

## MINUTES OF MEETING

### HARMONY COMMUNITY DEVELOPMENT DISTRICT

The regular meeting of the Board of Supervisors of the Harmony Community Development District was held Thursday, September 28, 2023, at 6:00 p.m. at the Jones Model Home, 3285 Songbird Circle, Saint Cloud, FL 34773.

Present and constituting a quorum were:

Teresa Kramer	Chair
Daniel Leet	Vice Chair
Joellyn Phillips	Assistant Secretary
Lucas Chokanis ( <i>via Zoom</i> )	Supervisor
Kerul Kassel	Assistant Secretary

Also present, either in person or via Zoom Video Communications, were:

Angel Montagna	District Manager, Inframark
Kate John ( <i>via Zoom</i> )	District Legal Counsel, Kutak Rock
David Hamstra	District Engineer, Pegasus Engineering
Lynn Hayes	District Manager, Inframark
Nick Mr. Lomasney Mr. Lomasney	Benchmark Landscaping
Michael Eckert	District Counsel, Kutak Rock
Brett Perez ( <i>via Zoom</i> )	Benchmark Landscaping
Residents and Members of the Public	

*This is not a certified or verbatim transcript but rather represents the context of the meeting. The full meeting recording is available in audio format upon request. Contact the District Office for any related costs for an audio copy.*

32

33 **FIRST ORDER OF BUSINESS** **Call to Order and Roll Call**

34

35 Ms. Kramer called the meeting to order at 6:00 p.m.

36 Ms. Kramer called the roll and indicated a quorum was present for the meeting.

37

38 **SECOND ORDER OF BUSINESS** **Audience Comments**

39

40 Ms. Kramer, the second item on the agenda is our audience comment. It is at this  
41 time where our members of our audience, both here and on Zoom, can take up any  
42 subject relating to the Harmony CDD, that you would like to bring to our attention. It is  
43 not a time for back and forth, or explanations, or questions. It's a time for you to present  
44 what your concerns are to the Board. Do we have any speaker requests?

45 A Resident, Yes.

46 Ms. Kramer, be careful and not talk over each other and not interrupt each other. We  
47 have a new way of doing minutes, and it's really important that we all stay in our lane  
48 and not talk over or finish each other.

49 A Resident, That sounds good to me. Yes.

50 A Resident, My name is Clifford Mac Intosh. My address is 7504 Castlewood Court,  
51 in East Lakes. My concern is that the Five Oaks Road water continues to flood. I know  
52 that the city had been out to vacuum out the lines, so it would not flood when it rains,  
53 but it's continuing to still flood. And I am concerned that when we have hurricane  
54 weather, then it gets so high that we cannot go out to get to higher ground or whatever  
55 we need to do. I am new to Florida period. So, I am not used to the weather as high.  
56 The water gets high here. So, that is the only concern that I have. If we can find a way  
57 to drain, to have that water draining at Five Oaks.

# CARBON

58 Ms. Kramer, and that will be addressed. So, stay with us, and our Engineer will be  
59 discussing that.

60 A Resident, Ok. All right. Thank you.

61 A Resident, I am Todd at 7133 Indian Grass Road, near the Estates, but not in the  
62 Estates. I have two letters here from June Marsowicz and I am going to read this. It  
63 says, we the undersigned oppose the location of the field services maintenance facility  
64 and the dumpster at Buck Lake Park site and urge the Harmony board to rescind their  
65 August 24, 2023, 3 to 1 decision. At the June CDD meeting with all five board members  
66 in attendance. There was a unanimous decision to increase CDD fees to include  
67 \$350,000.00 proposal for the Five Oak site with added amenities, unnecessary  
68 bathroom facilities, larger office room for CDD meeting. It was approved by the Zoning  
69 Board. At the August 24, 2023, CDD meeting there was a 3 to 1 decision to locate the  
70 building at the Buck Lake site, because of cost savings for an inequitable proposal. Both  
71 sites were approved by the Zoning Board. Increased fees were still voted into the  
72 budget. We clearly understand the need to be fiscally responsible. We clearly  
73 understand the funds allocated for the alley paving project and splashed project were  
74 overrun. We clearly understand the reserves dilemma. We clearly understand the timing  
75 issue along with penalty fees for noncompliance. However, we are deeply concerned  
76 about the negative impact. Your decision on our neighborhoods, property values,  
77 increased noise pollution, and increased air pollution. This is a residential  
78 neighborhood, not a commercial area. Additionally, this is a park. We have been  
79 blessed with green space coveted by so many communities locating a maintenance  
80 facility in dumpster, with pet waste collection, etcetera in a prime location. The entrance  
81 way path to Buck Lake is of dire concern. We are most deeply concerned about  
82 people's safety, especially that of our children who walk across the area and bicycle  
83 across the area, to get to the park. People who walk their dogs, and jog, stroll, and  
84 access to the path of Buck Lake.

85 Mr. Leet, it disconnected.

# CARBON

86 Ms. Kramer, If you will pause just a moment, we want to make sure everybody out in  
87 the audience can hear.

88 Mr. Leet, And, it has connected.

89 Mr. Leet, It might be.

90 Mr. Chokanis, Lucas is here. Can you hear me?

91 Mr. Chokanis, Oh, I can see your faces now.

92 Ms. Kramer, Thank you, Lucas. we have a gentleman reading us a letter concerning  
93 the location of our community maintenance facility. If you would like to continue, sir.

94 A Resident, Sure. We are most concerned about people's safety, especially that our  
95 children who walk across area and bicycle across the area, to get to the park. People  
96 who walk their dogs, jog, and stroll the area, access the path to Buck Lake. Having  
97 need to jockey with field services, golf carts, and workers frequently on cell phones,  
98 small trucks, and garbage trucks. In addition, we have witnesses, girls practicing cheer,  
99 dads pitching to the kids, families flying kites, people bringing tables and chairs to utilize  
100 the gazebo, and those who use the gazebo for exercise class. Next one, the original  
101 intent of our petition was to urge the board to rescind their August 24, 2023, decision to  
102 locate the field services maintenance facility and dumpster at the Buck Lake Park site.  
103 After the conversations with Theresa Kramer, I realized that she was not open to that  
104 regardless of if we have 100 or 1000 signatures. We currently have 167 signatures to  
105 show there is considerable opposition to the facility in particular to the dumpster, which  
106 is a collection drop off for dog pots throughout the community. Not one person we  
107 approached, refused to sign our petition. We respectfully urge you to be prudent in this  
108 decision, to keep the dumpster at the current location or find a more suitable location,  
109 which is definitely not in interest to the parking lot to Buck Lake. Moving it closer to the  
110 gazebo is thoughtless and picnic tables will eventually be returned to the gazebo.  
111 Moving a dumpster to Buck Lake site will only create more problems that we currently  
112 don't have. Mainly people using a dumpster for their trash, leaving trash outside a

# CARBON

113 dumpster. In addition, I am almost done. In addition, we are urging the Board to not  
114 expand the field service maintenance storage, to include boat trailers. As these are  
115 seldom used, they should be left where they are currently stored. Since that area is a  
116 mess and is being cleaned up by Jake. As I was told that would preclude the Buck Lake  
117 site from having the appearance of the junkyard. Another item of concern, when I  
118 mentioned the need to protect our green space Teresa replied, "We have plenty of  
119 green space." Unfortunately, there is only one entrance path to the Buck Lake dock.  
120 Lining the path of the metal storage building, fencing, etcetera, detracts from the  
121 ambient we currently enjoy. We respectfully request that you consider the above  
122 concerns of the community. June Marsowicz is a neighbor of mine. So, the biggest  
123 issue and the whole thing that I just read is the dumpster, that dumpster, the dumpster,  
124 the dumpster. Would you want to have the dumpster around your house? I do not think  
125 so. That is all I have.

126 Ms. Kramer, You will have to come up with your name and address for the record.

127 A Resident, 7147 Trail. When I went around with June to collect the signatures, we  
128 were mainly talking about not having the maintenance shed there at all. Later on, she  
129 wrote about adding the dumpster. She was saying the other day that when they redid  
130 the calculation for the price of the Five Oaks and Schoolhouse Road, the Schoolhouse  
131 Road was not changed, but the one on Five Oaks was about adding a bathroom and all  
132 the others, but that was not recalculated for the one on Schoolhouse. And I was  
133 wondering if that's the case.

134 Ms. Kramer, I will just say wedid evaluate all.A Resident, So both were reevaluated?  
135 I do not know how much it is going to cost reboot, moving bathrooms and all the other  
136 adds that were on.

137 Ms. Kramer, Well, from what I understand, they are the exact same size, and the  
138 price was \$88,000.00 for the Schoolhouse location rounded up to \$100,000.00. Correct  
139 me if I am wrong, David and \$350,000.00, because you have to do everything from  
140 scratch. You have to break the fire hydrant down. You have to design a storm water

# CARBON

141 system and build it. It's just a lot more to do in infrastructures there. But again, this is for  
142 you to give us, and I broke my own rule. My apologies.

143 A Resident, But that is what I heard is that one reason was because there was a  
144 cement pad here. It is cracking, not even level. So, that is going to have to be redone.  
145 So that would have to add up the price too. Would it not?

146 Ms. Kramer, I think that was considered.

147 Mr. Leet, and we will be discussing it. I believe with the Engineer. I remember I  
148 asked specifically about what the added cost would be of just doing a different a new  
149 pad just somewhere else in that same area, just moving it away from the pathway, and  
150 further away from the park side, and all that. So, the price of the new pad is on our  
151 radar.

152

153 Ms. Kramer, So we will discuss that more, and hopefully answer all your questions at  
154 that time.

155 A Resident, Thank you.

156 Ms. Kramer, Thank you. And do we have any other comments?

157 Ms. Kramer, if you will come forward, and we need your name and address for the  
158 record.

159 Mr. Chokanis, Hey. I just want to say I know we talked about not having a back-and-  
160 forth discussion with the residents. If we are going to stick to it, we just stick to it. If not,  
161 then we need to go away with it, because you cannot pick and choose on who we want  
162 to discuss with.

163 Ms. Kramer, That is correct, Lucas. Thank you for correcting me. Yes.

164 A Resident, My name is Marilyn Ash - Moore and I live at 6852 Butterfly Drive. I  
165 have been involved with the community garden for 13 years. I wanted to thank this

# CARBON

166 Board very much, for approving a garden shed. Which we still need. And I am speaking  
167 on behalf of the garden committee. as their Treasurer. I am happy to say that we have a  
168 new President who is DanDan is a gardener, and he has some great ideas, and we  
169 look forward to having a good time. So, thank you. I appreciate the Board, all your  
170 support.

171 Ms. Kramer, Thank you.

172 Ms. Kassel, Thank you. We appreciate you, Marilyn. Thank you and the garden.

173 Ms. Kramer, Ok. Do we have any other comments here?

174 Ms. Kramer, If not, we will look to the Zoom. Do we have anything there?

175 Mr. Leet, A few people on, but no one has indicated they would like to speak. Oh  
176 sorry, there is. Sorry.

177 A Resident Can you hear me?

178 Mr. Leet, Yes, I see your name and address and, you have two minutes.

179 A Resident, This is Joe at 7159 Oak Glen Trail. And I guess my concerns are, I will  
180 just read them off real quick because I know you can't respond to them. So, the one is  
181 there's a lot of trees that are over hanging the streets and when it rains and stuff, they  
182 are hitting the cars. Tons of the cars. I know they cut some stuff down, but it, does not  
183 look like they cut down a lot of the trees. Because I'm still hitting them when I'm driving  
184 out. I drive a pickup, just so you know. Second comment is the area towards the west  
185 end of the development, I know they are digging that all up. I assume this is for houses  
186 or condos there. I'd be interested in what is going on there and if you can comment on  
187 that sometime, maybe today. And I was wondering if the Board had reached out to  
188 whoever was doing that development, to get the sense, because they all went and  
189 trashed on Saturday. Why they did not get that fence. They could use it. And maybe an  
190 update on the future development of Harmony? September 20, 2023, a Board member  
191 and council did put out a note on it was Facebook, or something. I appreciate that. But

192 there are going to be 1245 new residents coming in. I would be curious as to what  
193 impact that is going to have on Harmony, besides the obvious. What, can they use? Our  
194 parks, our pools, and our trails. Are they going to be donating or contributing to the CDD  
195 budget? And then the petition to not have the maintenance yard, I like. I agree with that.  
196 A month later, to me it is an eyesore for one and two, areas that everybody gets to see  
197 and use. It is just a shame that we have to take that away. The other comment is that I  
198 missed two meetings and I tried to find out what the minutes were for the June and July  
199 meeting. They are not anywhere to be seen on the website. I realized June is probably  
200 being approved. Maybe June, I am sorry, June is on, on file. July and August are not  
201 there. August is probably being approved today, but July should be there by now. It is  
202 over a month old. So, I do not know why it is not on the website. I would encourage the  
203 Board to, I know you cannot go back and forth at this point with everybody, but I think  
204 the Board needs to reach out and start talking to the owners. Not just hear us and  
205 ignore us, for three minutes. I think you are serving, to serve us. I think you can hear  
206 what we have to say as you move forward on everything. And even if it is just another  
207 day, another meeting, it is informal. No, no commitment, but just then you hear what we  
208 have to say and that is it. Thank you for your time.

209 Ms. Kramer, Thank you so much. Anyone else on Zoom?

210 Mr. Leet, No, there is none indicating they would like to speak.

211 Ms. Kramer, All right. Hearing no other requests to speak, we will close the audience  
212 comments at this time. The next item on our agenda is contractor Reports.

## 213 **THIRD ORDER OF BUSINESS Contractor Reports**

214

### 215 **A. Benchmark Landscaping (“Benchmark”)**

216

217 Mr. Lomasney, We will have a lot to discuss with the reports on the pocket parks  
218 and the maintenance on these.



# CARBON

219 Mr. Lomasney, So as for the progress on the oak trees, we have started on them.  
220 Typically, in June, July and August it is more maintenance. Now, we are coming into  
221 fall and that becomes our main priority, along with irrigation. We will continue to uh  
222 move forward with that this Wednesday coming up. I have a tree company coming in  
223 to get some of these problem ones that are over the road or over a structure. That  
224 gives us a head start and then we can focus on the ones that are further off the  
225 property. So, there will be big results and you will be able to see those by the time  
226 we have our next meeting.

227 Ms. Kramer, And that takes them up to the, I think it was, 15 feet in the contract.

228 Mr. Lomasney, feet over the road and eight or so over the sidewalk. A little bit  
229 was done today in the far West entrance, blocking the signs. I have already started  
230 prioritizing which trees that you need to be done.

231 Mr. Lomasney, And then we will go on down the list from there, as far as that.  
232 Irrigation is still going. I have been checking the system quite a bit over the past  
233 couple of days. I noticed we got the emails. That was me turning it on, on a regular. I  
234 am trying to find some of these breaks. You will notice there are a couple of flags,  
235 that I am still very much still working on that. So, we are still good within that budget.  
236 And that was about it.

237 Ms. Kassel, it. How far along are we in that budget? How far along are we  
238 percentage-wise? Because we were at, I think about 75% or so?

239 Mr. Lomasney, Yeah, the ones completed, as far as like where we are sitting  
240 today, I would have to get with Jacob to get that exact number. I know this month we  
241 located three bells that were stuck on. Which resulted in two meters being down.  
242 Those have since been replaced with cat wire. You and I had spoken on part of that  
243 location that has been resolved. So, now it is going to get some more of the grapes  
244 and pipes versus wires. And,

# CARBON

245 Ms. Kassel, We would like to know, because this has been going on for a number  
246 of months. Now, when do you expect to have it completed?

247 Mr. Lomasney, I will get with Jacob and get that information for you.

248 Ms. Kramer, The other thing we have requested that we have not seen, and  
249 again it does not have to be a real formal map, but if you could just give us the map  
250 that went with the contract and mark where you have already worked and corrected  
251 all the issues. that way we will know and can see. And when they kick off, we know  
252 that that is an area that has been corrected.

253 Mr. Lomasney, All right. That is perfect. Then you will know where the problem  
254 areas are and what is next. I will get it.

255 Ms. Kramer, any other questions from the Board on the general landscape  
256 maintenance?

257

258 Mr. Lomasney, I have one more thing to add. There are still a couple of areas of  
259 flooding on the backside of Dark Sky being the main one. I see the areas on both.  
260 We are checking them weekly. If there is standing water, we cannot run the machine  
261 through it. We will create ruts. It is better for us to let it dry up. So, a couple of spots  
262 we went in there with stream trimmers that were getting too wild. Until it dries up, we  
263 cannot really do anything. You see those uh tall areas, I have done as much as we  
264 can, as far as the maintenance side.

265 Ms. Kassel, We had a lot. Yeah.

266 Ms. Kramer, The other thing on maintenance, I do not think we have had a mulch  
267 application at all this year.

268 Mr. Lomasney, Not yet. It is currently getting ready to come to you guys. I am  
269 going to touch on that a little bit today, but just a little bit. I know that is going to be  
270 coming up next.

271 Ms. Montagna, We talked about November. Right before the holidays.

272 Ms. Kramer, wait until any chance of hurricanes,

273 Mr. Lomasney, It is going to be a mess.

274 Ms. Kramer, Also, I just wanted to get that out there. All right. That is all I have.

275 What else? Lucas, do you have anything on the landscape? Just the general

276 landscape maintenance that has been going on?

277 Mr. Chokanis, Not much. I have seen a few trees. There was one kind of by

278 Schoolhouse Road. I have seen some sprinklers spray into the Five Oaks area. But

279 other than that, I think our grass looks really good and they have been doing a good

280 job.

281 Ms. Kramer, Ok. Thank you. All right. We will move on to the pocket parks. We

282 had a number of pocket parks that we reviewed.

283

## 284 **1. Report on Harmony's Pocket Parks**

285 Mr. Lomasney, In our last meeting, you asked me to go look at and evaluate

286 each one. I did not give documents on two or three, because I feel they did not

287 need anything. I feel my fertilization program will handle what needs to be healed

288 and the proper mowing. So, I feel those are fine and did not need any attention.

289 The ones that are listed are just areas that I think that need to be changed or

290 corrected, and what I will put as a priority. The main dog park on Cat Briar, Buck

291 Lake Front, like the food trucks out there, big area, whole families come out

292 there. So, I walked everything and nothing needed a complete overhaul. But it

293 was itemized, so you can pick and choose and select what you guys would like to

294 do with each individual location. Based on what you feel is a level of priority.

