying yes, and District Counsel is saying yes, based on the engineering.

Mr. Qualls: I reviewed it and do not have any concerns from a legal standpoint.

Supv Berube: This is a signature on the documents they provided us by the District Manager, the Chairman, or it does not matter? Do we even have documents that need to be signed?

Mr. Qualls: Yes, the document is 143 pages.

Ms. Suit: I have them with me and my notary.

Supv Kassel: Do we need a motion?

Mr. Qualls: I think a motion.

On MOTION by *Supv Berube*, seconded by *Supv Bokunic*, with all in favor, acceptance of the Third Party Enforcement Rights by the Army Corp of Engineers as detailed by the District Engineer, was approved.

ii. Consideration of Acquisition of VC-10 Parcel and Buck Lake

{Discussed previously (under Developer's Report) – nothing further.}

[Supplemental Topic]

Mr. van der Snel: I would like to have an answer on how we get rid of the 20-foot pontoon.

Mr. Qualls: How do we get rid of surplus property; I can have that before the end of the meeting for you. There is a process for a government to get rid of surplus.

[Follow-up commentary on pool lighting:]

Mr. Qualls: There is a State rule about not swimming at dark: "*Pool shall not be open for swimming at night unless lighting is provided as approved by jurisdictional building department. Pools authorized for night swimming shall be noted on the operating permit issued by the Department. Night swimming shall be considered one half hour before sunset to one half hour after sunrise.*" Florida Code: 64E-9.008(7).

Supv Berube: It is a mirror of our pool rules.

Supv Scarborough: I think that is where it came from.

C. Field Manager

i. Facilities Maintenance (Parks, Pools, Docks, Boats, etc.)

ii. Facility Use Records (Inclusive – Boats & Other)

iii. Resident Submittals (Facebook & Direct)

iv. Pond Maintenance (Chart & Map)

Supv Berube: Mr. Fusilier contacted the Field Manager, who punted it to me. Mr. Fusilier would like access cards for his agents to get into the pool so they can show the pool when they are trying to sale houses or property here. I bring this up because the Field Manager asked previously what about real estate agents and our position at that time was they pay \$10 per card as every other non-owner does. Mr. Fusilier's point is he is an owner, and he is. He wants cards to give to his agents.

Supv Bokunic: It is like giving to guests.

Supv Berube: He is an owner, he qualifies, but it is not his family. When I read the rules there is nothing that allows to cards to be made for that purpose. I think we are willing to give up the \$10 because he is

an owner, but we are going to have to make an exception to the rule to give him cards for the purpose for which he wants them. Is that okay?

Supv Farnsworth: There has to be a qualifier in there some place. If you are going to do it there has to be a qualifier as to how he can use them.

Supv Kassel: In other words, the real estate agents cannot just come to the pool and use it.

Mr. van der Snel: It will state on a vendor card "for real estate purposes only". If they say they use it for family purposes they get ID checked.

Supv Farnsworth: There has to be some flag so they do not start handing it around.

Mr. van der Snel: The main thing is if Mr. Fusilier gets them, then Meritage will say I want one and Lennar.

Supv Berube: Meritage is not an owner. The key is Mr. Fusilier is an owner.

Supv Farnsworth: As an owner, how many cards am I qualified for?

Supv Berube: How many people live in your house?

Supv Farnsworth: Three.

Supv Berube: Three cards.

Supv Farnsworth: So you are saying he is an owner. How many people live on his property, in his house?

Supv Berube: None; that is why the question comes up. He is an owner, but does not have a house.

Supv Farnsworth: As an owner he qualifies for one automatically.

Supv Bokunic: If he wants to loan it to somebody and break the rules.

Supv Farnsworth: From what I am hearing he is not defining how many cards he is wanting.

Supv Berube: The number was three.

Supv Farnsworth: That is almost within a family limit.

Supv Scarborough: I have no problem with the agents showing the facilities to sale a property.