295 Ms. Kramer, So this is kind of like a road map going forward?

# CARBON

296 Mr. Lomasney, Right as far as the current conditions.

297 Ms. Kramer, Yeah, if things vary, we have to ask for an exact proposal at the  
298 time we want to address a certain issue.

299 Mr. Lomasney, Yeah, things could die out, things could fill in. So, the longer on  
300 certain areas then we would have to revisit it and resubmit. But as it stands  
301 today,

302 Ms. Kassel, So, like there is a lot of expenditures here. You are right. We are,  
303 talking about how we are a bit tight, with funds at the moment. My suggestion is  
304 that I work with Nick. I do maybe a drive-through and just kind of look at the  
305 areas and prioritize with him and then ask him to bring us. Well, it is not exactly a  
306 proposal, but their prices are here. Then we can come back to the Board next  
307 month, maybe with a proposal for what we can work out. What is really a big  
308 priority now to get the place looking a little nicer, for the holidays. With the money  
309 that we may have available after we discuss the finances a little later.

310 Mr. Lomasney, Yeah, that is terrific. I can meet with you as soon as next  
311 week and go from there.

312 Ms. Kramer, And yes, it is, again for those of you who have not reviewed the  
313 agenda, I think for that. Yeah. This is not an extravagant amount of work. It is just  
314 that we are 20 years old and some of our trees have grown up, the shade has  
315 changed, and the sun and shade combination has changed. It would be  
316 approximately \$73,000.00 and that is without any repair on the soccer field. If we  
317 added a soccer field, the least expensive alternative with the soccer field, it would  
318 bump that up to about \$123,000.00. So, we were looking for this just for us to get  
319 a feel for what we need to do to revitalize Harmony's landscaping since some of  
320 it has literally aged out and others have been shaded out. Yeah, we will look at  
321 that. So, that is where we are at. Are there any other questions as far as the park  
322 proposals?

# CARBON

323 Ms. Montagna, Brett is on and wanted to go over the name assignment  
324 for Benchmark,

325 Ms. Kassel, name assignment?

326 Ms. Kramer, Yes. Oh, ok. I was going to do the next proposal.

327 Ms. Montagna, and that is fine. That's fine. When Nick is done with his, Brett is  
328 on there to address that before we move on.

329

## 330 **2. Consideration of Pruning for Building Clearance Proposal**

331 Ms. Kramer, Ok. There is also a consideration of pruning for building clearance  
332 proposal. Explain that, because it did not really give us the idea of what scope we  
333 were doing.

334 Mr. Lomasney, So it is field inspection.

335 Mr. Lomasney, And there are a few problematic trees as far as , let me give  
336 you an example, if I have one in front of me. The tree is too big it is too far to  
337 save. This is something in there. I believe there is a tree right over the canopy at  
338 Buck Lake, and it is not like a traditional fence where I can allow a branch to hit it.  
339 Things like that would not allow a truck to come in and safely bring it down  
340 without any damage.

341 Ms. Kramer, Ok. So, it is not one building location. It is the items in the field.

342 Mr. Lomasney, Yeah. And they are in red, in the packet of which trees this  
343 would go under.

344 Ms. Kassel, What is the date on that?

345 Mr. Lomasney, September.

# CARBON

346 Ms. Kassel, Good. Thanks.

347 Mr. Lomasney, It goes over a few of them.

348 Ms. Kramer, There are a number of trees. I think over some of them,

349 Mr. Lomasney, Page nine item 16. This is what I was referring to. Stuff like  
350 that, which is what I call a problematic tree.

351 Ms. Kassel, Can we get more specified proposal from Benchmark, that states  
352 what tree, where?

353 Ms. Kramer, Take it out of the field report and put it in something. Because we  
354 have to reduce this to a work order and an itemized list of things. So, we know  
355 exactly what number and how many things that we have to include in this work  
356 order.

357 Mr. Lomasney, Ok. I will try to get that and have that in time for our meeting, to  
358 go over.

359 Ms. Kramer, All right. Anything else Nick before we turn to Brett?

360 Mr. Lomasney, No. I think Brett can take from here. Unless you guys have any  
361 questions.

362 Ms. Kramer, Any other questions on landscaping?

363 Ms. Kramer, OK. All right. Thank you, Nick. Brett,

364 Ms. Kramer, Is Brett Perez on?

365 Ms. Montagna, He should be.

366 Ms. Montagna, I will give introduction of what I know, which is not much.

367 Ms. Montagna, So, essentially, they are merging with ULS.

# CARBON

368 Ms. Kassel, Another merger?

369 Ms. Montagna, And so if you remember when you approved the first merger,  
370 when we went out to RFP and then Mike prepared the name change assignment.  
371 This would be similar. That is what it is and Mike, we talked about it kind of prior  
372 to. He can tell you what he is comfortable with. And that is really essentially what  
373 it is.

374 Ms. Kassel, So, ULS United Landscaping.

375 Ms. Montagna, Yes

376 Ms. Kassel, And they are in Harmony West?

377 Ms. Montagna, That I do not know.

378 Mr. Lomasney, they are, but I would still remain the manager for Harmony  
379 here.

380 Ms. Kassel, I saw a Benchmark truck coming from Harmony West into  
381 Harmony.

382 Mr. Lomasney, That was me. I was checking out some areas that I had  
383 sprayed.

384 Ms. Montagna, Yeah. And to my knowledge, I asked Brett, you know, are they  
385 doing any name changes? Truck changes? And he said, no. Not any time soon,  
386 but they would let the Board know well, before any sort of name changes happen  
387 or rebranding happens. So, they would remain Benchmarked as far as your  
388 everything. And that is as far as really what we have and then whatever Mike is  
389 requiring.

390 Ms. Kassel, So the Board is not going to do anything now. We will wait for  
391 Mike to prepare whatever, and then approve it. Is that the idea?

# CARBON

392 Mr. Eckert, What I saw was an assignment document that needs a little bit of  
393 work on it, because it talked about confidentiality and more public entities. So, we  
394 are not going to agree to any confidentiality. But if the Board is comfortable, you  
395 could approve the assignment in substantially the same form as you approved  
396 the last one and it would only become effective once we get the new insurance  
397 certificates. Because when a company buys out another company, I want new  
398 insurance certificates in the favor of the district and the new company name. Not  
399 the old company name. What I'm suggesting is you can approve it now approve  
400 the assignment now, subject to my review as well as getting the insurance  
401 certificates that are required.

402 Ms. Montagna, And I did ask Brett when we would be able to have that, and he  
403 said Monday. We would have a new insurance certificate as well as the new W9.

404 Ms. Kramer, I have a motion. Do I have a second?

405 Mr. Eckert, Before we vote because it is not on the agenda,

406 Ms. Kramer, So I have a motion and a second to approve the name  
407 assignment for the merger of Benchmark with United Landscaping. Being that  
408 this is an add-on and was not on the agenda and notice we would open the  
409 comment period for anyone who has any comments about this potential change.  
410 Is there anyone here in the audience in person? Nothing. Is there anyone on  
411 ZOOM?

412 Mr. Chokanis, Is there any additional cost associated with this merger? And  
413 are we losing the current team?

414 Ms. Kramer, Lucas, let me finish with public comment and then the Board will  
415 discuss it. So, if you hold that question for one minute then have you seen  
416 anybody with comments.



# CARBON

417 Ms. Montagna, Brett texted me and said if you would unmute him, he is happy to  
418 talk. He has been talking, but nobody can hear him.

419 Mr. Chokanis, OK.

420 Ms. Kramer, So, there is no other public comments?

421 Ms. Kassel, What is he signed in under?

422 Mr. Leet, Number? I guess.

423 Ms. Montagna, 813.

424 Ms. Montagna, the second from the bottom.

425 Mr. Leet, Yeah, I can say asked unmute, but he will have to push a button on  
426 his phone. Ms. Kramer, Ok. First, let me, let me close the public comment period.  
427 Hearing no public comment, we will close the public comment period. And Brett,  
428 we will take the information that you have. Again. We have a motion and a  
429 second on the floor. Go ahead.

430 Mr. Perez, Yeah, I can answer a couple of questions that that did come up  
431 while I was trying to talk. Nothing is changing. Like myself, I am still involved with  
432 the company and Jacob is still there. Nick's role is not changing. He will continue  
433 to be on site. This is basically just a backing in terms of power of funded in a  
434 sense. The change is in the groups, is what it is. It does bring more opportunity  
435 for Harmony because, we add more branches in for more labor. So, we have  
436 more responsibility for natural disasters, etcetera. But nothing in terms of, there is  
437 no cost change, there is no staff change. None of that is going to be a part of any  
438 of this. This is just in the contract. It states that if the name of the company does  
439 change, we have to get to that agreement and that is all it is. So, I should have  
440 the COI and, and certificates earliest by Monday.

# CARBON

441 Ms. Kramer, Ok. And Brett is not going to be both our manager and Harmony  
442 West manager?

443 Mr. Perez, Nick is Hamony's manager. We do a very, very small common area  
444 section in the town home community over there. He popped in and just checked  
445 on that like Friday afternoon. So that is all that is there. But, Nick is going to be  
446 right there with you guys.

447 Ms. Kassel, Because I see thier are trucks all over the place.

448 Mr. Perez, Who's trucks?

449 Ms. Kassel, United Landscaping Services.

450 Mr. Perez, Yeah, but here is how this works. We are currently merging with  
451 them, but the deal is not finalized. The way it works is they review the contract,  
452 Harmony's contract and a couple others have to consent, to bring them over. So,  
453 in order for us to move forward with this merger, we have to give the request that  
454 says, "Hey, if this deal was able to change the name in the contract would be  
455 over like a contractor's name in our current agreement." That is all this is., They  
456 have a land installation division, which we do as well. They are doing some work;  
457 I believe next door for the developer putting in for new builds and stuff. I do feel  
458 that is all that I know right now. I cannot really tell you much more aboutthem  
459 today. I have not met anybody on that team yet.

460 Ms. Kassel, So it is tentative, right? It is not even definite.

461 Mr. Perez, Correct. It is just part of the process.

462 Mr. Perez, So it would be finalized tomorrow. So, you are aware.

463 Ms. Kramer, Ok. I know there is a cart before the horse type thing here, butI guess we  
464 will actually hold the signing of the document. We will approve it contingent also upon  
465 our attorney's approval of the document, the receipt of the certificate of insurance, and

# CARBON

466 the formal merger going through. Is that an acceptable amendment to the motion in the  
467 second? Ok. I have approval from the second and the maker of the motion to have that  
468 contingency. So, I just want to make sure that we do not have a situation where we sign  
469 the name change. Then the merger does not go through and all of a sudden, we have  
470 United instead of them.

471 Mr. Eckert, Correct. Yeah. No, that is a good point.

472 Ms. Kramer, So, are there any other questions about the order or discussion?

473 Ms. Kramer, Lucas, you had some questions? Do you have, did you get some  
474 clarification through what Brett said?

475 Mr. Chokanis, Not really, It is kind of surprising that we get this thrown on us  
476 after we spent, I don't know \$80,000.00 on repairs and now they are merging  
477 with some other company. We do not know their background. I am a big no on  
478 this. I do not like getting thrown on to things spontaneously. I have brought things  
479 up and it is set for the next Board meeting. So, this is a no for me.

480 Ms. Kramer, Ok. Any anybody else? What happens if we turn this down?

481 Mr. Perez, If we merge, then we would not be able to invoice you and we  
482 would have to stop service.

483 Ms. Kramer, Ok. I'm just checking.

484 Mr. Perez, I think there is a misconception. The answer to Lucas' question he  
485 asked, is there any added cost? The answer is no. A contract is a contract. The  
486 amount is the amount. Is there going to be any change in who is doing the  
487 services, in terms of the employees? No, the staff is still on site. Myself, Jacob,  
488 Nick, and Jacob. We are all part of the company. This happens quite often.  
489 There are companies that are up coming. Another company decide, hey, we  
490 want to grow some more. and they change practices. There should not, again, all  
491 that is changing is the capital behind the name. Like we have more capital now to

# CARBON

492 our name to whether it is to buy more equipment or provide additional services.  
493 Like ULS offers tree services. They have in-house platforms; they have an in-  
494 house Nursery. So, you are actually getting more benefit in this because there is  
495 more to offer. So, I understand this at this point, I'm not downplaying it, but there  
496 is nothing changing.

497 Ms. Kramer, Ok, thank you, Brett.

498 Mr. Chokanis, And I am going to touch back, Brett. Thank for explaining all  
499 that. But why was this drawn off at the last minute. Like, you guys probably knew  
500 last month or so that this was going on, Right? It was not just like last week you  
501 knew that you were getting merged with another company, and now we are  
502 discussing it at the Boardmeeting. So, that is my question. It just seems a little  
503 sketchy and last minute.

504 Mr. Perez, It's a fair question, Lucas. But unfortunately, part of these deals,  
505 you have to go with your nondisclosure agreement. So, that way either party are  
506 not impacted by it. Meaning if we were to announce it before anything happens,  
507 there could be contracts that are lost during a bid process, for either side. So,  
508 you go through the legalities of these transitions. There are NDA's signed. We  
509 cannot disclose this stuff prior to being told, ok. Now we are at this step now, we  
510 can alert any contacts that have the consent assignments in them, to ask if this is  
511 available. So, it is again, nothing changed behind. We have on our website there  
512 and look behind it. I mean, there it is all there.

513 Mr. Chokanis, So, I understand that, but you just said that the deal is not done  
514 yet. So now, you are relaying this information to us, and it is not something that  
515 you are letting it go at ahead of time that you guys are merging or getting bought  
516 out.

517 Mr. Perez, So, right. So again, I am trying to explain that the best I can. So,  
518 the current agreement that was set up by your current District Council has a  
519 consent assignment clause So, in order for this company that is looking at  
520 merging with us to accept the contract that we currently hold, they have to follow  
521 the letters of these contracts. The contractor has a consent agreement.

# CARBON

522 Therefore, we have to ask for consent for a name change of just the contract, the  
523 contract name. It is not going to be Harmony with Benchmark. It is going to be  
524 Harmony with ULS. That is all we are asking for in this request. And when that  
525 happens, if they get told no, then theoretically that revenue from that contract is  
526 not included in the deal. Because the name will change.

527 Mr. Chokanis, So, I understand that. But does it say you have to tell them that  
528 the day of the Board meeting, or does it say that you can go out and reach out to  
529 them because they have a contract with you saying that you need to tell them  
530 that you are getting caught out or working with another company and give them a  
531 heads up.

532 Mr. Perez, Well unfortunately, this the only form we can discuss these items  
533 due to the Sunshine Laws. I mean, I could have reached out individually to all of  
534 you, but I cannot do that. I did inform the District Manager; I believe it was last  
535 week when I found out. And we talked about what was added to this agenda. So,  
536 I again, I cannot just pick up the phone and group call you all, due to the  
537 Sunshine Law. So, this was the time and the place to describe it. This is where  
538 you have to make a decision.

539 Mr. Chokanis, This is the place to make a decision. But you could have had  
540 the District Manager reach out to us and give us an email. And say, hey, this is  
541 added to the agenda. We are going to discuss this. And not just throw it on us at  
542 the last minute.

543 Mr. Perez, The agenda was already published when I found out. So, I just  
544 asked if we could add it to this meeting and there was discussion when I found  
545 out we can talk about now. If you want to table it until November, that is fine.

546 Mr. Chokanis, I will digress, Brett. But I have made quite clear that I do not  
547 approve this, and the Board can vote on the rest of it.

548

549 Ms. Kramer, Alright. Do any other Board members have any questions or  
550 comments? Hearing none, then I will call the question all in favor. All those In  
551 favor?

# CARBON

552 Board Members: Ms. Kramer, Mr. Leet, Ms. Kassel, and Ms. Phillips all said, I.

553 Ms. Kramer, any opposed?

554 Mr. Chokanis, Yes.

555 Ms. Kramer, Ok. Motion passes four votes to one with Mr. Chokanis opposed.

556 Upon VOICE VOTE, on a motion by Supervisor, Kassel, seconded  
557 by Supervisor, Leet, with four in favor and Mr. Chokanis opposed,  
558 the Board approved the assignment agreement draft between  
559 Florida United Landscaping Services operating, LLC and Benchmark  
560 Landscape subject to receiving Florida United Landscaping Services  
561 operating certificate of insurance and W9 with Mr. Eckert's approval  
562 before signing.

563

564 Ms. Kramer, Anything else we need to do with this? Thank you so much. Is  
565 that all for Benchmark?

566 Mr. Lomasney, Yes, that is all I have.

567 Ms. Kramer, Thank you so much.

568 **FOURTH ORDER OF BUSINESS**

**Staff Reports**

569

570 **A. Field Manager**

571 **1. Field Report and Responses**

572 Ms. Kramer, All right. The next item on our agenda are staff reports. Is  
573 JeisonJeison here today?

574 Ms. Montagna, No, Jeison is still at his family emergency. He should be back  
575 on September 29, 2023. The field report is in the agenda which most of it covered

# CARBON

576 anything that was outstanding. And, as far as the splash pad update, Lynn has a  
577 splash pad update which he also distributed to the Board as well.

578 Mr. Hayes, That was the, the pool heaters.

579 Ms. Kramer, Oh, sorry. Then if you would like to come up front and explain  
580 what the update you have on that.

581

## 582 **2. Update on Splash Pad**

583

584 Mr. Hayes, You want to update on splash?

585 Ms. Kramer, yes, please.

586 Mr. Hayes, All right. So, the update on the splash pad is it is not operational. I  
587 checked in with the vendor. They went ahead and finished what the Board has  
588 authorized to be fixed on the heater. They came out last Friday on the 22nd and  
589 completed that work. With that being said, once he added the additional parts to it  
590 and fired up the pool heater, which has been what he calls flap, not operational for  
591 almost a year, the compressor came on, but he found that there were leaks in the  
592 coils

593 Mr. Leet, All of this is for the pool heater? Ok. Sorry. I thought you started to  
594 talk about the splash pad.

595 Mr. Hayes, Well, I went backwards. So, that is what I put for you tonight. And I  
596 know I had circulated some emails with regards to this. So, when I took a step  
597 further and, and got him to provide us a worksheet or a spreadsheet, to show you  
598 what you have spent on these pool heaters at the swim club. At this point, he did  
599 the repairs that were authorized by the Board and now there is an additional  
600 problem. Which is what I also shared for a bid of \$5,700.00 which is not reflected  
601 in the spreadsheet that shows you what you have already decided. He spent  
602 \$3,700.00 and some dollars already, in July. And then this last visit was  
603 \$4,100.00, which is in that spreadsheet that I provided.