Supv Berube: I am not arguing that.

Supv Farnsworth: It is the mechanism of handling it and making sure it is not abused.

Supv Berube: It is the mechanism of getting outside the rule book. We have rules for a reason. Now, I am giving you a request to get around the rules.

Supv Farnsworth: You really do not want to get around it.

Supv Scarborough: You amend it.

Supv Farnsworth: It is a convoluted process to start amending it.

Supv Berube: Is everybody on this Board okay with the Field Manager issuing special cards in the quantity of three to Mr. Fusilier and his realtors for the purpose of getting in to show the pool?

Supv Scarborough: Yes.

Supv Kassel: Yes.

Supv Farnsworth: As long as it has the qualifier in it where if there is any case of it being abused.

Supv Berube: Special purpose card; got it. Supervisor Bokunic, are you okay with it?

Supv Bokunic: Sure.

Supv Berube: Are you saying yes or no?

Supv Farnsworth: I am saying yes, as long as there is a condition where he can say no and it is gone.

Supv Kassel: Any card is under that kind of enforcement.

Supv Berube: The cards will have no name or picture; it will say Fusilier Reality for sales purposes only.

Supv Farnsworth: Put something as a flag in place of the picture.

Supv Berube: We have limited staff; they will know if they are abusing the cards. Mr. van der Snel, do you have any concerns or questions?

v. Weather Station Stability

Mr. van der Snel: We worked all day today to install a new weather station. Obviously there is only one specialist that can do that.

Supv Scarborough: What happened to it?

Mr. van der Snel: The problem is the Wi-Fi and the internet [He outlined the Sprint connects.] Because of the pine trees between the trees are holding the internet to get it so we have a low internet. I got a booster from Sprint and now what I have is a static IP address. The static IP address gives the ability to the connection. I have that now.

Supv Farnsworth: You pay more for it.

Mr. van der Snel: It is \$3 more per month. That is going on and we are trying to stabilize the weather station, however, at night it is still eight hours no contact, then six hours no contact. There is nothing wrong with the contact between the station and the hardware. The Wi-Fi is next to it.

Supv Farnsworth: You have to get from Buck Lake to where?

Mr. van der Snel: It is a USB stick that goes into the modem.

Supv Farnsworth: Where is it trying to connect to?

Mr. van der Snel: To the internet just like your phone has. It is a mobile hotspot.

Supv Farnsworth: You mentioned there is a possibility of a different service provider for a better connection.

Mr. van der Snel: I asked Sprint and they said can provide the same service, however, there is not unlimited data on it so after 5GB it would shut down. Sprint has unlimited data on that hotspot.

Supv Farnsworth: Where it is physically located, is there anything that says it has to be at the lake? What if we put it at your trailer?

Mr. van der Snel: We can relocate it.

Supv Scarborough: The point of it being there was to monitor lake conditions.

Supv Berube: The problem with this is the Sprint connection is not a good connection.

Mr. van der Snel: Correct.

Supv Berube: Harmony is covered by Spectrum Wi-Fi hotspots which is free to tie on to as a Spectrum customer.

Mr. van der Snel: There is no hotspot there.

Supv Farnsworth: What is dictating that just because it is called the Buck Lake weather station, what is dictating the physical entity, the instrument itself, must be at Buck Lake? What are monitoring there that you would not be monitoring here?

Supv Kassel: For boaters.

Supv Farnsworth: There is very little difference in the weather.

Supv Scarborough: It is huge, especially when it comes to wind. They say it is not that windy we want to go out and you pull up the weather and say the wind is 18 mph so it is not okay.

Mr. van der Snel: It started out to be a tool for CDD Field Services, which was a great idea Supervisor Scarborough came up with.

Supv Farnsworth: That is fine, but if it does not work it does not matter. If it is sitting at your trailer and works or at Buck Lake and it does not work. I understand the rationale, but I personally would much rather have it sitting over there and work, not spotty and sometimes it works.