604 Ms. Kramer, Ok. So let me clarify. So basically, since January of this year, we  
605 had spent \$8,000.00 or we have had \$8,000.00 of what is going on. Now, I want to  
606 go back to the Board and remind you that this was the mistake. Remember when

# CARBON

607 there was a proposal to fix the pool heaters came before us for 34.4. We assumed  
608 as the board that that would fix both pool heaters, and whatever our problem was.  
609 At that time, they approved it, then they hesitated in doing the work because they  
610 wanted us to approve two proposals. We had not seen the second one. But  
611 because we had approved the first one, they went ahead and did the work, without  
612 the Board knowing that we needed extensive additional work. on the second pool  
613 heater. When that was brought back to us, we then went ahead and approved the  
614 additional work on the second pool heater, because we were already into it about  
615 \$4,000.00.

616 Ms. Kramer, So here we are now, and we did that with the understanding that  
617 they are old. They would need that. We felt the information relayed to us was that  
618 it should buy us two or three or four years. And that has not happened, is that  
619 what I am hearing? So, we are into the pool heaters \$8,000.00. They want another  
620 \$5,746.00 to do the next repair. But they caution us and have it in there that they  
621 expect the compressor, although it is operating now it has considerable rust, and it  
622 may go out at any time. To the tune of about another \$8,000.00. And that's still, I  
623 feel like I am going down a splash pad road.

624 Ms. Kassel, Yeah. Well, if these are leaking, are they under warranty? We  
625 replaced them this year.

626 Ms. Kramer, No, we replaced the one. The first full heater. We have a dual pool  
627 heater system.

628 Ms. Kassel, It says to replace both poolside compressor.

629 Ms. Montagna, Yeah, only on one though. You have two pool heaters.

630 Ms. Kassel, Right? So, it said to replace both.

631 Mr. Leet, on July 24.

632 Mr. Hayes, Yes, there are two coils. There are two coils within those.

633 Ms. Kramer, in each unit?

634 Mr. Hayes, Yes, ma'am.

635 Ms. Kramer, So we have a total of four coils in the two units?

636 Mr. Hayes, Yes, ma'am.



# CARBON

637 Ms. Montagna, And I think back then too, Teresa. Correct me if I am wrong, I  
638 think they also provided quotes to replace both heaters because they were aged.

639 Ms. Kramer, Right. They did not tell us that until we were \$4,000.00 into it.

640 Ms. Montagna, That is correct.

641 Ms. Kramer, And you had mentioned that we can replace it. But one of our  
642 problems is this is a Symbiont system. Only Symbiont can work on it, is what I  
643 have been told.

644 Ms. Montagna, That is what I was told. Yes.

645 Ms. Kramer, These are the only folks who can do it on these. There are other  
646 pool heater systems, but you said they would be at what about \$20,000.00-  
647 \$30,000.00?

648 Ms. Montagna, Yeah. Actually, I think when Brett was back here, that question  
649 was asked. Right now, you are kind of cornered to Symbiont, because that is the  
650 only one that will work on these. But there are other companies that will provide  
651 pool heaters. But yeah, you are looking at \$30,000.00 to \$40,000.00, and that was  
652 back then. We can definitely look into,

653 Ms. Montagna, Yeah, and it could be that, but this was back what I think last  
654 year. I do not have it right on the top of my head. But there are other companies  
655 out there. I think he looked at one that started with a "D."

656 Mr. Hayes, Now there is another company called,

657 Ms. Kramer, Ok. We do not need the pool heaters right this very minute. But  
658 we are coming real fast on the pool heater season. What I would like to run by the  
659 Board and see if you all are in agreement, is for us to very quickly get out there  
660 and get some quotes on what brand new pool heaters. I do not want to go down  
661 the splash pad road again. I mean, we are already halfway down it with the pool  
662 heaters. But I want to stop the bleeding right now.

663 Ms. Montagna, Proposals to replace both?

664 Ms. Kramer, To replace at least one. I do not know if they can work with them.

665 Ms. Montagna, They run together. So, you have to replace both, because they  
666 do run together.

# CARBON

667 Ms. Kramer, Well, have the companies come out. Three of them. And look at it  
668 and tell us what they can and cannot do. Maybe somebody has something that  
669 can work with you.

670 Ms. Montagna, Ok.

671 Ms. Kramer, Does anyone else want to act on this proposal today or does that  
672 seem like a reasonable thing to?

673 Mr. Leet, Yeah, I think obviously we should consider all options. My only  
674 thought is just making sure that if we were to decide at next month's meeting, it is  
675 something that it is not going to take until March to get installed.

676 Ms. Kramer, Right? So, yeah. When you get the proposal, have them give you  
677 a date, that they can start and get it completed by.

678 Mr. Leet, Are there any dates associated with what we have heard from  
679 Symbiont? Are there any dates associated with this replacement from Symbiont?

680 Mr. Hayes, No, he just provided his narrative of what you guys should  
681 consider. whether you want to continue to do the next repair. He also stated that  
682 the units are over 15 years old and the possibility of a compressor being the next  
683 issue.

684 Ms. Kassel, Is the quote for new pool heaters, two of them, going to include  
685 the cost of the compressor?

686 Ms. Kassel, Here is a question?

687 Ms. Kramer, Well, I think is the compressor a part of the pool?

688 Mr. Hayes, Yes.

689 Ms. Kramer. Ok. So that,

690 Mr. Leet, So make sure please that they include lead time or whatever. So,  
691 that is a part of that. So, we can make a good decision next month.

692 Ms. Kassel, Does the Board need to take any other action?

693 Mr. Hayes, So, I will get a proposal from Symbiont and I will see if I can get  
694 two others. To include lead time, starting and completion dates.

695 Ms. Kramer, Now you can enlighten us about the splash pad.

696 Mr. Hayes, All right.

# CARBON

697 Mr. Hayes, So, the splash pad as it is reported, has a leak in the wall. You all  
698 authorized to get two pumps and in new valves in the actual wall. Now one of the  
699 valves is connected to the piping that goes into the actual cement wall. There is a  
700 round union connection, it is leaking from there, It was discovered in the morning  
701 right away from the field team. They immediately responded to the issue and  
702 contacted me. They pumped out the water out of the vault. It was approaching the  
703 fins for the new motor. So, we are hopeful that no water got in those. And they  
704 obviously turned off the unit. There is a three-inch PVC pipe that goes from the  
705 pump motor to the filter motor. That also has a leak in it. It was also reported that  
706 a pressure gauge was broken. So, in the interim, working with Florida Aqua where  
707 we are going to get the PVC pipe placed and the pressure gauge the we will right  
708 away reached out to PFS to try to get them on site to resolve the valve to the wall  
709 issue. There was some concern whether he had power there. We did confirm we  
710 still have power and there is no issue where we need to contact the electrician.  
711 We are just waiting for Mo to give us the date to come out and do his part. And I  
712 already was working with the field team to have Florida Aqua group come out and  
713 do their part.

714 Ms. Kramer, The first time we went to do the massive work, the first massive  
715 work, on this. And again, you were not here. We were told that that would fix  
716 everything, and I do not remember that was \$20,000.00.

717 Ms. Montagna, I need to look it up.

718 Ms. Kramer, Then we came back and as they did their work, another pipe  
719 blew. And we had to replace, not only the brand-new motor in the new pump that  
720 we bought, for an expensive amount of money, but we also have to replace the  
721 panel, the electronic panel in there. Because all of that flooded. And that had been  
722 replaced only two years ago.

723 Ms. Kramer, And they said the reason it flooded was because a leak in a pipe  
724 where they just installed a valve. So, they were going to come back and basically,  
725 they were going to use everything in the boat, and everything that was not a pipe  
726 actually buried in the ground. So, they said the entire boat. Now, I am hearing that  
727 there was a pressure valve that was not replaced. That there was a U-shaped

# CARBON

728 pipe coming from a pump or something that is now leaking. And then another leak  
729 was caused by them, installing another valve. Is that what I'm hearing?

730 Mr. Hayes, what you're hearing is the PSI gauge was broken. It broke and that  
731 was our conversation where we are getting the PSI gauge replaced.

732 Ms. Kramer, I know, but what I have been asking, and again, I am not  
733 attacking you. I have been angry at the history and the fact that we were led, this  
734 Board was led to believe that there was nothing more that could break without us  
735 having to dig up the ground to find the break. And I feel lied to twice now. Not from  
736 you, from your people before you. And so how much it's been 35,000.00,

737 Ms. Kramer, We have put in the,

738 Ms. Kramer, splash pad.

739 Ms. Montagna, I do not know. I would have to look that up.

740 Ms. Kramer, Yeah, That approximately with the brand-new pump. All the work  
741 that PFS has done. And now we got several new folks who came through did what  
742 they could that.

743 Ms. Kassel, So what, is your point about moving forward? I mean, I  
744 understand that you are frustrated. We all learn. with TNT, like blow it up.

745 Ms. Kramer, We cannot afford to continue putting band-aids on a system that  
746 is constantly breaking down.

747 Ms. Kramer, Now, I would have thought with the last repair that it would have  
748 been essentially like a new system. But it is not working again. I cannot continue,  
749 even though we have invested so much, which destroys me. I cannot see putting  
750 more money towards a splash pad.

751 Ms. Kramer, Having the insurance. The other thing I spoke to the folks that  
752 deal with the Harmony West splash pad, which is a brand-new splash pad. And  
753 they said it breaks down every other week.

754 Ms. Montagna, Celebrations' does too. The vault just flooded there, tore up  
755 everything and they just put in their budget for this Fiscal Year. It was either shut it  
756 down or break it up and rebuild it. And they had not made a decision. They are  
757 like, we do not know that we want to put another couple \$100,000.00 splash pad.  
758 But if not, so they shut it down. They break constantly.

# CARBON

759 Ms. Kassel, But this, that had not been a problem until a couple of years ago  
760 when we started having issues. I am sure part of its age; I am not ready to entirely  
761 give up on the splash pad. I also feel very frustrated. I feel like we were assured  
762 that everything in the vault would be,

763 Ms. Montagna, So, I think your best bet is to have the vendor come to your  
764 next meeting and go through. We can have all the invoices pulled. I can pull them  
765 and send a report to the Board. So, you know what you have spent to date with  
766 whatever splash pad company and whatever has had anything to do with the  
767 splash pad. You have those vendors come or at least join the call and you ask  
768 them. Because the Field Team can only relay what the vendors tell them. Right.  
769 So, I think that is your biggest thing. We have spent X amount of money. You  
770 have evaluated this numerous times. This is what we have done. Now, tell us. I  
771 think that is the only way you are really going to be able to understand is to have  
772 these vendors come here and talk to them and ask them your questions.

773 Ms. Kramer, And one of the things I asked at our last meeting was to reach out  
774 to the municipalities surrounding us, that have experience with splash pads, and  
775 other water features. Has that been done?

776 Ms. Montagna, I reached out to Ocala County Parks and Rec. I talked to two  
777 gentlemen there and they use a lot of the same companies. They did not have  
778 anyone in specific that they used. Anyone new that we have not tried. We have  
779 also sent Russ who has been managing the splash pad at Celebration for the last  
780 28 years. We sent him out here to look at it. He agreed with the stuff that was  
781 being said. So, we have exhausted every avenue and I do not know what else. It  
782 is frustrating. I know.

783 Ms. Kramer, I guess the next question would be I get them band aiding, band  
784 aiding, trying to fix, trying to fix.

785 Mr. Leet, This last one was not a band aid. We replace,

786 Ms. Kramer, It was supposed to have been a whole vault. It was supposed to.  
787 Right? Yeah, I am remembering this. Right

788 Ms. Kramer, So, in addition to bringing the vendors here, I also like to have  
789 some idea. They have things that are not fountain oriented play areas, but they

# CARBON

790 are essentially where the water flows at a consistent rate constantly up and  
791 through the pipes and into buckets and things and they tilt down. There is one on  
792 the lakefront in Saint Cloud. If we can see what it would cost to convert our  
793 fountain slash pad into a different type. That type of area, a water play area. And  
794 whether that would deal with the same pumps and VFD panel and everything else.  
795 If that is more simplistic and easier to maintain.

796 Ms. Montagna, Ok. We can do that.

797 Ms. Kramer, That way we would know what our options are. In the meantime,  
798 Mo is going to come out and look and figure out what happened. And why his  
799 perfectly replaced vault is leaking again.

800 Mr. Leet, Yeah. Was not there like some kind of a maintenance agreement  
801 with that installation? Do we have any kind of recourse or recovery if it is,

802 Ms. Montagna, You do unless it is an act of God.

803 Mr. Hayes, If I may, comment again, when he is coming out to fix PVC, and I  
804 understand and can feel your frustration and rightfully so. Ok. But for him to  
805 replace the PVC connection with regards, he spent an enormous amount of  
806 money on trying to fix this. You have new parts and pieces as far as PVC pipe and  
807 the, the pressure gauge, you are talking about \$150.00. Ok. You are talking about  
808 Mo coming out to, to replace the piping union, the wall. Which he knows that that  
809 was part of his connections, right. That he would be responsible to get that  
810 repaired. So, that was the plan that I was moving forward with unless the Board  
811 advises otherwise.

812 Ms. Kramer, However, from what I remember before the week started, nobody  
813 could figure out why it did not,

814 Ms. Kassel, I think that. Right. And there were several.

815 Ms. Kramer, It is not working properly.

816 Ms. Kassel, there were several, jets around the backside that were not  
817 working. Four or five of them.

818 Ms. Kramer, Yeah, so even before this last round of leakage, it was not  
819 working right. We had a stagnant fountain and that was it.

820 . Ms. Kramer, So

# CARBON

821 Mr. Leet, Well, no. I saw my eyes. It briefly was. Very,  
822 right. And it was there like a,

823 I mean, I guess we will go over this next month with the vendor. I guess. But  
824 was there like a sequence of failures where it had to be static and then died  
825 completely?

826 Mr. Hayes, I do not know the answer to that.

827 Ms. Kassel, All right, I think we should move along.

828 Ms. Kramer, Well, I am going to give Lucas and Joe a chance if they have  
829 anything to interject.

830 Ms. Phillips, Oh, I am just totally frustrated with it, and I do not have an answer  
831 either.

832 Ms. Kramer, Lucas. Do you have any ideas or comments?

833 Mr. Chokanis, All right. I got kicked off for a second. What was, the last topic  
834 that we were discussing?

835 Ms. Kramer, We are dealing with the splash pad.

836 Mr. Chokanis, Oh, Jesus.

837 Ms. Kramer, So what, I don't know if you heard what we are thinking about  
838 doing. They are going with MO from PFS, who was supposed to completely make  
839 what is inside the vault brand new, is going to come in and repair the leaks and  
840 things and the PSI now. So about \$150.00, worth of work he is estimating. But that  
841 still may not fix the whole problem. What we are asking is to have some different  
842 folks look at converting it from a slash, a fountain type slash pad, to a child's water  
843 play area like similar to the lakefront in Saint Cloud. And to see if that's a less  
844 complex system and a less costly system to maintain.

845 Mr. Chokanis, Well, I would like Mo to go and look at it and try to fix it in the  
846 near term. I do not know if that is going to be a less costly option, but the way we  
847 are with our finances, we could definitely get a quote and see what that looks like.  
848 But we need to get running. It has been going on for what four or five minutes  
849 now. On and off. So, I would say we can let Mo try to do what he can to fix it and  
850 get up and run. And then yeah get an option to convert it. I guess. But I think it is  
851 good as it is. But let us look into it.

# CARBON

852 Ms. Kramer, All right. So, no action is needed at this and we will leave it in  
853 your hands. Anything else from the field at this point?

854 Mr. Hayes, If I can make a comment on the grinds. There were some grinds  
855 that were supposed to be completed. There were two more spots that were  
856 supposed to be completed today. They got wet so they could not finish it  
857 yesterday. And if so then that whole list is completed.

858 Ms. Kramer, And a couple of months ago our conservationists, Catherine  
859 Bowman, was out and reviewed all the areas. She did find a lot of, a fair amount,  
860 of new growth in some of the areas. That information has been passed on to Brad  
861 Vinson on staff. And he will be working to treat them. But again, he is reiterating  
862 that we all know the pace at which it grows is phenomenal. So, just be aware that  
863 he is struggling to keep up with it all. Any other field items you know, of since  
864 Jeison,

865 Mr. Hayes, I mean, you are all aware with the fencing that is been removed as  
866 far as,

867 Ms. Kramer, That came off a week later.

868 Mr. Hayes, And you know, as it stands right now, there is no not going to be  
869 any fining to the District, because the fence has been removed and taken care of.

870 Ms. Kramer, The signs are down?

871 Mr. Hayes, The signs are all removed. And we will save the posts. We asked  
872 them to do that. That's about it.

873 Ms. Kassel, So, I would like to just inquire we get these reports all the time.  
874 Assigned to Benchmark or whatever. We have said before these reports are nice,  
875 but without. There are things I know that for months ago were on that report and  
876 have not been addressed. I can think of two just off the top of my head. For  
877 example, the power washing of the sign and the sundial. Right? It has black mold  
878 down it. It was probably four or five months ago that it was reported that that  
879 needed to be addressed. Also, the Clock Tower, that now houses that house, that  
880 need power washing. It is probably from March or April that that was in the list. I  
881 am sure there are many items on the list that have just, it is one thing to make a  
882 list of things that need to be addressed. It is another to actually address them. So



# CARBON

883 personally, I would like to see more of a spreadsheet about with these items and  
884 when they were completed, because we keep on getting the list, but things do not  
885 get completed. What is the point? What is the point of making the list?

886 Ms. Montagna, Is the shared doc or drive that you guys were doing is that?  
887 Has that not been kept updated? I let you all know what the link is to access it.

888 Ms. Kramer, That we can check up at the end of the meeting.

889 Ms. Montagna, Yeah, because that is where your point where it was supposed  
890 to be updated on the projects, and when the completion dates, and all that. So, if  
891 that has fallen off,

892 Ms. Kassel, It would be helpful if that link under review services was just in the  
893 agenda each month so that we could take a look at it.

894 Ms. Montagna, We can absolutely do that. If the Board is ok with that. We can  
895 do that.

896 Ms. Kassel, I would like to see it.

897 Ms. Montagna, Sure.

898 Ms. Kramer, Any other comments? Oh, and I have put in a request to make  
899 sure they save the signposts. Those are the architecturally designed signposts.

900 Ms. Kassel, Last time that it was. I was voted down.

901 Ms. Montagna, Well, yeah, you asked to leave them up. And then she was not  
902 here at that meeting. And then she had said, wait a minute, can we at least keep  
903 them? I know that was voted to take the whole entire thing down,

904 Ms. Kassel, And throw it away, because we don't have storage.

905 Ms. Montagna, Correct.

906 Ms. Kassel, So, we need to amend or revise that vote here, because the vote  
907 was to discard. So, I move that we rescind the vote.