Supv Scarborough: With my current job we transmit a ton of data in all sorts of locations and we have to have a direct cellular Wi-Fi signal. Have you investigated trying to get a booster antenna for that Wi-Fi on top of the boat storage house?

Mr. van der Snel: It is not the problem between the weather station and the Wi-Fi. The problem is the stability of the internet coming in sending it to weathercloud.com.

Supv Scarborough: That is what I am saying.

Supv Berube: If you put a booster the quality will improve?

Mr. van der Snel: That is what we already have with that big box, that is what Sprint could provide us and it went from two to four bars. However, it is still unstable. We can relocate it; I have no problem with that.

Supv Farnsworth: I want it where it is, but I would rather have it work.

Supv Berube: Let us prove the theory. It is easy enough to take it off the dock, bring it to your facility, and set it up to see if it works.

Mr. van der Snel: Here is the kicker; my office also works with the Sprint hotspot.

Supv Berube: He already has a hotspot so he can plug into it to see if it works.

Mr. van der Snel: It is the same hotspot as the lake, but a different location. My download is 40 Mb/s at my office with a hotspot, and over there it is 18-to-20 Mb/s and the upload is less.

Supv Scarborough: There is another one at the Buck Lake bathrooms.

Mr. van der Snel: That one has trouble, too. It is the stability at that corner with Sprint.

Supv Berube: Why do we have one at the bathrooms?

Mr. van der Snel: For the cameras. Let me relocate it.

Supv Farnsworth: If it works, then you have a working weather station and you can promote it.

Supv Berube: Let us see if it works there; and if it does not, we will figure out what we are going to do next.

[Supplemental Topic 1]

Mr. van der Snel: The paver project for the dog park and the paving project for Town Square and the pools are finalized. Unfortunately, the quote for the pavers for the dog park came too late. The amount is \$3,000 to have pavers around the two benches. It is two pallets.

Supv Farnsworth: Was this the thing that you asked about last month?

Supv Kassel: No, I only asked for some pavers around the raised area where there are pavers already. What happens is people fill the pool then dump it and all the water goes around this area that gets very muddy. It goes beyond the raised area.

Supv Farnsworth: Are you talking about more than what she asked for?

Supv Kassel: Yes, and I asked for mulch which is now in the big park around the benches, thank you. I did not ask for pavers around the benches in the small park, but what happens there, especially in the wintertime, people sit there, there is a lot more dog activity in the afternoon, a lot more dogs at once and there is digging going on. People do not have soil or shovels, they cannot control what their dogs do entirely and that area, around the two benches outside the pavilion, is getting pretty beat up. Some seed was put down but it was not cordoned off so the seed could grow.

Supv Scarborough: That is not a long-term fix.

Supv Kassel: It is not. Putting pavers around there is possible; it is not something I asked for so I did not realize that was something that was being requested.

Mr. van der Snel: I was under the assumption it was, but that is okay, it is just a quote that has not been submitted yet.

Supv Berube: Would mulch work in the area you are considering?

Supv Kassel: Most of the mulch we have is in landscape beds or around trees where nobody goes, but this is a very active area. We could put rubber mulch there, but it is going to spread.

Supv Berube: Isn't it an active area because the dogs like to play in the dirt and mud?

Supv Kassel: It is active because people sit on those benches and the dogs hang out where the people are at. No matter where you move the benches the same thing is going to happen because the people do not walk around the park and keep their dogs moving; the people want to sit and the dogs hang out.

Supv Bokunic: We have talked about this.

Supv Scarborough: Put some pavers down.

Supv Bokunic: What is the quote?

Mr. van der Snel: The quote is a three-way quote. The pavers we already have next to the shed will be put around the shed where the wash station is at the big dog park, next to pavilion there is an uneven area that retains water in the small dog park and they are going to redo that and then they will put 200 square feet of new pavers around the benches in a half circle. That is the quote that I have for \$3,000.