908 Ms. Kramer, It has to be someone off prevailing the side.

909 Mr. Leet, Is that what happened? The signs have been taken down and we still  
910 have the posts. Do we have a place to store them?

911 Ms. Montagna, So, the Board voted yes to take the entire sign down. Post and  
912 all and discard them. So, they were taken down. Teresa asked, she reached out  
913 and said, can you at least keep these posts? They are architectural post. Just

# CARBON

914 keep them instead of throwing them away. And to my knowledge, the field staff  
915 has done that.

916 Mr. Hayes, I know. It has been since then, to my understanding,

917 Ms. Kramer, Yeah, They were there on Sunday.

918 Mr. Leet, So, if they have a place to store the posts from the old signs and that  
919 is not going to be a cost of hardship, then I would,

920 Ms. Kramer, You will ask them, for re-consideration?

921 Mr. Leet, Yeah

922 Ms. Kramer, So, would you like to make that motion?

923 Mr. Leet, I will move to reconsider that, or would it be to amend to save?

924 Ms. Kramer, You can make a new motion to save?

925 Mr. Leet, I moved to save the post from the side.

926 Ms. Kassel, Do we need to rescind the previous motion?

927 Mr. Eckert, I think at this point, I do not really think that you have formally  
928 adopted Robert's rules or not. All my districts, I say we do not formally adopt them  
929 for this reason. So, I think if you say, I moved to modify it in the last motion that  
930 was passed, so that we are going to go ahead and keep the post.

931 Ms. Kramer, So, do I hear a second one?

932 Ms. Phillips, I am. Second.

933 Ms. Kramer, I have a motion in this second. Any discussion.

934 Ms. Kassel, Where are we going to store them?

935 Ms. Kassel, I think you can in the new garden shed? I think,  
936 we can find room there.

937 Ms. Kramer, The garden shed offered when it is built, storage. Yeah. All right.

938 All in favor?

939 Ms. Kassel, I

940 Mr. Leetr, I

941 Mr. Chokanis, I

942 Ms. Kramer, I, Ok. Oh, motion passes unanimously. Thank you. We will be  
943 saving the posts because they have a lot of different uses.

# CARBON

944 Upon VOICE VOTE, on a motion by Supervisor, Leet,  
945 seconded by Supervisor, Phillips, with all in favor, the Board  
946 approved to save the architectural posts from the developer  
947 signs removed in Harmony CDD.

948

949 Ms. Kassel, One more question.

950 Ms. Kramer, Yes, ma'am.

951 Ms. Kassel,

952 We had discussed boulders to help protect the curves. I had reached out  
953 because that was back in April or May. It is now September. I have reached out  
954 and asked him what the status was. And he said that you requested by email, the  
955 Children play signs be installed instead.

956 Ms. Kramer, That has been a long time ago too. We did. Jeison and I were  
957 going. Jeison asked that I join him to show him where the boulders should be  
958 placed. We went around to those areas that were of concern. Where there is like a  
959 T or a sharp turn where we do have our curbs. We noticed in two locations there  
960 had been no damage to landscaping or anything ever because they had some  
961 time, I do not know who it was, in the past had placed a directional sign and then  
962 the Children at play sign in two locations. That would prevent a vehicle from going  
963 over the ribbon curb and the grass. So, we talked about it, wanted to bring it back  
964 to the Board. That placement of those signs will serve the same purpose as the  
965 boulders a lot less expensively. And, we have seen the boulders actually moved  
966 by the big shingle delivery trucks. And which would mean that our staff would have  
967 to try and go out and wrestle those boulders back in place. Which I do not think  
968 would be a task we really want them to do, because it is a very heavy lifting task.

969 Ms. Kassel, So, what happens to the signs when those companies come  
970 through.

971 Ms. Kramer, If they hit them, they will significantly damage their vehicle instead  
972 of just driving over boulders. They will actually hit them and then we have to  
973 replace the post. But that would be a lot less expensive. So, if the Board would  
974 consider that in place of, I am not sure we were going to try out in a couple places.

# CARBON

975 I do not think they have been up yet, but it appears to be a good working solution  
976 for that. And that should the, the staff that is there now should be able to get that  
977 up really quickly.

978 Ms. Kassel, Well, apparently, they have already been purchased this, because  
979 Lynn's email said that they already have them. So, apparently the decision was  
980 made and signed for purchased.

981 Ms. Montagna, That is correct.

982 Ms. Kassel, So, do we need to vote on anything?

983 Ms. Kramer, I think it would be a good idea, because I think we did vote. Did  
984 we vote on the boulders?

985 Ms. Montagna, Yes,

986 the boulders were voted to be put in. And the vote was Supervisor Kassel was  
987 to meet with Jeison walk the areas and determine what type of boulder were going  
988 to be placed there. And, there was a few comments of places that boulders could  
989 be obtained. So, that was the conversation in the vote.

990 Ms. Kassel, Right. And then I followed up several times. Jeison emailed me  
991 photos. From which I could not determine the size of them. There was not  
992 something of an estimable size next to them so that I could say, "Ok, these are  
993 this big and those are this big and those are that big." And then the next thing I  
994 heard when I followed up was that you had met with Jeison and signs had already  
995 been ordered and the Board had not been consulted. So, I would just request that  
996 the Board be included. And I will. Since the signs have already been bought and it  
997 seems like a reasonable change. In addition to my request that the Board be  
998 consulted before something is done, I will move to revise my vote to purchase  
999 boulders to instead approve the purchase of Children and place signs to be  
1000 installed by the ribbon curbs.

1001 Mr. Leet, Also, move.

1002 Ms. Kramer, I have a motion in a second. Do I hear any further discussion?

1003 Mr. Leet, About how much did these signs cost a  
1004 piece?

1005 Mr. Hayes, They were like, I do not know.

# CARBON

1006 Mr. Leet, Low enough that they were able to,  
1007 Mr. Hayes, I mean, I thought they were \$12.00, or \$13.00. Teresa even  
1008 provided some other website. But we were looking at fast signs and website. We  
1009 found them really inexpensive.

1010 Ms. Kramer, It was a stop gap. If we could not get the boulders or boulder  
1011 decision was not made, something needs to go in to prevent our ribbon curbs from  
1012 coming up.

1013 Ms. Kassel, But meanwhile, it's been five months, they have been in and  
1014 nothing is there.

1015 Ms. Kramer, That is right.

1016 Ms. Kassel, So we have a motion and a second.

1017 Ms. Kramer, All in favor.

1018 Ms, Kramer, Mr. Leet, Mr. Chokanis, Ms. Kassel, and Ms. Phillips, I.

1019 Ms. Kramer, All right. All opposed? Hearing none the motion passage  
1020 unanimously to substitute "Children at Play," signs for boulders in an effort to  
1021 prevent large vehicles, or any vehicles, from rolling over our ribbon curves and  
1022 landscaping. Thank you.

1023

1024 Upon VOICE VOTE, on a motion by Supervisor, Kassel,  
1025 seconded by Supervisor, Leet, with all in favor, the Board  
1026 approved to not use boulders at alley ribbon curbs and to  
1027 purchase and install "Children at Play," signs to prevent  
1028 vehicles running over ribbon curbs and landscaping.

1029

1030 Ms. Kassel, Get the signs up quickly.

1031 Ms. Montagna, Yes, I am sending a message.

1032 Ms. Kramer, Anything else on, you said you might have a couple of things.

1033 Ms. Kassel, During Supervisor's requests.

1034 Ms. Kramer, Oh, I'm sorry. Ok. Anyone else have anything for field?

1035 Ms. Kramer, Hearing none, we will move on to our District Engineer.

1036 Ms. Kassel, Watch your head, David.

1037

1038 **B. District Engineer**

1039

1040 **1. Five Oaks Drive Storm Sewer System Analysis**

1041

1042 Mr. Hamstra, Good evening, everyone. David Hamstra here District Engineer. I  
1043 have six items to go over this evening. I will make them quick. First one, is Five  
1044 Oaks dry flooding and brought up in public commons and it was brought up also at  
1045 the last meeting. We have done what we call a hydraulic grade line analysis to see  
1046 the capacity of the pipe, versus the area that is getting to it. And the current pipes  
1047 are on the ground are too small to convey the water that is getting into the pipes.  
1048 Hence the reason we are having, I call it, surcharging at the sag of the system.  
1049 The pipes vary in size from 15 inches to 18 inches only. Roughly gets about two  
1050 acres of land that gets to it, and that system is controlled by one of the ponds  
1051 within the golf course. So, similarly to what we are doing for other CDD's, whether  
1052 you are interested in upsizing one or two segments of the pipes to improve their  
1053 capacity, to address the localized flooding issue the right way.

1054 Mr. Hamstra, And if you are, I can give you a cost estimate for the next  
1055 meeting, but we did finish the analysis and the pipes are too small.

1056 Ms. Kramer, What was that?

1057 Mr. Hamstra, Hydraulic grade line analysis. I will send you the actual document.  
1058 You have got figures and exhibits and computations and so

1059 Ms. Kassel, what size pipe is recommended to be,

1060 Mr. Hamstra, It will probably go from an 18 inch to at least a 24 inch, and then  
1061 the 15 inch may go to an 18 inch. It is easy when you cross the golf course  
1062 because it is an open space and you start getting within the right a way. That is  
1063 when the costs escalate quickly. So, we will look at if we upsize the pipe and the  
1064 road to the pond that will go a long way of improving the capacity, or if we have to  
1065 do another run a pipe within the right way. But I can provide those calls for the  
1066 next meeting.

# CARBON

1067 Ms. Kassel, And this is the CDD responsibility? Is nobody else that could be  
1068 responsible?

1069 Mr. Leet, County Road.

1070 Mr. Hamstra, It was designed permitted built or the plans. I think it has been too  
1071 many years to go back to the Engineer record.

1072 Ms. Kramer, Ok. County roads and bridges typically will come out and do if it is  
1073 actually in the roadbed itself. They will change out the pipe there. But anything  
1074 outside of that falls to us. This is my understanding.

1075 Mr. Leet, So, that means that the County might then do the under the road. You  
1076 should have to,

1077 Mr. Hamstra, I would have to give the analysis to make sure they concur their  
1078 findings. If they are willing to share the cost.

1079 Ms. Montagna, Which one are you talking about? Number?

1080 Ms. Kramer, Three.

1081 Mr. Hamstra, Sorry, I was wrong.

1082 Ms. Montagna, It is ok. You jump around.

1083 Ms. Kassel, I would like to hear both what, whether the County will shoulder the  
1084 cost for replacing under the road and then also what it would cost the CDD to  
1085 replace the back into the pond from the,

1086 Ms. Kramer, Ok. So, you will bring that back next month?

1087 Mr. Hamstra, Whether they are willing to cooperate or share the load and bring  
1088 back the approximate cost on your end if they are.

1089 Mr. Leet, Ok. And rain will not give here for a minute. So, knowing that it is a  
1090 pipe capacity issue, if we did have a major rain event, is that just telling us that it a  
1091 longer time for it to drain to a safer passage level? Or is there also an increased  
1092 risk of it being clogged? Being a smaller pipe and a much longer duration this  
1093 year. I love a Dark Sky. We have CDD properties back there. That if there is  
1094 heavy rain, it might flood, it might even get into some people's backyards. But in a  
1095 matter of hours, it is. So, with that analysis, is there anything that would tell us?  
1096 Like, what is the cost of not acting? And, like if we do have a major rain event, is it

# CARBON

1097 just it would be there for like three hours versus one hour, If we replaced it? It will  
1098 not back up at all if we replace it.

1099 Ms. Kassel, Or, six hours verses four hours. Right?

1100 Mr. Hamstra, So, there is two things. That depends heavily on the pond is  
1101 discharging too. So, we got to make sure that pond is ok and working like it  
1102 should. Since they are small diameter pipes. And it is lined with a bunch of trees.  
1103 We assume the pipes are clean. They could be partially clogged. Which can make  
1104 the matters worse, because the storm event we look at is not what you guys have  
1105 been getting, you are getting less events, right? That is leading to it. So, it leads  
1106 me to believe even though they cleaned it, there might be issues inside the pipes.  
1107 The last thing we look at is the capacity of the inlets. Are the inlets too small to  
1108 capture what is coming into it. So, those will all be brought forward to the County  
1109 and then to see if they will cooperate. They were very helpful in the estates when  
1110 that issue was going on. I will reach out to the same gentleman and just see if we  
1111 can get some dialogue going on.

1112 Ms. Kramer, We have that same issue right where Cat Briar comes into the  
1113 Five Oaks round-a-bout it is on actually Cat Briar, and even in a small storm event  
1114 it backs up there too. So, if we are going to have people out here working, you  
1115 may want to look at that one too.

1116 Ms. Kassel, And we may also, I do not know if pays to have APS do a camera  
1117 view of the pipes from the pond to from wherever where we have. To see if there  
1118 is a blockage in the pipes and maybe there is blocks. Maybe there is trees and or  
1119 maybe there are roots or whatever. But I do not know if you need to replace the  
1120 pipes anyway.

1121 Mr. Hamstra, Well, they could tell us that there is root intrusion. They can tell us  
1122 that the joints have separated and there is dirt coming into the pipe. So, we can do  
1123 a budget, a closed-circuit televised camera inspection. They are pretty much; they  
1124 will block the end pump the pipe out dry. Run the camera through there, and then  
1125 see if there are other issues.

1126 Ms. Kassel, My question is in paying for that, if they find stuff, are we going to  
1127 have to replace the pipe, anyway? Is that a redundant expense to do that?



# CARBON

1128 Mr. Hamstra, No. That cost should probably, I am guessing from what they are  
1129 doing for this lake, \$2,000.00 or \$3,000.00. So, it is a good x-ray, what is going on  
1130 underneath if you do not see.

1131 Mr. Leet, And would that maybe, if there were blockages that were able to be  
1132 repaired versus a full replacement, that might tell us that?

1133 Mr. Hamstra, Well, with the joint survey, you can do joint repair, But we are still  
1134 saying the pipe is too small. But I am not recommending replacing the entire  
1135 system. Maybe just the downstream end. So, if I know we are going to make it  
1136 bigger, I am not sure if it is worth the camera work in the downstream end. But  
1137 maybe the upstream end, where I do not plan on touching it. The upstream main  
1138 is the of the area that floods and then it kind of bucks and goes to the pond.

1139 Ms. Kassel, But it never used to. Right.

1140 Mr. Hamstra, Well, that is why you have something going on. We do not know  
1141 about. Which is like a root intrusion, or,

1142 Ms. Kassel, Which is why I am suggesting it. But,

1143 Ms. Kramer, Yeah, I do not know if this additional development out on this end  
1144 contributes at all. Or if it would even get down, I do not know what they,

1145 Mr. Hamstra, Does not take much to set the scales on a 12 inch to 15 inch pipe.  
1146 You probably not,

1147 Ms. Kramer, So, in other words, it is too small, but it was getting by for a while.

1148 Mr. Hamstra, I mean, when they are in there for a while things happen. I have  
1149 seen strange things stuck in there by accident, so maybe.

1150 Ms. Kassel, Maybe worth getting a quote to have a camera to be done.

1151 Ms. Kramer, Our district manager can go ahead and approve if it is under  
1152 \$5,000.00. She does not want to take responsibility. So maybe we can get that  
1153 done before it comes back next month because we want to move pretty quickly or  
1154 at least know for budget-wise. Ok, what cost we may be looking at here?

1155 Ms. Montagna, If that is what you want, then I could definitely do that.

1156 Ms. Kramer, If it is a reasonable amount, we want it scoped first then because  
1157 that could prevent, possibly prevent, us from having to take on,

1158 Ms. Kassel, A bigger expense.

# CARBON

1159 Ms. Kassel, Should they put in a bigger amount?

1160 Mr. Hamstra, I am sure the Engineer is going to come back and say it properly  
1161 sized. And there is modeling has its assumptions you have make.

1162 Ms. Kassel, 20 years ago,

1163 Mr. Hamstra, Standards change. Rainfall conditions are changing if you believe  
1164 it or not, but we will get more intense storms. So, when you get that rapid run off  
1165 the pavement, it overloads the inlets, and it does eventually drain. But it could be  
1166 unsettling for those trying to drive through it.

1167 Ms. Kramer, So, this is just one of those things that it is not anyone's fault? It  
1168 just needs to be taken.

1169 Mr. Hamstra, I think. So, from what I think Teresa shared with me a month ago,  
1170 photographs from what I heard from a gentleman behind me, and I think it was  
1171 reported last meeting as well.

1172 Ms. Kramer, I mean, we cannot lay the blame on anyone's feet though, so to  
1173 speak.

1174 Ms. Kramer, 20 years later.

1175 Ms. Kassel, Well, actually it is less. It is probably only like 12 or 13 years,  
1176 because they did not, it was a dirt road for a long time. It was not really until they  
1177 started,

1178 Mr. Eckert, It is going to be an uphill battle if it was permitted and approved by  
1179 the government agencies. that is going to be a defense.

1180 Ms. Kassel, Yeah.

1181

## 1182 **2. Consideration of Community Maintenance Facility at Lakeshore Park**

1183

### 1184 **Survey Proposal**

1185 Mr. Hamstra, All right. Item number two is the survey proposal for the Lakes. I  
1186 call Lake Shore Park, you guys call it park, but Lake Shore Park survey proposal  
1187 for the potential future community maintenance facility. I walked it on Labor Day.

# CARBON

1188 Checked the statewide contour maps to the actual conditions. It differs enough  
1189 that I am not comfortable doing construction plans based on our aerial topo. There  
1190 are also three abandoned electrical systems that are out there from the school.  
1191 Depending on where we shift this footprint. We want to make sure we get the  
1192 grade right to meet the criteria. We do the sidewalks. So, it is just good practice to  
1193 do work based on a survey, not an aerial map. We can avoid it.

1194 Ms. Kassel, How much is the proposal? I have not seen it yet.

1195 Mr. Hamstra, I did not submit it to the group. But anyway, it is \$3,986.00.

1196 Ms. Kassel, And that is to do a survey?

1197 Mr. Hamstra, It is a topographic survey to locate utilities all above from  
1198 features, all designators by utility providers. And then we will take that and do the  
1199 construction plans if that location is good.