Supv Scarborough: For all that work?

Mr. van der Snel: For all that work. They have been doing really good work. I can submit it for the next meeting.

Supv Kassel: There are some people who are really happy with the pavers at the big dog park, in a semi-circle around the pavilion.

Supv Bokunic: There was one person unhappy about it.

Supv Farnsworth: What were they unhappy about?

Supv Bokunic: That we spent money on pavers in the dog park.

Supv Kassel: And with the heat in the summer they are hot for the dogs. If you use the hose to wet them down, they are cool again. I want to get a little feedback from the people who use the park every day before we say yes.

Mr. van der Snel: No problem. It is there and I can submit it for the next meeting.

Supv Kassel: Submit for the next meeting.

Supv Berube: Also consider which account you want to pay for that out of it. Parks and facilities is running over budget as a percentage. There is money there, but it is over budget at this point. Contingency is double the percentage so you have to figure out where you want to find \$3,000 for this.

[Supplemental Topic 2]

Mr. van der Snel: I want to make the Board aware that I am working on refurbishing the pergola at the Ashley Park pool. The top side of the pergola is rotted and needs replacement. The wood is falling at this point. I have a quote for that and it is about \$16,000. I had a quote for \$31,000. The \$16,000 is a local contractor.

Supv Farnsworth: I am totally confused with that pricing.

Mr. van der Snel: It is a lot of wood. There are 61 crossbeams that are 2' x 8' x 10'; that is a lot of wood.

Supv Berube: When we got the quote for \$31,000 we figured it out to do it in house and the wood alone was \$11,000, then you have to rent machines and pay staff, redo all of it, and when it is all done, you have not talked about the nails, screws and brackets, \$16,000 was not a bad deal. The next problem is if you want to do where do you get it from; with that it is R&R so we can reach into reserves for that one which is where it should come from.

Supv Bokunic: It has to get done.

Supv Berube: Did you manage to get hold of the guys building the fence to ask if they were interested?

Mr. van der Snel: No, I have not. Sorry, I forgot about it. I will submit the quote for next meeting.

[Follow-up commentary regarding boat disposition:]

Mr. Qualls: The general power of the District, to quote F.S. 190.001(1), includes the ability to Dispose of Personal Property. I will hang my hat on that statute -- dispose of it.

Supv Berube: That will get done pretty quickly, I am sure.

Mr. Qualls: Is it junk, basically?

Mr. van der Snel: It is going to be scrap metal.

Supv Berube: We have recovered the motor, controller, everything that can be used on other boats. We are now down to scrap aluminum and some wood.

Mr. Qualls: The key would be that everyone here knows that you are being wise in the disposition of the property.

SEVENTH ORDER OF BUSINESS

District Manager's Report

A. Financial Statements for December 31, 2018

Ms. Suit: Under tab 7.A. is your financial statements for December 31, 2018.

B. Approval of: #225 Invoices, Check Register and Debit Purchases

On MOTION by *Supv Berube*, seconded by *Supv Kassel*, with all in favor, Invoice Approval #225, Check Register, and Debit Purchases were approved.

C. Discussion of District Manager Special Topics

i. Meeting Summary & Action Items

Supv Farnsworth: Are there any left open?

Ms. Suit: It was my meeting notes and follow up that Supervisor Farnsworth wanted to add to it.

Supv Berube: I appreciate the fact that you get those to us quickly with detail. We have struggled with that in the past and it is nice to get it when it is still fresh.

D. Facilities Usage Applications

{There being none, the next item followed.}

EIGHTH ORDER OF BUSINESS

Topical Subject Discussions

A. Parking and Garden User Supported Facilities Report

Ms. Suit: I included the Parking and Garden User Supported Facilities Report. You received the check for \$7,600 on January 31st.