1200 Ms. Kramer, Now, how much? Is that for the whole parcel or just for that,

1201 Mr. Hamstra, What is cross hashed in red is the limits of the survey. I know  
1202 somebody going to say, "We do not need an area that big.", but once the survey is  
1203 out there, they are mobilized, and they get the control to go out there, it is not a  
1204 big deal. It is getting out there and getting it under way. There is a small parking  
1205 lot. There are 123 electrical service issues. We know this thing is going move  
1206 depending on,

1207 Ms. Kramer, Possibly. We have a whole section of the community that does not  
1208 want to move back, and it is moving and back. So, that is something.

1209 Mr. Hamstra, When I was out there, people stopped to ask what you do and  
1210 then they wanted to. So, I am not here to pick and choose. So, it is a broad  
1211 window, topographically utility-wise. We know we have a fire hydrant at the exit  
1212 that was brought up in a pre-application meeting. So, what you see in red is a big  
1213 blanket depending on where this thing is going more fencing and grading the  
1214 sidewalk. This whole sidewalk has got to be blown up and redone. It is all busted  
1215 up from the trees. Concrete heather is not salvageable. So, we just did a big area  
1216 not knowing where this thing is going to gravitate to, based on the public  
1217 feedback.

# CARBON

1218 Ms. Kassel, This is why when we had this conversation several months ago  
1219 and we had an \$88,000.00 price versus something that costs over a \$300,000.00  
1220 something cost that looks. I said I believe that that was a very significant  
1221 underestimate of the costs. So, now we were talking \$80,000.00 or \$100,000.00,  
1222 but now we are talking another \$20,000.00 \$30,000.00 \$40,000.00 to rip up all the  
1223 concrete and we make the sidewalks, and we laid the pad. So, I am,

1224 Mr. Hamstra, So, I was in there. We did not just drop them exactly there.

1225 Ms. Kramer, Yeah, that would have been \$20,000.00.

1226 Mr. Hamstra, I mean, Greg included that being redone, because we knew that  
1227 was in bad condition. Some of the sidewalks leading to it. You can see from  
1228 Google Earth needed to be worked. So, there is some contingencies in there for  
1229 the unknown. So, I will not be coming back say it is going to be \$200,000.00 over  
1230 when we are done. But hearing the public, hearing the discussions, and journey  
1231 with you guys, I do not know where this thing is going to move to. So, that is why I  
1232 decided to crash the line net for the survey, or I can make it a lot narrower and  
1233 drop it \$500.00. I figured really at this point, since we do not know where this thing  
1234 is going, the \$4,000.00 will be well spent, at this point.

1235 Mr. Leet, Would it benefit for any other future use of that property as well?

1236 Mr. Hamstra, Yeah, whenever you guys decide to put there. Whatever else. A  
1237 new slash pad.

1238 Ms. Kassel, Yeah, love his jokes.

1239 Mr. Hamstra, I have got a couple more, trust me.

1240 Ms. Kassel, So, I am wondering if what the cost would be to create a rendering  
1241 of what this facility might look like. That could possibly allay the fears of many  
1242 residents. Because I know that the dumpster is an issue. How that is going to be  
1243 addressed. Now, obviously, the dumpster is not going to be visible. It is going to  
1244 be within fencing and in front of the fencing is going to be landscaping. So, the  
1245 fencing will be somewhat camouflaged, and the dumpster will not be visible. But  
1246 how will we manage the smells? How will we manage the possibility of wildlife?  
1247 Just let me finish. How will we address the concerns about the appearance and it  
1248 affecting the sort of look of that more natural area? I will say for those people who

# CARBON

1249 are listening, that parcel was always, from the get-go, since 2004, when I first  
1250 moved here, that parcel was quite possibly going to be developed into  
1251 commercial. So, it is not as though that parcel was supposed to remain  
1252 undeveloped. That parcel was always slated for some kind of development, and it  
1253 was mixed use. Originally, I remember they were talking about putting up a bar,  
1254 like a restaurant bar there. And it is one of the reasons I did not buy the parcel  
1255 right there at that corner. That is now what we call the bed and breakfast or what  
1256 we call. So just to put a little perspective on it. That parcel was always slated for  
1257 development. It was never slated to remain a green space. But I would like to see  
1258 some kind of rendering that we can share with our residents who are going to be  
1259 putting out money for this. Or so that we can kind of allay the concerns about it,  
1260 and what we do about the dumpster. Ok.

1261 Ms. Kramer, I wanted to mention the dumpster. When June and I were  
1262 discussing this. I am pretty sure that what we can do. One, it would be totally  
1263 fenced with probably a white fence, like you see in a lot of areas. In addition, as  
1264 far as the uh dog waste, we can arrange for the pickup of that dumpster to be right  
1265 after the dog waste pick-up time. We do not have to say, the dog waste pick up is  
1266 every Tuesday and the dumpster is on Friday, and you are just going to have to  
1267 suffer with the smell. We have flexibility and we can do things that can allay some  
1268 of the concerns.

1269 Mr. Leet, So, speaking, flexibility, the dumpster now is near the storage area  
1270 right back from the garden. Right? Would not it be possible for the field staff, as  
1271 they work through the day, to have a 55-gallon drum or something like that? Why  
1272 cannot the permanent dumpsters stay where it is now and just had it be filled up,  
1273 at the end of the day?

1274 Ms. Kramer, part of it is for the maintenance facility. I do not know if the County  
1275 would allow us to put it somewhere else. They shutter when they hear anything  
1276 going down there.

1277 Ms. Kassel, Well, there is something down there now. It needs a dumpster on  
1278 its own, does it not?

# CARBON

1279 Mr. Leet, Well, it is a dumpster. It is not a building. It is not an inhabited  
1280 structure.

1281 Ms. Kramer, But it is a very large trek up and down that way.

1282 Mr. Leet, Well, is it worth at least asking?

1283 Ms. Kramer, Well, what I was going to ask? And again, this is kind of in the  
1284 middle of Harmony but it is not next to any houses. I do not know if the County  
1285 would allow us to have a dumpster off site. But we could propose it when we send  
1286 in a site development plan for approval. Where we were first talking about putting  
1287 the possible field services on the stub out where the apartments are going.

1288 Ms. Kassel, I do not think are going to allow it. I would be happy to,

1289 Ms. Kramer, We control that property. That is the one that goes right off of Five  
1290 Oaks halfway between the condo town homes,

1291 Ms. Kassel, I would like to ask Mike about that.

1292 Mr. Eckert, Yeah, we would just have to make sure that the use is consistent  
1293 with the County code, and we have to follow the code.

1294 Ms. Kramer, Again, I do not know if the County will let us move the dumpster  
1295 anywhere, but where the facility is. That is typically a requirement of the site plan  
1296 for the facility.

1297 Ms. Phillips, And what is that space, when you come out of School House,  
1298 going towards the dog parks? Just to the right of the school, there is a cutout area  
1299 with some kind of,

1300 Ms. Kassel, Oh, that is a station.

1301 Ms. Kramer, A lift station. And down there, you are right on top of, if you come  
1302 closer to the school, you are on the gas.

1303 Ms. Phillips, Oh, I thought maybe it could go right in that little,

1304 Ms. Kassel, Yeah. But it is all,

1305 Ms. Phillips, Are there problems where the dumpster is now?

1306 Ms. Kramer, Yeah. It is part of the community maintenance facility. It has got to  
1307 go.

1308 Ms. Phillips, No, I meant other problems with rats and smells and that type of  
1309 thing.

# CARBON

1310 Ms. Kramer, I do not know. Are there rats in there?

1311 Ms. Kassel, I have not seen rats, but the smell can get pretty bad.

1312 Ms. Phillips, How often does it get emptied?

1313 Ms. Kassel, I do not know.

1314 Ms. Kramer, Again, that is if we are going to put it up here, we are going to  
1315 have to control when it is emptied. When waste is put in it. And that is no question.  
1316 I do not think any of us wants, "Oh, sure."

1317 Ms. Phillips, And the thing is when dog waste is picked up, because that smells  
1318 the most. But that could be sealed into something before it is thrown in there.  
1319 There are things to dissolve it. So, they can get some barrels with tight lids. I  
1320 mean, there are other things we can do.

1321 Ms. Kramer, I think we would have to do whatever,

1322 Mr. Leet, Let's make sure there is no other choice from the County before,

1323 Ms. Kramer, Right. Right. For sure.

1324 A Resident, That is what I would say.

1325 Ms. Kramer, Ok. We cannot take public audience purchases during the  
1326 meeting. You can email us after meeting. You can call us on the telephone, and  
1327 we can talk to you. But during the meeting. So, that is government rules. We do  
1328 not make the rules. The other thing we can do is try and minimize, find out exactly  
1329 what size we need. I think we have a really small one anyway. It is not one of the  
1330 monster ones. But we can see what the different sizes are to minimize that.

1331 Ms. Kramer, So the survey, you said it would not drop if we cut that down to  
1332 about 10%?

1333 Mr. Hamstra, It is \$4,000.00 now. If we cut 10% maybe,

1334 Ms. Kramer, Well, but we are not going to change anything. So, again, I think  
1335 somebody mentioned we could use that. We have found it valuable to use our  
1336 surveys.

1337 Mr. Leet, Having the one for that other park location was how we were able to  
1338 get such an accurate run up for,

1339 Mr. Hamstra, That one that Greg did for that location, we had a couple of  
1340 surveys done.,

# CARBON

1341 Ms. Kassel, Now where is the proposal? Oh, so this is the subcontractor?

1342 Mr. Hamstra, That is the surveyor. There are one or two surveyors we use. So,  
1343 I reached out to Southeastern.

1344 Ms. Kassel, Move to approve the SSMC quote for \$3,986.00 for a topographic  
1345 survey of the portion of VC-1, or VC-10 I think it is called, that is hash marked on  
1346 the drawing,

1347 Mr. Hamstra, Which is also on the back of the proposal.

1348 Ms. Kramer, It is on all the deeds as VC-1. The Tax Collector's office just puta,  
1349 or our Tax Property Appraiser's office put a zero on the end.

1350 Ms. Kassel, And I was always calling it VC-1. It was corrected to ten. Anyway,  
1351 move to approve,

1352 Mr. Leet, I will second.

1353 Ms. Kramer, So, we have a motion and a second to accept the proposal to  
1354 survey the front block VC-1, the portion Hashmark for an hour.

1355 Ms. Montagna, \$3,986.00.

1356 Ms. Kramer, Any other discussion? There are none. All in favor?

1357 Ms. Kramer, Mr. Leet, Ms. Kassel, and Ms. Phillips, I

1358 Ms. Kramer, All opposed?

1359 Ms. Kramer, Lucas.

1360 Mr. Chokanis, Yes, me.

1361 Ms. Kramer, You are opposed?

1362 Ms. Kramer, Lucas, are you for or against the survey?

1363 Mr. Chokanis, Against.

1364 Ms. Kramer, Against. Ok. So, on a vote of 4 to 1 with Lucas opposing the  
1365 motion, the motion is approved to complete.

1366 Upon VOICE VOTE, on a motion by Supervisor, Kassel, and a  
1367 second by Supervisor, Leet with Ms. Kassel, Mr. Leet, Ms. Kramer,  
1368 and Ms. Phillips in favor and Mr. Chokanis opposed, the Board  
1369 approved the SSMC topographical survey, totaling \$3,986.00.

1370

1371 **3. 3136 Dark Sky Drive Swale Issue**

1372



# CARBON

1373 Mr. Hamstra, All right. Item number three is a little quicker. 3136 Dark Sky  
1374 swale issue with the pool contractor. I bring forth the response from the pool  
1375 contractor. It appeared from his language, he is absolutely no mood to talk about  
1376 this further, because he thought it was resolved many years ago. I do not know if  
1377 you ride it along or tackle it as a CDD to regrade it. If it really is a problem. But did  
1378 not seem to be any openness to get this resolved. So,

1379 Ms. Kassel, So did we not have this field staff,

1380 Ms. Kramer, It is a different one. This is the one closer the sidewalk back  
1381 behind Dark Sky and you can see the slope coming down from the pool. It is a  
1382 Regatta pool. And there is a pretty hefty amount of water ponding behind it. And  
1383 from there, you can actually see the inlet. You can see the slope that should not  
1384 be there. But this sloping and dirt,

1385 Mr. Hamstra, It can be corrected. It whether we as a group do it or whether you  
1386 go back to Regatta and keep fighting it.

1387 Ms. Kassel, Was the CDD field staffs' remedy for the other location successful?  
1388 Unknow, Yes.

1389 Ms. Kassel, So, I suggest that we just have field services address it and see if  
1390 they can correct it.

1391 Mr. Hamstra, That is on PJ. The guy we can use for the small projects. I mean,  
1392 he can knock that off quickly and not put the burden on field services. Get our  
1393 tractor, grade all, and do that kind of work. But I can get a quote from PJ with  
1394 Element Environmental, that we use all the time for the small-scale stuff.

1395 Ms. Kramer, Ok. And, we do have a tractor, that needs a little exercise. So,  
1396 either one. Well just let me know what the costs are, and we will go from there.  
1397 Ok? And the other thing I do want to put on the record is that the information that  
1398 the developer from Regatta Pools provided was not accurate. It has not been  
1399 three years. I must admit it has been two, because I have pictures from all stages.

1400 Mr. Hamstra, I did a recommendation for him to do it in 2021.

1401 Ms. Kramer, So I mean they should step forward. But again, if we had a staff  
1402 member on board, then let it go through. There is not a whole lot we can do about  
1403 it now.

1404

1405

#### **4. Update on the Cat Tails**

1406

1407

Mr. Hamstra, Item number four, you guys love the cat tails. So, I talked to the water quality expert in the Southeast United States. And, he says there are several detrimental things that cattails bring. They do shed their coating, I guess annually. So, that creates a muck layer which increases the nutrient loading. They tend to crowd a good desirable species, that should be in there. And they tend to colonize during dry periods and the lake water goes down and they can take over actually the entire wet pond. So, it is something that left uncontrolled it can basically both quality and quantity impact the pond. So, I know you see the one when you come in Teresa, that we looked at a couple of weeks ago from the golf course, that one is getting quite extensive. So, I do not know if you want to reach out to Catherine's guy who is doing the climbing firm to do that work, or if there are other guys that can do removal. Not killing, because if you kill it is going to go to the bottom. So let me know how you want as a Board, once you hear that. So,

1420

Ms. Kramer, We could get three quotes. I am sure there are several groups that do that kind of work. Get three quotes on the removal. I do not know that any of our ponds have it. It is mainly those golf course ponds that are right there between Five Oak and 192 on the West side.

1424

Ms. Kassel, Just for those who may have been in the north, lived in the north; where cattails are something you really want because the common reed is taking over everything and pushing out the cattails. It is a different story here, in Florida. They are more invasive. They are causing problems here. Unfortunately. I wish we could just dig them out and ship them up more North.

1429

Ms. Kramer, Ok. So next month this will be on the agenda with proposals?

1430

#### **5. Garden Road Aerial Site Plan**

1431

Mr. Hamstra, Item number five has to do with the site plan we have given to the County, on the shed building. For Garden Road, garden shed, not a maintenance building, garden shed. Teresa added some valuable input in the location. Greg

1432

1433

# CARBON

1434 made the changes already so that package is ready to give it to the person at the  
1435 County. Let me get them back in a happy place.

1436 Ms. Kramer, Yeah, it has to go. It needs to go in with our building application,  
1437 and I do not think we have the Engineer drawn yet for the building permit. Do we,  
1438 Lynn?

1439 Mr. Hayes, No, that is a whole other topic to discuss with the Board, if you would  
1440 like to hear.

1441 Ms. Kramer, Well, yeah. If you give us a brief update, can we,

1442 Mr. Hayes, Sure, I would be happy to. Well,

1443 Ms. Kramer, I asking our current presenter, if it is ok, or if you want to go on the  
1444 last one, or can he quickly give us an update?

1445 Mr. Hamstra, I do not mind.

1446 Mr. Hamstra, And the last thing I have is to do with Mike, we are merging with  
1447 Benchmark next month.

1448 \*Everyone laughs\*

1449 Ms. Montagna, Well, he did say he had a couple more.

1450 Mr. Hamstra, Yeah there might be one more. Thank you.

1451 Ms. Kramer, Lynn, if you want to tell us where the garden shed is,

1452 Mr. Hayes, Yeah, at this point it has been back and forth. Let me come back  
1453 around. So, the Board approved the

1454 shed purchased with Ever Safe. In summary, their project manager and  
1455 Carports Anywhere is the manufacturers and installs. So, between the last  
1456 meeting and now we found this information out. I worked with Council to get the  
1457 agreement revised and shared this with the Chair. Then sent it back to them to  
1458 review and sign. We wanted to be on section 2B of the agreement which is the  
1459 commencement start and an anticipated start and end date or installation of the  
1460 shed. At this point, they got it back. They signed it, but they will not fill in the TD  
1461 section for the start and end, because the building has not been ordered. Which is  
1462 in my mind kind of backwards and I will let Council speak to that. I was looking for  
1463 them to put an anticipated date start, and even if it is slightly exaggerated because  
1464 there is a whole process of getting a building and getting the drawings together.

# CARBON

1465 There is a six to eight week lead time. So, at this point, I turned it back to the  
1466 District Council and ask for some advice. They are not going fill that information in  
1467 until the building is ordered. The permitting process has started and,

1468 Ms. Montagna, And that requires just for us to put a deposit in? Or to purchase  
1469 the whole thing?

1470 Mr. Hayes, The whole thing. It was encompassed of the deposit which in turn  
1471 gives us the sign and sealed Engineer plans that we need. And it also includes a  
1472 final payment which is not due until they actually bring the building and install the  
1473 building. Which the balance due is \$5,016.00, if I remember correctly. So, we are  
1474 at an impasse at this point and bring it back to the Board and ask what you want  
1475 to do, at this point. I will let Mike briefly speak on this. If you would not mind  
1476 summarizing.

1477 Mr. Eckert, Yeah, Lynn has been working really hard on this and, and  
1478 communicating with Kate in my office. I am always hesitant to have you sign a  
1479 contract that has no completion date. So, you are going to pay money and you  
1480 have no assurances as to the date that it is completed. And therefore, I'm sorry,  
1481 go ahead.

1482 Ms. Kassel, Well, I am sorry. I meant to talk after you were done, but I am  
1483 wondering if we can have something in instead of like a drop-down completion  
1484 date, a date like a period after the permit is obtained, that they would fill out. Right.  
1485 So, they do not know when the permit is going to come. And that may be part of  
1486 their hesitation in putting a date there. But maybe if we amend it to say that the  
1487 contractor will install within six weeks or eight weeks after the permit is received.

1488 Mr. Eckert, Right. And who is doing the permitting? Is that you or is that them?

1489 Mr. Hayes, We are doing the permit. They are doing the drawing.

1490 Mr. Eckert, Ok. So, then they do the drawings. And you can do that if the Board  
1491 is comfortable with it. Say if we are doing the permitting, from the issuance of the  
1492 permit, you get it done within so many days.

1493 Ms. Kassel, Hold on. Because we have to put in a pad. do we have to put in a  
1494 pad for it?

1495 Mr. Hayes, Yes.

# CARBON

1496 Ms. Kassel, After permitting is done and the installation of the pad, because they  
1497 could balk at that. So, anything that we need to do, make the day six or eight  
1498 weeks after those requirements are done. Maybe they will not block it.

1499 Mr. Eckert, Do you need to have a start date within so many days? And when  
1500 the pad is on. The pad is going to come after the permit. It is the first step within  
1501 so many days and then it has to be completed within so many days after that  
1502 requirement start date. I mean that is fine. We are happy to do that. But what we  
1503 were getting was we are not going to agree to anything, because we just do not  
1504 know.

1505 Ms. Kramer, The one thing I would do also, is I want a date when we can get the  
1506 Engineering. Because they are providing the Engineering. I do not want them to  
1507 not provide the Engineering.

1508 Mr. Eckert, Which is why it is always better just to have some liberal dates in  
1509 there, that are more from this point.

1510 Ms. Kramer, If this would make them feel,

1511 Ms. Kassel, Maybe we say that they will provide the Engineering drawings to us  
1512 within one week after we place the order.

1513 Mr. Hayes, And pay the deposit. Which is \$1,126.00.

1514 Mr. Eckert, So let us run it that way. I think we can take care of that. But again,  
1515 we just could not have nothing.

1516 Ms. Kramer, Thank you for the update. I appreciate.

1517 Mr. Hayes, You're welcome.

1518 Ms. Kramer, The next item on our agenda is our District Council.

1519

## 1520 **C. District Counsel**

1521

1522 Mr. Eckert. There are three items on the agenda and one that is more of an  
1523 informational request.

1524

### 1525 **1. Discussion on VC-1**

1526

# CARBON

1527 Mr. Eckert, The first one is discussion of a prior conveyance to the District back  
1528 in 2019. The District took some land that took a conveyance of some land that was  
1529 subject to debt assessments. However, those debt assessments were not paid off  
1530 by the seller and they were not paid off by the CDD at the time. So, the CDD  
1531 technically owns land that used to have a debt assessment on it. And what we  
1532 pledge to our bondholders is the debt assessments. And what the District has been  
1533 doing is the District has been paying the annual assessment for that for that parcel.  
1534 This raises an inconsistency with your Master trust's signature, that we have to  
1535 solve. This is something that came to light from my review of the note in the audit.  
1536 And again, it was not a finding of the audit that anything has been done wrong. It  
1537 was just something I was like. Well, first, the CDD properties are not subject to  
1538 liens. So, you do not have a debt assessment lien because of that. And second,  
1539 when you own a property, you cannot also have a lien on your own property.  
1540 Because it all merges and you get the whole bundle of rights of ownership. So,  
1541 where we are at today is you really have two options to fix this. And in fact, these  
1542 options were discussed some time ago with your prior counsel. Who said you  
1543 talked to Bond Council about this, but I have no way of verifying that. Either the  
1544 District would have to pay the remaining debt assessment on the property, or we  
1545 would have to engage Bond Council and attempt to negotiate an agreement with  
1546 the trustee and the Bondholders. So that you could substitute a contractual  
1547 obligation to pay an amount equal to the assessment for the debt assessment lien,  
1548 because right now you told the Bondholders you got debt assessment lien on all  
1549 the property when they really do not. At this point in time, the District does not have  
1550 a lien on that property. So, those are your two options to fix it. Angel has done  
1551 some more research on this. I will tell you that, paying the remaining amount is  
1552 certainly going to have the least amount of transaction cost. If you want to do it that  
1553 way. If you want to try to work out an agreement where you are just paying on an  
1554 annual basis, you have got to track down the Bondholders. Which there may be  
1555 one or there may be 100. And then you have to engage the Bond Counsel to help  
1556 with that as well. So, those are your two options. I am happy to talk about either

# CARBON

1557 one of them more, but Angel has some more information, I think she wanted to  
1558 present to the Board.

1559 Ms. Montagna, So this is the paper you have in front of you. With this is two  
1560 parts, right. Number one, this is your financial standing right now as it sits right  
1561 now. As of August 23, 2023, the number at the top. That is what you have  
1562 currently, in your reserves. You currently have \$60,440.00. And these are the  
1563 things that are remaining that we need to come out of that top note. You have your  
1564 accounts payable. You have the Trustee fees, that have to be paid the remaining  
1565 amount needed for Fiscal Year 2023 to finish out. Even though there is only one  
1566 more week, but stuff kind of comes in late. We have not paid the landscape or  
1567 those types of things that is a very conservative number. And then there is the  
1568 money set aside that has been set aside from day one of this transaction for VC-1.  
1569 So, in orange, you will see that is the payoff. Leah gave me that payoff today. So, if  
1570 we were to do all these things that leaves you with the last number, at the bottom,  
1571 remaining available for first quarter of 2024. Which will be short, because typically  
1572 we run about \$200,00.00 to \$250,00.00 a month for expenditures. Ok. So, and I  
1573 have talked to Mike about this, and he can update you on that as well. You have  
1574 the money to pay off the VC-10 without going into reserves and that type of thing.  
1575 However, I talked to our accounting and the finance director before I came here  
1576 today. He had asked, "yes, you have the money to pay it off. You absolutely do.  
1577 But if Council is ok and the Board is ok, he would recommend, because we are  
1578 going to be so tight, getting to the end of this year. And getting into the first quarter,  
1579 if you would make that payment in late December." Mike and I talked about it  
1580 previously before the meeting started, to get it cleaned up, before the end of the  
1581 calendar year. And I will let Mike give his opinion on that. Which to me with the  
1582 holidays and stuff. I would say if the Board does approve that, and Mike says it is  
1583 ok. I would go back and tell Steven that we need to write that check before the  
1584 holidays. So, I would say mid-December. So, that way it is actually cleaned up by  
1585 the end of the calendar year.

1586 Ms. Kassel, I am wondering, if this has been going on since 2019. Can we just  
1587 continue what we have been doing?

# CARBON

1588 Mr. Eckert, Yeah, in my opinion, that was a mistake in 2019. And that is not  
1589 consistent with the Bond Covenant that you have in place under your Master  
1590 Trusts Indenture. And my recommendation is you fix it. Not keep doing what you  
1591 have been doing. Which is again inconsistent with your Master Trust Indenture.  
1592 Where this can be a problem is if you ever go to refinance your bonds and things  
1593 like that, you have to make various assurances when you refinance, that you have  
1594 complied with your Trust and Venture obligations before. So, I think it is something  
1595 that needs to be fixed. And one of those, one of those two options I cannot  
1596 recommend to you to do something that is inconsistent with the Invention.

1597 Ms. Montagna, And I will tell you, to tag on to what you just said, I reached out.  
1598 I have been trying to piece this together for a while. I did reach out to Ackerman,  
1599 which was the original Bond Council on the 2015 Bonds. Which this tract was a  
1600 part of. So, I reached out to them just to get some history and background. And I  
1601 have his email in front of me. We concur with Mike Eckert, the CDD cannot not  
1602 impair its bond obligations, by purchasing properties subject to assessments,  
1603 without paying off the assessments. And he goes on. The bottom line is he is  
1604 saying, and I also followed up with a phone call this morning, That he is not  
1605 surprised that it happened. However, it is not permissible, and you are in default, is  
1606 essentially what he said. And it can get very costly if Bondholders come or  
1607 somebody does something. It can get very costly. So, he does concur with Council.  
1608 And he also told me that he was not part of Ackerman and was not consulted, back  
1609 when this was done. That was just a question I was asking myself. Because your  
1610 minutes reflected that your current Council did reach out too. So, I assumed, my  
1611 own assumption, that it would have been like the original Bond Council. That they  
1612 have no record of that. Not to say it did not happen or who they reached out to. I  
1613 do not know. But he does recommend paying it off and not going down the process  
1614 of trying to get the Bondholders. Because it is going to be very time consuming and  
1615 very costly. He is saying that the minimum you are looking at is \$40,000.00, but he  
1616 expects that the process would take a lot longer and will very much exceed that  
1617 cost to be able to do that.



# CARBON

1618 Ms. Kassel, So, I am still very confused by these numbers. I do not really know  
1619 what they mean. I look at this balance sheet and look at the balance sheet that we  
1620 have \$500,000.00, as of August 31, 2023. We still have \$554,000.00 in operating,  
1621 an unsigned fund. So, I do not know. I do not understand.

1622 Ms. Montagna, That was in August. So, we had stuff come out already from  
1623 September, right? You have not seen the September Financials. Which is why  
1624 those numbers do not tie. That is why I had this done. This is done as of today.  
1625 These are your actual numbers as of today.

1626 Ms. Kassel, Yeah, but they are not, they are not lining up like,

1627 Ms. Montagna, No, it is just a summary.

1628 Ms. Kassel, I do not really understand what these numbers are I do not feel  
1629 comfortable making a decision, tonight. I want time to look at this and understand  
1630 what is going on. I do not understand why it says the debt service is \$319,000.00  
1631 here, but here the payoff is \$230,000.00.

1632 Ms. Montagna, I think they are also kind of referring for interest, because you do  
1633 have interest payments on that. If I am not mistaken.

1634 Mr. Eckert, You definitely have interest payments, but I do not understand where  
1635 the \$319,000.00, came from. I was not your Counsel then. I cannot comment on  
1636 that, but it seems like if you went ahead and paid it off, you are going to have some  
1637 money left over, that is not going to have to be used for the next 10 years of  
1638 interest.

1639 Ms. Montagna, If you look back,

1640 Ms. Kramer, \$79,000.00.

1641 Ms. Montagna, If you look back in your previous budgets, which is kind of what I  
1642 did last night all of your budgets going back, if you look on Exhibit A, this number  
1643 has been there. And every year that number has gone down because you have  
1644 made that \$26,000.00 debt payment. This was well before my time, as well. But  
1645 the audit actually shows \$254,000.00 or something like that.

1646 Mr. Eckert, Yeah \$263,000.00.

1647 Ms. Montagna, \$263,000.00 is what the audit noted in the last audit. That was  
1648 the balance of that VC-1 property. And the payoff that Leah got today is

# CARBON

1649 \$238,060.50. I cannot answer that where that \$319,000.00, came from or where  
1650 the original. I was not part of that. And the only documentation that we have is not  
1651 a whole lot. and it is kind of piecing together and reading minutes and, and all that  
1652 stuff. And unfortunately, when we asked your last Council for a release of records,  
1653 that we did not have, we did not get anything. And I am not saying that these  
1654 documents would have been in there, or they would not have been. So, we pieced  
1655 it together, by what we had, and this money has been in there ever since this deal  
1656 was done. I can tell you that much. The number has changed because you all paid  
1657 X amount every single year.

1658 Ms. Phillips, So, I understand we have been paying \$26,000.0, a year.

1659 Ms. Montagna, Per your agreement, yes.

1660 Ms. Phillips, And if we kept doing it, it would eventually get paid off.

1661 Ms. Montagna, Correct.

1662 Ms. Phillips, But we need to pay it off now. So, in the long run, it is not going to  
1663 cost us anything. It can save us money, but it is coming up with the cash, now.

1664 That is the problem.

1665 Ms. Montagna, Correct.

1666 Ms. Kassel, But we will. It is paid. It should be paid out of the Series 2015 debt  
1667 service fund. Not out of our operating or, our reserves.

1668 Mr. Eckert, Well, there are no assessments on this property going into the debt  
1669 service fund. I am assuming that you guys are cutting a check and putting in the  
1670 debt service fund from the general fund.

1671 Ms. Montagna, It is and that has been noted in your budget every year. When  
1672 the conveyance was made and the deal was structured, this was pulled from the  
1673 tax roll. When that was done. So, no assessments have been collected to pay into  
1674 that. So, the only thing we can put together, is when this deal was done, whatever  
1675 the purchase price was, that money was set aside. And every year you have just  
1676 been writing a check from your money, to pay that amount that was agreed upon in  
1677 the structure. Which is \$26,000.00.

1678 Mr. Leet, So tell me if this is accurate. So, I have the budget right here and it  
1679 says Series 2015, that service was a VC-1 and that budget is \$319,000.00, and

# CARBON

1680 that is a signed fund balance. That is money that we already have, that is set  
1681 aside, for that purpose of paying off over the remaining life of the bond in to 12  
1682 more years or whatever it is. But we are learning now that we cannot keep paying  
1683 that. There is nothing contractually holding us to that, as required by the bond  
1684 indenture. So, we have the money that is set aside to pay this off over the life of  
1685 the remaining bond. But we need to either enter into a contract to formally pay it off  
1686 over time as we have been doing. But, now with a signed contract behind it, which  
1687 would be expensive to get executed, with all the unknown bondholders. Or use the  
1688 money that we have set aside to pay it off. And I think just the general agreement  
1689 is ok. Let us wait a few months, until the 2024 taxes start to come in. So, we are  
1690 not depleting our,

1691 Ms. Montagna, You can make sure you can pay your expenditures for the first  
1692 quarter. That is all. It would be very tight. You could write the check tomorrow and  
1693 we are not disputing that. But the only request was if Council was ok with that  
1694 recommendation to the Board if we made that payment in mid to late December.  
1695 That way you are not running so tight. Because if you do it tomorrow, it will be tight.  
1696 That is all.

1697 Ms. Kassel, Well, if you do this I would prefer to wait. I mean, I understand you  
1698 want to get it done this year, but I prefer to wait until you contact somebody.

1699 Ms. Kramer, I would rather get it done sooner than later. But I understand our  
1700 cash flow issue. When I added up the numbers and the difference. If we are paid  
1701 off today, we would be able to have an additional \$89,000.00, out of that  
1702 \$319,201.00.

1703 Ms. Montagna, Correct.

1704 Ma. Kramer, That is the difference. And that would go added into the  
1705 \$388,939.00, would end up being \$477,939.00. That is still short of what our  
1706 reserve should be. Right?

1707 Ms. Montagna, For the first quarter. Yes. Because you run about \$250,000.00, a  
1708 month for expenditures. Between \$200,000.00 and \$250,000.00.

1709 Ms. Kramer, That is \$600,000.00

# CARBON

1710 Ms. Montagna, Right. So, here you already have \$200,000.00 set aside. Right?  
1711 And, we just said that is very conservative number,

1712 Ms. Kramer, But that is the amount needed to finish this year. To finish what will  
1713 be due within the next two or three days. Right?

1714 Ms. Montagna, Which may not be enough.

1715 Ms. Kramer, I am not looking at that at all. That is it. So, we will still be short on  
1716 our operating reserves. So, although I would like to pay it off as soon as possible,  
1717 because if the Bondholders got wise, so to speak, in a lower interest rate time  
1718 would have been willing to say I will turn a blind eye.

1719 If they spot it now, they may call it in now and try to get their money out of it.  
1720 And I would want it to endanger all of our bonds. I sure do not want to have to  
1721 come up with what my payoff is to my home right now.

1722 Mr. Eckert, Sure. No. I do not think anybody would want it to get to that. I have  
1723 not researched all the different scenarios that could happen. What I think you have  
1724 got to do is you got to come up with a plan. Then I have to take a look at what your  
1725 disclosure obligation is, in implementing that plan, and when you make the  
1726 disclosure compared to when you fix the issue. So, I have got to look at that issue  
1727 and I will not have an answer for you until the next meeting. Because I did not  
1728 know what you guys were going to choose to do here. Certainly, the information  
1729 that Angel gave me before the meeting seems to indicate, my concern is. It is  
1730 expensive to go and get Bondholder consent. I had a client pay \$50,000.00 on a  
1731 board. Signed a piece of paper on something that was not affecting them  
1732 negatively at all. So, I think that if you wait until December, when you get your  
1733 money in. I think that is good. I mean, the bondholders do not want the District to  
1734 be in jeopardy of not meeting it is obligations that does not help their bonds.

1735 Ms. Kassel, And, we have every year since 2000.

1736 Mr. Eckert, I understand that, but the problem is that the Bondholders rely on  
1737 foreclosure and/ or the sale of tax certificates, to get their money. And you could  
1738 have a CDD Board which we saw in 2007 and 2008 that said we are just not going  
1739 to pay it anymore. And then the Bondholders say, "Ok, we will foreclose on the  
1740 property, or sell the tax certificates." Well, we are not on the tax roll, and you

# CARBON

1741 cannot foreclose on government property. I mean, we have got to be proactive in  
1742 resolving it, but there is a disclosure issue that we will look at. But really, I do not  
1743 think the Board needs to make a decision tonight. But you need to give staff some  
1744 direction which way you went ahead with this, so we can set it up to get it done.

1745 Mr. Chokanis, All right, I do not see anything happening, like upsetting in the  
1746 near term. Maybe next year, at some point time. But I think we will be fine and I  
1747 think with our financial situation, we have to tread lightly on how we go about  
1748 spending our cash flow. Spending \$50,000.00 to look at this bond situation. I think  
1749 that is a little more extreme, with the way we are strapped for cash. So, that is my,  
1750 my two cents, but I think we should just hold off on this.

1751 Ms. Kramer, Ok. So, what do you mean by hold off on this, Lucas? Hold off till  
1752 December?

1753 Mr. Chokanis, Yeah. I do not think we should pay off right now. Once we get  
1754 some more cash flow. I do not think people are going to go running for their bonds  
1755 and trying to cash out anytime soon. I think we can wait till we get to some more  
1756 cash flow and revisit this down road.

1757 Mr. Eckert, We all have a disclosure obligation. You can either disclose it and  
1758 say we are thinking about it, or you can disclose it and say, here is our plan, here  
1759 is what we are doing to rectify it.

1760 Ms. Kassel, What if we table this discussion until October? Until we have more  
1761 time to understand,

1762 Mr. Eckert, I think that is reasonable, if you wanted to do that. I think that is fine,  
1763 but,

1764 Ms. Kassel, Table the discussion until October, until the next meeting.

1765 Ms. Kramer, Developing a plan. We need to develop a plan in October.  
1766 Whatever that plan may be. Now, I understand if we go to reach out to the  
1767 Bondholders, and you have to get all of them to agree with my understanding. So,  
1768 if one gets out, we are back to paying it off.