Supv Berube: That is the second quarterly income check, which brings me to this point; the garden is running at about 50% occupancy. It delivered about \$2,000 in income for the year and that probably is not going to change much. The Garden Manager has indicated that while people like having a garden, they do not like having to pay to use a garden. She feels the cost of garden plots maybe hindering the leasing of the plots. It is something for us to consider when we get to the June budget meeting. If we are going to change rates, we have to do it as part of a public hearing and it is at budget time that we do that.

Supv Farnsworth: Did we increase the cost when we took it over?

Supv Berube: Slightly.

Supv Scarborough: I got rid of my garden because of the cost.

Supv Farnsworth: Because of the increase?

Supv Scarborough: Because of the costs period. It was free at one time.

Supv Kassel: It was free because at that time the developer was paying for the water, the hoses, and such.

Supv Berube: When the developer turned it over to the HOA the developer said now it runs on its own, I am not contributing any more money. The Garden Manager is a nice lady, but she provides soil, tools, fertilizer, bug spray and all of that stuff which adds to the cost of maintaining it. This year there is only \$2,000

in income, so she is limited to \$2,000 in expenditures because it has to balance. It is something we are going to have to look at what we want to do now that we have a year under our belts. Half of it is sitting there unused.

Supv Bokunic: What are you suggesting?

Supv Berube: Potentially cutting the rates, but even if you cut the rates in half you would have to have double the occupancy to end up at the same place we are now.

Supv Bokunic: Is it worth it for \$2,000?

Supv Berube: It is something we have to look at.

Supv Kassel: Another option, and the attorney would have to advise us on this, is to have it be open residents where they share costs and do not pay for their own private plot. It would be open to all residents of Harmony.

Supv Berube: What about people who want to pay for a private plot?

Supv Kassel: We would retain a smaller percentage for them, but the majority of the garden could be shared. If we go with the model where pretty much anyone who lives in the community could come and play in the garden in the public plots. I do not know if those who wanted a private plot would pay the CDD, but it is another way around it so it is not something just a few people can use.

Supv Berube: We would have to classes of people and we cannot have that.

Supv Scarborough: It would also be disassembling the plots already constructed to make it larger.

Supv Kassel: No.

Supv Berube: It is something to think about.

Supv Kassel: Do you see where I am going?

Mr. Qualls: It sounds like an interesting social experiment.

Supv Berube: If you go back five years when it was free it was never full, but it was close. As soon as fees got put on to rent a garden plot, the occupancy has dropped off to 50% now. It is something to keep in the back of your mind. We cannot do anything about it now because to change any of this we have to go through the public hearing. When we get to June we can think about it.

Mr. Qualls: I will get with Supervisor Kassel.

Supv Berube: The bigger one is the commercial vehicle parking area. It was running nearly full. It is now at about 70%.

Supv Scarborough: Did those rates go up too?

Supv Berube: They went up with the change to CDD ownership. The income is still high because what is selling there are the big motorhome lots. There is zero occupancy available; it is 100% full on motorhomes and the medium ones. It is the small ones that are not selling.

Supv Scarborough: It sounds like an imbalance of price structure.

Supv Berube: The small ones are so small that you can fit a small trailer, a jet ski or a car.

Supv Scarborough: If they were full and they are not now that tells me there is an imbalance.

Supv Berube: They are not now because it shifted somewhat. The deal is the little ones do not generate a lot of money and the bigger ones do. We have two choices – we can rearrange the whole thing and eliminate a lot of the small spots nobody wants for whatever reason. The whole 30% open rate is small ones. We can

rearrange things, add a few larger areas and sacrifice the small ones. If the Board is willing to do that, we can figure it out; and the cost to do it is minimal.

Supv Farnsworth: Are you eliminating some parking spaces?

Supv Berube: Yes.

Supv Farnsworth: Is your total income going to remain the same? Is your rearranged lot going to produce the same income?

Supv Berube: More income.