1769 Ms. Kassel, Well, it sounds like you are thinking about paying it off anyway. It is  
1770 a matter of when. It is a matter of when to disclose. But because this is really just  
1771 introduced to us, over the last few days, and I do not have an understanding, I do

1772 not feel like I can make any decisions about this now. I think we table the  
1773 discussion and plan making. Thank you so much.

1774 Ms. Kramer, Ok. We will table it until, October.

1775 Mr. Eckert, I happy to talk to any Board members outside of the meeting. To  
1776 give you the background that I am aware of.

1777 Ms. Kramer, And you will provide us with the information, as to what our  
1778 disclosure obligations are? I do want to say that the reason I am very hesitant to  
1779 kick it out further down the road past December, is because it really puts us in a  
1780 bad state. Should we have to go back to that bond market. It is like destroying your  
1781 credit rating. And the other thing is that just because we have not tripped up yet. It  
1782 is frustrating that this whole thing is where we are. We could have paid it off years  
1783 ago.

1784 Ms. Phillips, But we have a legal obligation to do the disclosure. And if we hold  
1785 off too long, we could be in trouble. Then we will really have to spend a lot of  
1786 money. It could double, because,

1787 Ms. Kassel, I think it is a good argument to the Bondholders that we want to  
1788 continue paying our bonds. So, we need to be fiscally responsible about when we  
1789 are able to pay this. To make sure we can continue paying our bonds and our  
1790 obligations. And if that means we do not pay it off until January, because that is the  
1791 right conservative financial plan. And I think that, it is a month or two. If that is what  
1792 our plan is, because we are going to have more revenue from the tax collector  
1793 based on, the assessments. Then I cannot see that they are,

1794 Ms. Kramer, Well, we will talk it over in October, and see what the right month is  
1795 to pay it off. But then seems like that is where we are going.

1796 Ms. Kassel, Ok. Yeah.

1797

## 1798 **2. Discussion of status of Ownership and Maintenance of Stormwater** 1799 **Management**

### 1800 **Facilities in the Enclave and North Lake**

# CARBON

1801

1802 Mr. Eckert, The second item is discussion of status of ownership and  
1803 maintenance of storm water management facilities in the Enclave and North Lake.  
1804 So, there has been a flurry of deeds and affidavits and surveyor and all that going  
1805 on with some of the new plants up there. One of the issues that I have discussed  
1806 with the Board before, there is a large pond, called Track K 900, that when it was  
1807 brought to our attention or we discovered it, but there was a deed out there from  
1808 an HOA to the CDD for that track. This Board never accepted it, this Board never  
1809 reviewed it. Your Chair was kind enough to provide me with the settlement  
1810 agreement that was worked out among all the parties to even get that flat signed  
1811 that said, "Track 900 was not going to go to the CDD. And working with that  
1812 Developer's Council we have a quick claim deed that is set to go from the CDD  
1813 back to the HOA. It still reserves all the easements, we got in the settlement  
1814 agreement, and in the HOA declaration and things of that nature. So, that is how  
1815 we are going solve that issue. As long as the Board is ok with that. And it would be  
1816 consistent with the settlement agreement. So, I do not think I need more Board  
1817 authority on that. Because again, we are just trying to get that back. Yes?

1818 Ms. Kassel, Just to clarify and make sure I understand correctly. What you are  
1819 saying is their HOA is going to take responsibility for that Tract and not the CDD.  
1820 Yes?

1821 Mr. Eckert, Correct. Yeah. In fact, the problem with this, to HOA was not even  
1822 an effective deed. I call it kind of a wild deed. So, because the HOA was never  
1823 deeded the land, formally from the Developer. So, we had this deed out there and  
1824 the county thinks that we own it. Which we did not own it. So, this is our way of  
1825 fixing it. Short of litigation. So, we got that. There was also an issue where the  
1826 developer was asking the CDD to sign some easements for OUC to come in. But  
1827 again, these were over tracks that we did not believe were ever intended to go to  
1828 the CDD. And, we refused to sign those easements, because we did not want to  
1829 accept ownership of those properties and the maintenance responsibilities. They  
1830 finally figured out that they could do a survey or affidavit, to correct that. That  
1831 those would go back to the HOA and then they could go ahead and sign the

# CARBON

1832 easement. So, we did not have to sign those easements. So that is kind of the  
1833 status. It looks like most of those things are getting worked out. This is really a  
1834 question for David, the Chair and I talked about this just briefly. The district is  
1835 going to be on the Stormwater management permit, and the CDD needs to agree  
1836 to do what is required by the permit, but nothing more. We are not going to be  
1837 mowing around those lakes and doing that sort of thing. So, I just want to make  
1838 sure the Board knows that. At least that has been my understanding of what we  
1839 are willing to do from the CDD. But, if anybody has any different thoughts, let me  
1840 know. And David I do not want to,

1841 Mr. Hamstra, When you say only mow. I mean if the structure gets clogged or  
1842 something breaks, are we,

1843 Mr. Eckert, If it is required by our permit for us to fix it, then I would think that  
1844 would be a CDD issue. Unless we can determine somebody did something  
1845 intentionally to damage. Somebody went out with a sledgehammer and broke up  
1846 all our concrete structure. Then I think we would go after them, to do it. But the  
1847 CDD, if they are going to be on the permit, they are going to have the permit  
1848 maintenance responsibility.

1849 Ms. Kramer, For the pond. So, it will be things like the golf course ponds where  
1850 we are required to maintain the structures and the water quality and quantity. But  
1851 we will not be mowing the pond banks.

1852 Mr. Eckart, Right. So, we just need to make sure when we accept responsibility,  
1853 we are not accepting more than that we just talked about.

1854 Ms. Kramer, Have they approached you more, or given you the aspects  
1855 statement?

1856 Mr. Hamstra, I have not got the as builts, but their Engineers must have emailed  
1857 me three or four times, asking me to sign something blindly. Which I have been  
1858 waiting till this all got sorted out.

1859 Ms. Kramer, Well, thank you. Just make sure we get those as builts, so we know  
1860 what we are maintaining.

1861 Mr. Eckert, We have requested them and just do not sign until we do.

1862



1863 **3. Discussion of Potential Spending Authorization Resolution to Supplement**  
1864 **Procurement Policy**

1865

1866 Mr. Eckert, the third thing, I think that is working itself out, which is good. And  
1867 then the third thing is discussion of potential spending authorization resolution to  
1868 supplement procurement policy. You all can take action on this tonight, or not, or  
1869 defer it. But basically, in all of my Districts, I have a spending authorization  
1870 resolution. Which clearly says, ok, here is when people can spend money. There  
1871 are continuing obligations. Here is when they can spend money when it is a non-  
1872 continuing obligation. And here is what we do in the event of emergencies. So, I  
1873 have just provided a draft resolution that is in your agenda package. You all have  
1874 really good procurement policies too. That I think has saved you all some money.  
1875 So, if the Board wants me to, we could try to kind of marry the two policies to  
1876 make sure one is not redundant and two make sure that it actually is added value  
1877 to the District. So, if you have not had a chance to look at that, we can address it  
1878 at a different time. But our recommendation is that you do have some sort of a  
1879 spending authorization resolution that is kind of along the lines of what we  
1880 prepared there.

1881 Ms. Kassel, Yeah.

1882 Mr. Eckert, And you have not had it for a while, so I think it is fine.

1883

1884 Mr. Eckert, And then the fourth thing which is not on there, is just I took a hard  
1885 look at all your policies, resolutions, and rules that you have in place. To see is  
1886 there something missing. Like a prompt payment policy or public participation  
1887 policy, things like that. I have just not looked at those. I am just bringing that to  
1888 your attention at some point. If somebody wanted to compile all this together and  
1889 give them to me rather than me, go search through to find everything. That would  
1890 be the most efficient thing. I am not looking for work, but I just want you to know  
1891 that I have not gone through there to say, "Hey, I think you might want to change  
1892 this, or this is based on a statute that was repealed two years ago." Those sorts of  
1893 things. So, if at any point you want me to do that work, I am happy to do that work.

# CARBON

1894 Ms. Kassel, When we have more of a budget,

1895 Mr. Eckert, That is completely up to you.

1896 Ms. Montagna, Wes and I discussed this a while back. I am doing that right now.

1897 They have not had their rules looked at or updated in a very long time. I am

1898 putting together, all the resolutions from establishment on down. Kind of

1899 compiling everything red lining some stuff. And then I was going to send it over.

1900 What we talked about, and Teresa was part of this conversation with Wes and I.

1901 Angel, obviously it would be cheaper for you to get all this stuff and then send us

1902 the red lines, so we can just kind of glance at it and say, "Ok. Yeah. They do not

1903 have this, and we need to do this." So, I'm in the process of doing that. I hope to

1904 have it done over the next month to month and a half. And have everything

1905 compiled, for you guys.

1906 Mr. Eckert, I can wait and look at it whenever the Board tells me they want me  
1907 to.

1908 Ms. Montagna, Right. It was going to come to them first, and with the red lines  
1909 and all that kind of stuff. Then they would give direction to staff.

1910 Mr. Eckert, It is really just to make sure you all know that I was not out there  
1911 looking at that stuff to comb through it. That is, all I have, but I am happy to  
1912 answer questions, unless I missed something.

1913 Ms. Kramer, I think you got a phone call.

1914 Mr. Eckert, Oh, yeah. I got a phone call from somebody saying that they were  
1915 the Developer of the 377 Unit apartment complex. Wanting to know how he could  
1916 use CDD bond financing to help with their public infrastructure over there. And,  
1917 and I told him I am not your attorney. I represent the Board, but if you want to  
1918 present something to the Board, you need to put it in writing. You need to say  
1919 exactly what you want the Board to do, and what your development is. What your  
1920 timeline is? How much bonds are you talking about? What is the infrastructure?  
1921 Are you going to pay off the existing bonds, or are you going layer these bonds on  
1922 top of them? I do not know anything about it. So, I said if you put something in the  
1923 letter and provide it to me, I will make sure the Board gets it and then the Board  
1924 can decide what they want to do there. You are under no obligation to do

# CARBON

1925 anything. And the only thing I would say is in the event that you would want to look  
1926 at doing something here, it would only be so that you could have input in making  
1927 sure that whatever the final result was as good as it can be. If that is not a  
1928 concern, then there is really no benefit to the District to proceed with that. But  
1929 again, until we have something in writing, it is not real.

1930 Ms. Kramer, And that is all. Any questions from any Board members?

1931 Ms. Phillips, I do. Can I go back? I do have a question on the disclosure on the  
1932 \$230,000.00, Is there a timeline? I assume the disclosure means from the time  
1933 you discovered it. Is there a time when you have to give them the disclosure? Is it  
1934 like 90 days?

1935 Mr. Eckert, that is part of the research that I need to do? I have not looked at  
1936 your continuing disclosure agreement that you went into with the 2015 bonds. So,  
1937 any time you enter bonds you have certain disclosure on.

1938 Ms. Kramer, I thought it was a legal thing that the disclosure had to be made.

1939 Mr. Eckert, No, it is going to be governed by the agreement as well as the IRS  
1940 rules.

1941 Ms. Phillips, Ok, Very good. Thank you.

1942 Ms. Kramer, Ok. Any other questions, before I let go of Council? Lucas, You  
1943 have anything?

1944 Ms. Kramer, Dan.

1945 Ms. Chokanis, I am good over here.

1946 Ms. Kramer, Ok. Thank you, Lucas.

1947 Mr. Leet, Yeah, I mean it was going to be during Supervisor requests.

1948 Ms. Kramer, All right, we will move on to the District managers' Business.  
1949

## 1950 **D. District Manager**

1951 Ms. Montagna, I only have a couple of things and I think that that Lynn would  
1952 have. No, maybe it is all mine. I got an email from Zachary Gonzalez from Ocoala  
1953 County about resurfacing Five Oaks Drive. The resurfacing of Five Oak Drive has  
1954 been completed. However, there are some areas that are in need to be cleaned  
1955 where the dump trucks turned around and or stained the curbing. The contractor

# CARBON

1956 has been notified. I am awaiting the schedule and if we need anything in the  
1957 meantime, please let them know. So, that is just kind of an FYI for you all.

1958

## 1959 **1. Discussion Regarding Verbatim Minutes**

1960

1961 Ms. Montagna, Second is the verbatim minutes. The ones you saw, Teresa, it  
1962 was the format or a forum that she used. Which was Amazon.

1963 Ms. Kramer, I use the Amazon transcribe. So, for about \$10.00 or so I was able  
1964 to get Amazon transcribed to take the recording to transcribe it over and it would  
1965 give you speaker one, speaker two, speaker three. I then took the document, and I  
1966 went through it and made corrections, assign the names to each one of the  
1967 speakers and made the corrections of our "Ums" and all that type of language.

1968 Ms. Kramer, Going all the way through it and everything and came up with a  
1969 really nice-looking package. It took about 11 hours. Now that was learning the  
1970 system. And while I was doing it, I was also writing up an instruction manual for  
1971 whoever in Inframark will take over to make it quick, Do a lot of universal searches  
1972 and find and replace and things like that. So, it should really slim down the thing.  
1973 Now, I have given it then to Inframark. Angel is going find out what all they did. I  
1974 just asked them to basically do a quick review and the text boxes they indicated in  
1975 what they did from what I handed, and it took another 11 hours, and I do not know  
1976 how,

1977 Ms. Montagna, 10.

1978 Ms. Kramer, I don't know.

1979 Ms. Montagna, And I do not either. I told Teresa that I would ask Kristee for  
1980 what she did. I know she kept track of the time, but I will ask her exactly what she  
1981 did. So, we can kind of look at that. So that is kind of where we are at. So, we will  
1982 use that same format,

1983 Ms. Kramer, And I will just go ahead and provide the instruction manual to you  
1984 send,

1985 Ms. Montagna, You can send it to me. Yeah, I think what I want to do is, you all  
1986 have seen Brenda's Minutes. She does great minutes. She is familiar with the

1987 voices and everything. And have her go through it and do it on this format and it  
1988 will kind of give us a baseline of how long it is going to take. I know she is  
1989 probably a little bit better than others, but we can kind of give or take a little bit  
1990 there and kind of get a baseline.

1991 Ms. Kramer, So, we are heading towards working out this problem.

1992

## 1993 **2. Discussion of Website-Campus Suites Onboarding**

1994

1995 Ms. Montagna, Yeah. So that is that. Campus suite, I talked to them. So, a  
1996 couple things, I know David Farnsworth sent an email in saying this particular  
1997 thing is an ADA compliance. When we send whatever we send does not matter,  
1998 agenda, a document, a picture, whatever it is that we want posted on the website,  
1999 they have 48 hours to make that document ADA compliant. So, if you realized  
2000 whatever reason your normal report was not in there this month, which is originally  
2001 what he had questioned. So, I had to take that, put it in there, revise the agenda,  
2002 put it on. So, they are still within their 48 hours to get that revised. And then your  
2003 expenditures invoices were sent separately. As you told him in the email, which  
2004 was absolutely correct. So, I just want to cover that, number one. Number two, I  
2005 talked to Ted at Campus Suite, because I think the question that was arose, we  
2006 want some more historical documents on our website. And is it going to charge?  
2007 Because according to the contract, it says you are allowed 1500 pages of  
2008 historical document. It was, but there was still a question and so I called and  
2009 answer of that. I mean, you are well over that 1500 pages now, you are almost at  
2010 like 3500 now. And they have never charged us but wanted to get confirmation.  
2011 So, Ted is aware of it. We are going to have a call tomorrow, and he is going to  
2012 confirm it. And I am going to ask him to confirm it in writing. I do not know how  
2013 much stuff you want on there. I think the goal was to get your website cleaned up  
2014 because it was very cumbersome. So, I guess I need to know, what are you  
2015 looking to put on there. How much? Do you want to go back to inception? that is  
2016 an awful lot of stuff. So, that is what they originally,

# CARBON

2017 Ms. Kramer, I think what they had done originally David had put through  
2018 inception. And the Board, before my time came, said no, we have to keep seven  
2019 years of records. So, just cut it down to seven years. So, that is seven years of  
2020 back minutes and pack it back on the website.

2021 Ms. Montagna, We do not have to if we keep that.

2022 Ms. Kramer, Statutorily.

2023 Ms. Montagna, we keep it as your record keeper.

2024 Ms. Kramer, I know. But what I am saying, statutorily we do not have to do that.  
2025 However, I have found it enormously beneficial.

2026 Ms. Montagna, Ok. So, seven years is what you want?

2027 Ms. Kramer, That would be good.

2028 Mr. Leet, All right, in the scheme of data storage, we are talking about, a few  
2029 PDF files. So, in the industry wise, in the grand scheme of things, it is a pretty  
2030 small amount.

2031 Ms. Kramer, And also,

2032 Ms. Montagna, I am not a tech person, so I do not know.

2033 Mr. Leet, I know.

2034 Ms. Kramer, And our rules, I think should be on there. Anything else  
2035 historically?

2036 Ms. Montagna, So when you say seven years, you are talking seven years of  
2037 minutes?

2038 Ms. Kassel, Financials.

2039 Ms. Kramer, And agendas.

2040 Ms. Montagna, Well, your financials are in your agenda packages. And your  
2041 minutes are in your agenda packages. So, do you want them separated out or do  
2042 you want just counting the agendas?

2043 Ms. Kramer, Well, the final minutes are not in the agenda packages.

2044 Mr. Leet, Yeah. We have minutes being approved here in the agenda. But then  
2045 they would be a final, executed copy would be published separately as here is a  
2046 standalone. Here are just the minutes as they were approved and are now  
2047 published for,

# CARBON

2048 Ms. Montagna, Right. Minutes. What else?

2049 Mr. Leet, We had the financials. Being able to look at what is going to be going  
2050 and the approved budget or amendments to budget. Yeah.

2051 Ms. Montagna, Yeah, your budget is already on there. That seven years of  
2052 minutes, standalone approved minutes, seven years of agendas, which include  
2053 your financials. Anything else besides minutes and agendas?

2054 Mr. Leet, Resolutions maybe.

2055 Ms. Kramer, Yeah, Rules and Resolutions.

2056 Ms. Kassel, The Resolutions are in the agenda.

2057 Mr. Leet, Yeah, they are in the agenda, but here a list of year by year. Here is  
2058 everything that was,

2059 Ms. Montagna, You want resolutions from inception?

2060 Mr. Leet, No, I think we are talking about the difference of whether having three  
2061 or something or seven or something. It does not seem like a big ask.