Supv Farnsworth: Does the rearrangement produce the same amount of income?

Supv Scarborough: Would two single lots combined together make more money if you combined it to one big lot?

Supv Farnsworth: That is the question. If you are combining it and your potential income went down.

Supv Scarborough: Potential income is nothing if it is not occupied.

Supv Berube: Potential income will go up. Your occupancy is trending down because the demand is for big ones that we do not have.

Supv Farnsworth: I am not debating that, or I was not questioning that.

Supv Berube: It would get rearranged to increase the income at total occupancy. If everything was full your end result will be you will have more income if we rearrange it.

Supv Farnsworth: That is a positive. I was trying to figure out if you at least broke even.

Supv Berube: You would be ahead. There is no reason to change it if you are going to break even or lose money.

Supv Farnsworth: There could be a reason. If the occupancy went up, you could still be ahead even if your maximum went down.

Supv Berube: The real problem is that the space was poorly arranged when it was set up. They took a pie-shaped piece of land, drew some lines and said sell them. Plan B is to expand the fences, rearrange the land, double the amount of available space for sale, put the bigger ones at the front, re-shell rock the whole thing. Effectively, it would double the space; and long-term, the initial cost is about \$75,000 to do; it could be more, depending on the contractor. Payback, depending on how it lays out, in increased income is somewhere between two and four years.

Supv Farnsworth: To breakeven.

Supv Berube: To breakeven; it could be faster, but it will not be any less than two years. What we do not know is how much total demand is there for those big lots. There has been a waiting list since we have owned it; that has not dropped off.

Supv Scarborough: So we do know there is demand.

Supv Berube: The big lots never go empty; which brings me to the next point. In June when we reset rates, based on current demand, those rates for the big lots can go up and should. We were conservative in where we set the rates.

Supv Scarborough: Where are they now?

Supv Berube: A big lot is \$75 per month. It is not much and way below what they get right down the road and that is why there is such demand.

Supv Farnsworth: When you get to that point you already know what I am going to do.

Supv Berube: You are going to say no.

Supv Farnsworth: I am not going to say no. I think the scaling process was done wrong.

Supv Berube: We have this parking facility and it is making money. We have people moving and a lot of the folks in the over 55 have motorhomes and big boats. It is filling the lot. Our demand for this facility is not dropping; it is going to increase as people move here.

Supv Farnsworth: How much expansion room do we potentially have?

Supv Berube: We can roughly double it.

Supv Scarborough: Another quarter acre?

Mr. van der Snel: It is 1.3 acres.

Supv Berube: The question is, based on these, do you want to take the cheap road and just rearrange what we have and take a limited amount of additional or do we want to invest the money?

Supv Scarborough: If there is demand.

Supv Berube: The demand is there.

Supv Kassel: Speaking of money, where are we going to find the money?

Supv Berube: It would have to come out of reserves.

Supv Bokunic: If demand was not there could we open it up for Harmony West and other people? Is there a limitation?

Supv Berube: It is a user-supported facility. It does not have to be an owner.

Mr. Qualls: You could not restrict people as long as they are following the same rules.

Supv Berube: If we did not get enough residents, Harmony West is coming down the road. The math says spend the money and expand it. If everybody is in agreement we will move this forward and come with a more detailed plan.

Supv Scarborough: Do a layout of a defined area?

Supv Berube: It is hard to do it on something because the land is all weird; to do it on a computer versus getting in there and actually driving it.

Supv Farnsworth: Would part of the improvement be to level it so you can get in and out of there?

Supv Berube: Four-inch minimum shell rock, maybe six inches in some areas.

Supv Farnsworth: I do not mean just shell rock; I mean level it.

Supv Berube: It has to have some slope because you want the water to runoff. Are we in general agreement that for \$75,000 we are going to expand it?

Supv Farnsworth: There is agreement to take a closer look.

Supv Kassel: I'm just not sure. We are putting hesitation for things like pool lighting and other things.

Supv Scarborough: There is no payback on that side.

Supv Farnsworth: If you are going to have trouble coming up with the money, what I would suggest is that you would plan for this for the next fiscal year.

Supv Kassel: That is my thinking; not now.

Supv Berube: It is coming out of reserves.

Supv Kassel: Reserves are there for a purpose. They are to renew and replace what you already have, they are not a capital expense fund, which is how we are looking at it right now if you are going to use it to improve and expand. Is that not more of a capital expense?

Mr. Boyd: New construction is usually considered more of a capital expense.

Supv Berube: It is a modification of existing ownership.

Supv Kassel: You are expanding.

Supv Berube: We are fixing, improving, and expanding an existing owned facility.

An unidentified speaker: Fiscally it is functioning the same as a streetlight buy down. You are paying more now and eventually it is going to pay off. Budget-wise I think it would be handled the same way. We did have a viewer comment that the structure of the payment needing to be collected for the full year in advance is perhaps more onerous than some of the commercial. For this viewer's case is the reason they do not a smaller lot. Is there any flexibility with that or is that a requirement for how it is done with the HOA?

Supv Berube: The policy was set to pay a year in advance. I have heard that one or two people have said I cannot afford to pay in advance.

Supv Kassel: Part of the issue is we are having the HOA management company handle this and it is a fair amount of administration; to have to remind people month after month to pay, to bill people, to chase them down.

Supv Berube: The fee the management company takes is \$100 per month. You are not going to get a lot of admin work so it has to run smoothly.

Supv Bokunic: Can we do six months?

Supv Berube: Not in our rate structure the way we set it.

Supv Farnsworth: I was not in favor of the yearly thing and I am still not. There other ways of getting admin fees.

Supv Berube: Are you in favor of expanding the lot?

Supv Bokunic: Yes.

Supv Scarborough: Yes.

Supv Farnsworth: No, under the conditions it has right now.

Supv Kassel: With proper planning in the next fiscal year, perhaps.

Supv Farnsworth: This I agree with, proper planning, but I am not hearing the proper planning and that is the reason I said no.

Supv Berube: Are you in favor of expanding the lots starting now?

Supv Bokunic: Yes.

Supv Scarborough: Yes.

Supv Berube: And I make three. We will get together with Mark and figure it out to get it started.

Supv Kassel: Do we need a more formal vote for this?

Mr. Qualls: Who is getting together?

Supv Berube: We are going to do the planning.

Mr. Qualls: Just one Board member.

Supv Berube: Yes.

Supv Bokunic: We are not having a meeting.

Mr. Qualls: You are having a meeting.

Ms. Suit: Just an FYI, the last 45 minutes of conversation would be a good reason for not doing verbatim minutes.

Supv Farnsworth: No, that is not a good reason.

Ms. Suit: This was conversation; you want motions and approvals in your meeting minutes.

Supv Kassel: Not in my opinion. I want to see the flow.

Mr. Boyd: We need to look at the boundary of that area where the existing conservation easements are that we talked about earlier tonight, and where the buffers are, to make sure they do not get infringed on.

Supv Berube: We already covered that, if you will remember, last month you sent us the map with the red outline. That is what we used to figure out how much fence was needed and all of that.

Ms. Suit: If you are just bringing back information to the next meeting, you do not need a motion.

Supv Berube: We are going to get some more information, solid information on how many spots, how they are going to layout, and all of that. We will have better information. I did not expect it to go this in depth.

NINTH ORDER OF BUSINESS

Supervisors' Requests

{ There being none, the next item followed. }

TENTH ORDER OF BUSINESS

Adjournment

{ There being no further business, }

On MOTION by <i>Supv Kassel</i> , seconded by <i>Supv Berube</i> , with all in favor, the meeting was adjourned.
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Kristen Suit
Secretary

Steven Berube
Chairman