2062 Ms. Montagna, Ok, so you want seven years of resolutions?

2063 Mr. Leet, It is basically, that is what we had previously. So, this way, yes, we  
2064 have streamlined the website. It is definitely easier to use and navigate. But at the  
2065 same time, we are not taking away anything that we were previously providing to  
2066 residents.

2067 Ms. Kassel, I have not had time to go through the website, because it was off. It  
2068 was not functional for a while. And so far, I am not finding it intuitive to navigate.  
2069 But there were things on the old website that were about our obligations to  
2070 maintain ponds and there was just a whole bunch of data on their. Information on  
2071 there that residents could look at. It was kind of easy to find. And the main page  
2072 laid things out. So, it was easy to understand where you could find things with  
2073 links to things. I would also, I know we talked about this once before, I know there  
2074 is some bad blood between us and the HOA or at least some of us and the HOA.  
2075 But I would like to have a link to the HOA website for people, because they do not  
2076 know the difference between the HOA and the CDD. I would just like on one of the  
2077 pages or maybe on the main page.

2078 Mr. Eckert, We have a,

# CARBON

2079 Ms. Montagna, So, when you put links though, my understanding is,

2080 Mr. Eckert, Is the HOA page ADA compliant?

2081 Ms. Montagna, Yeah, it has to be ADA compliant. Whatever links we put on our  
2082 website; those have to be ADA compliant as well. Or we cannot,

2083 Ms. Kassel, Well, we can at least put a phone number and an email address.

2084 Ms. Montagna, Absolutely.

2085 Mr. Eckert, Absolutely.

2086 Ms. Kassel, I don't know if they are ADA compliant. I do not know if they were  
2087 required to be.

2088 Mr. Eckert, But private companies are getting sued for them not being a  
2089 compliant, like grocery stores and things like that.

2090 Ms. Montagna, The other thing to remember is you have a 30 day out. You do  
2091 not like this website then you can go back to your old one like that.

2092 Ms. Kassel, Well, I do not like it at all. To be honest, I do not like how it is not  
2093 intuitive. At least the other website you could always, it was intuitive how to find  
2094 things. I thought we were going to have a search feature. That is the thing that I  
2095 really wanted. So, say I am going go back and search the minutes for all our  
2096 conversations about perennials or annuals or flowers to just use a simple  
2097 example. Because right now, the only way to find it is to open each set of minutes  
2098 and use the control F. And that can be very cumbersome. And I liked having more  
2099 minutes on there also. And I wish there was a section that had our annual budget,  
2100 our annual expenditure sheet, at the end of the year. And I would like to have  
2101 those separate from all the other things. So, a person can look and compare from  
2102 year to year.

2103 Ms. Montagna, Ok. Do you want to make a motion to go back to your old  
2104 website?

2105 Ms. Kassel, I do not think we are able to do that.

2106 Ms. Kramer, No, I mean, we are still willing to work with this. I wanted to go  
2107 back and look at the financials for several years, going back. The old website  
2108 could do that.

2109 Mr. Leet, And when we just talked about, we would like to add those/



# CARBON

2110 Ms. Kramer, Right. So, let us see, once the stuff that is to be added is added.  
2111 And what it looks like. We did not have a search on the old website. I know that is  
2112 frustrating.

2113 Ms. Kassel, That was my incentive to push for the new one.

2114 Ms. Kramer, I thought there was a,

2115 Ms. Montagna, To my knowledge, none of the District websites have them. But  
2116 I can ask,

2117 Ms. Kramer, I can give you a clue. Now,

2118 Ms. Kramer, Who do we call? Now if we need,

2119 Ms. Kassel, Ghostbusters.

2120 Ms. Kramer, If a board member needs information, about a specific topic and  
2121 needs the historic information.

2122 Ms. Montagna, Oh, Sandra.

2123 Ms. Kramer, We call Sandra Demarco, and she will pull that out. They have a  
2124 special searching ability that they can pull that out for you. So, if you need  
2125 something, do that and that will help you a lot.

2126 Ms. Montagna, So, just so I am clear. I am going to go back, we are going to  
2127 ask for seven years of minutes, seven years of agendas, seven years of financials  
2128 and seven years of Resolutions.

2129 Ms. Kramer, and the rules. The rules are not set in years.

2130 Ms. Montagna, No. Right. The District Rules. They should be there anyways.

2131 Mr. Leet, Yeah, there is an order to establish. I think so. Well, there are  
2132 amendments to it that are already there. The main part of it is just these file names  
2133 that could be maybe made a little more descriptive and friendly for someone that  
2134 is browsing to see. Oh, this is the rules. This is the third amendment to the things  
2135 like that.

2136

### 2137 **3. Consideration of Relocating/ Digitizing/ Disposal of Storage Boxes**

2138

2139 Ms. Montagna, Got it. I will let them know. Um, next is the consideration of  
2140 relocating, digitizing or disposal of your current storage boxes.

# CARBON

2141 Ms. Kassel, So, I would like to know, you are the record keepers. Right? I  
2142 would like to know what is in those boxes. You have been keeping those boxes,  
2143 you show what is in them, right?

2144 Ms. Montagna, So this is the history I got, because this is before my time.  
2145 When Gary Moyer started all these Districts, he loved to keep everything. So, this  
2146 is what he did. You are not the only District that has, I do not know how many  
2147 banker boxes. I think Celebration has 375 banker boxes. So, all these banker  
2148 boxes he wanted to keep everything going back from day one. So, currently you  
2149 have 52 boxes in storage and Carol says they should be any District records from  
2150 old minutes, to as builds, to maps to, to just anything, anything pertaining to the  
2151 District. And back whenever, and I do not know when, the Board chose to keep all  
2152 records. Permanently. So, the monthly cost for that storage was going to be  
2153 \$780.00. It is \$15.00 a box. You guys did sign a contract to do that. I,

2154 Ms. Kramer, I need to interject you.

2155 Ms. Montagna, Well, I have it on file. So,

2156 Ms. Kramer, Let me finish.

2157 Ms. Montagna, Well, can I finish my statement?

2158 Ms. Kramer, Well, this applies., I do not want to let it go by. Ok, when that  
2159 contract which was in 2021 was signed, the question came up about this \$15 per  
2160 box and I specifically asked, how many boxes do we have? The answer was  
2161 none. I said, "Then I do not care what the monthly charge is because we will not  
2162 be paying anything." So,

2163 Ms. Montagna, I cannot answer that. I'm just telling you what is in the contract.  
2164 That is all I can tell you or what I have.

2165 Ms. Kramer, but I'm, I'm clarifying that.

2166 Ms. Montagna, So anyways, if you finally choose to adopt the state GS1-SL  
2167 schedule, you will have 20 boxes of permanent records left in storage. And the  
2168 monthly storage fee would be \$300.00, \$15.00 per box.

2169 Ms. Kassel, I have a question.

2170 Ms. Montagna, Sure.

2171 Ms. Kassel, What happens to the other 32 boxes?

# CARBON

2172 Ms. Montagna, They get rid of them.

2173 Ms. Kassel, Well, so in other words, we are required to keep 20 boxes. I do not  
2174 understand what the "20 box" thing is about.

2175 Ms. Montagna, You are required to keep x amount of,

2176 Mr. Eckert, So, the state has a record retention schedule that provides for  
2177 destruction of records. So, I think what the analysis is based on.

2178 Mr. Eckert, Some that you are required to keep either permanently or a long  
2179 period of time. So, I think the analysis they did is they looked, we got 52 boxes.  
2180 Your policy is to keep everything. Therefore, you have to either keep 52 boxes or  
2181 digitize them and get rid of the paper records. If you go to the state schedule,  
2182 which allows for the destruction of records, after a certain period of time, for  
2183 certain records, I think what they have done is they have said you can probably  
2184 destroy 32 boxes worth of records. You are still going to have 20 boxes that you  
2185 either have to store and digitize.

2186 Ms. Montagna, Correct.

2187 Mr. Eckert, Because our state schedule said you can get rid of documents on a  
2188 rolling basis once they get too old.

2189 Ms. Montagna, So that is what you see in your agenda. What you all choose to  
2190 do, I know Teresa also said when Chris was here, I was not, there was a  
2191 conversation about not having to pay that fee. In that conversation you and I had. I  
2192 think when Chris was here, he was like, oh no, you will not have to pay a storage  
2193 fee or something.

2194 Ms. Kramer, All I remember was the storage that did not apply to us, because  
2195 we did not need it. I do not know who made the decision to keep 52 boxes.

2196 Ms. Montagna, Well, I think it was, it was probably way prior in the beginning. I  
2197 do not know which Board, when it came into effect. But that is where you are  
2198 today. And again, like Mike said, you would have 32 boxes that are past retention  
2199 that you can get rid of that.

2200 Mr. Leet, How old is that?

2201

# CARBON

2202 Mr. Eckert, It depends on the record. Yeah, the type of record dictates how long  
2203 you have to keep it. So, for example, a bond document, you have to keep it until  
2204 basically about two to three years after your bonds are paid off. So, 32 to 33  
2205 years.

2206 Ms. Phillips, Does this include like the check registers?

2207 Ms. Montagna, No.

2208 Ms. Kassel, We do not even know what is in those boxes. We could have,

2209 Mr. Chokanis, And Mike said that you have to keep a bond for 32 to 33 years.

2210 But we are going to have to go and look at every box of what is in there. I cannot

2211 imagine how much time and effort and money to go figure out what is in those

2212 boxes. I want to make a motion to destroy all the boxes that we do not need. But

2213 at the same time, we do not know about what is in the boxes. So, I think we are

2214 getting in a conundrum right now. We should not be paying for boxes in the store

2215 that we do not need, but we do not know what is in those boxes.

2216 Ms. Kramer, Well I think what they are saying, in the memorandum that was

2217 sent out from Sandra, was that she has gone through the boxes and in 32 of the

2218 boxes, we are not required by statute to keep. And then 20 boxes are things we

2219 are required to keep.

2220 Ms. Montagna, It is determining. It is subjective, right.

2221 Mr. Chokanis, Then I will just make a motion, I will make a motion to destroy

2222 the boxes we do not need and keep the boxes that we do. Anyone on board?

2223 Mr. Eckert, We would need a resolution to adopt a different records retention

2224 schedule. Which we have to bring in your next meeting.

2225 Ms. Kassel, Ok. So can we,

2226 Ms. Kramer, We have a motion on the floor. Ok, Hold on a minute.

2227 Ms. Montagna, Motion to destroy the,

2228 Ms. Kramer, I have a motion to destroy the 32 boxes that have been deemed

2229 as past retention. Do I hear a second?

2230 Ms. Kramer, Ok. Hearing no second, the motion fails for lack of a second. .

# CARBON

2231  
2232  
2233  
2234  
2235  
2236  
2237  
2238  
2239  
2240  
2241  
2242  
2243  
2244  
2245  
2246  
2247  
2248  
2249  
2250  
2251  
2252  
2253  
2254  
2255  
2256  
2257  
2258  
2259  
2260  
2261

Upon VOICE VOTE, on a motion by Supervisor, Chokanis with no second, the motion to destroy the 32 boxes that have been deemed as past retention fails.

Mr. Eckert, Yeah, I am sorry, I interrupted you. Any time I hear destroy documents, without it being consistent with the schedule I speak up. So, what you will need to do if the Board wants to switch to the state retention schedule is we would prepare a resolution, bring it to your next meeting. Saying that we are going to follow the state records retention schedule, which not only would allow them to go ahead and get rid of the 32 boxes, which would reduce your cost on a moving forward basis, whether you digitize or store them. It also allows them to take away electronic records that are past that retention schedule if you adopt that.

Ms. Kassel, So, I think we are getting ahead of ourselves. If Sandra has gone through those boxes, then she knows what is in them. Let us hear from her, what is in those boxes. So that we know before we are making any decision to destroy or let go of anything. We have an idea of what we are dealing with. I,

Mr. Leet, Like Even if it is summarized,

Ms. Kramer, Ok, I have a question. What if, let us to talk about the 52 boxes. All of 52 total?

Ms. Montagna, Yes. 52 total.

Ms. Kramer, What if the District sends a representative to pick up these boxes, that gets stored in a climate control locked area, and then they can go be gone through. By whichever Supervisor may want to go through them. To see what is there, and what may be valuable to this District. To digitize them and then keep electron.

Ms. Montagna, Before you make a motion there,

Ms. Kramer, I am not making a motion.

Ms. Montagna, I just want to let you know they are located in Coral Springs, Florida.

Ms. Kramer, I do not care.

Ms. Montagna. I just wanted to put that out there.

# CARBON

2262 Ms. Kramer, Versus paying \$15.00 per a box, every month, to store them.

2263 Ms. Montagna, I agree.

2264 Mr. Chokanis, I,

2265 Ms. Kramer, Because we can rent a storage shed that has about 10 times the  
2266 amount needed to store this for \$54.00, a month. And I just cannot see that. If we  
2267 have, and tell me, because then again, we are taking records, required records to  
2268 be saved, out of the hands of our custodian.

2269 Ms. Kramer, And what is the ramification of that?

2270 Mr. Eckert, Well it is usually not recommended? If the custodian of the records  
2271 has access to the facility, then I think that it can probably be worked out. It is not  
2272 going to be very convenient, because you are going to have a Board member  
2273 there and you are also going to have a custodian of the records there. I do not  
2274 know how that works. What you might want to do is look at digitizing the 20 boxes  
2275 you have to keep, because I do not know where you are going to go. I do not think  
2276 you want to keep paper boxes anymore. Most Districts do not want to keep  
2277 anything on paper. So, put that off the table. Then you have the 32. Then you are  
2278 looking at, do we move the 32 boxes to a facility that is convenient. That you guys  
2279 can try to go through them or have somebody go through them. I think that that  
2280 probably logistically can be worked out. But you do have a risk of somebody  
2281 saying, "That was in there. But the Supervisor went through it, and I am sure they  
2282 destroy it." That is a,

2283 Ms. Kramer, Basically it would be deemed as destroyed for purposes of the  
2284 public records. Because it could be. Right?

2285 Mr. Eckert, Not right now.

2286 Ms. Kramer, Not right now. After we adopt it. And then we decided, it could be  
2287 destroyed, but we need to keep it for whatever the story is.

2288 Mr. Eckert, Yeah. I am sorry. Go ahead.

2289 Ms. Montagna, What if I offered an easy solution? Why do not I have the  
2290 records shipped to the Celebration office? And if you would like one Supervisor, or  
2291 if all of you want to come, one at a time, different schedules, and look through  
2292 those boxes, you are more than welcome to do that. That way they are not in

# CARBON

2293 Coral Springs. They are right here in Celebration. Anybody can come and look at  
2294 them. You do not even have to make a schedule, as long as it is between eight  
2295 and five, they will be set up in the conference room. But I do agree with Mike. The  
2296 20 boxes, those are required. You have to keep those no matter what is in them.

2297 Ms. Kassel, Has she separate them?

2298 Ms. Montagna, I'm sorry? Yeah. She has. That is why she is saying you have,  
2299 Ms. Kramer, So we do not need to go through those.

2300 Ms. Montagna, But that is what they are saying. They want to go through them  
2301 though.

2302 Ms. Kramer, The 32.

2303 Mr. Chokanis, I got an idea as well. On top of what Angel said. Can you guys  
2304 hear me?

2305 Multiple Board Members, Yes.

2306 Mr. Chokanis, So going forward, I think we should digitize everything. Keep the  
2307 20 boxes, somewhere stored, for the next seven years, somewhere where we do  
2308 not pay money for it. Destroy the 32 boxes we do not need, as long as we know  
2309 that we do not need that data anymore. We are good with that. And then move  
2310 forward no one wants to go through 20 boxes and digitize all that. It is going to be  
2311 costly, if we put it somewhere safe, where we know where it is at. We can keep  
2312 that safe and move forward with everything else being digitized. We do not have  
2313 to go through the boxes. I mean, I am not going to go through boxes. I will tell you  
2314 that. But you guys want to? Go for it. But I would say just store the 20 boxes, that  
2315 we need. Destroy the 32 boxes, that we do not need, and then digitize everything  
2316 else going forward. Mike, can you try and make sure that is ok legally and all that  
2317 stuff?

2318 Mr. Eckert, It is ok legally.

2319 Ms. Montagna, Ok, and everything now is digitized. And it has been,

2320 Ms. Kramer, Without a charge.

2321 Ms. Montagna, Right. Except for these records because,

2322 Ms. Kramer, You are right. Nothing was ever,

# CARBON

2323 Mr. Leet, I know from like when we were having earlier discussions about the  
2324 website, there are legal requirements for how those documents are stored. And  
2325 that applies to the 20 boxes. And as long as we were talking about digitizing them  
2326 that,

2327 Mr. Leet, If is there a cost associated with the digitizing of those 20 boxes?

2328 Ms. Montagna, \$4,000.00. It is \$4,000.00.

2329 Ms. Kramer, And how much would the storage be for, let us say the next 10  
2330 years?

2331 Ms. Montagna, It is \$15.00,

2332 Ms. Kramer, There is 20 boxes.

2333 Ms. Kassel, \$15.00 a box times 20 boxes. \$300.00.

2334 Ms. Leet, A month.

2335 Ms. Kassel, \$300.00 times 12 equals \$3,600.00

2336 Ms. Kramer, So for me, it is a no brainer to digitize them.

2337 Ms. Phillips, And I will personally say, I do not have any desire or need to go  
2338 through the other 32. We pay the District manager and Inframark to be the  
2339 experts, and to know. And I am willing to take their word.

2340 Ms. Kassel, We do not even know what is in those boxes.

2341 Ms. Phillips, They do.

2342 Ms. Kassel, I know they do, but that is what I am asking. Can we get Sandra,  
2343 since she has gone through the boxes, to tell us what is in them.

2344 Ms. Montagna, I can ask her if she can summarize that.

2345 Mr. Eckert, I will just tell you in my office. When we went through this process  
2346 with other Districts, I would say for a District that is old, probably 10 to 15 boxes  
2347 where agenda packages.

2348 Mr. Eckert, Which, we already have digital copies of.

2349 Ms. Montagna, I have all of your hard bound bond books, in my Celebration  
2350 office. That are like this big. So, those are not even in there. But most of them  
2351 agendas, it could be invoices, it could be anything.

2352 Ms. Kassel, But can we ask to please get,

2353 Ms. Montagna, I can ask her?



# CARBON

2354 Mr. Leet, This would be for a resolution next month, to consider changing,  
2355 Ms. Montagna, Mike would prepare the resolution, to be put on the agenda next  
2356 month.

2357 Mr. Eckert, Yeah, we have a formal resolution that we, you know, do with this  
2358 and the Board to keep everything forever, which they regret. Or follow the state  
2359 schedule, which is more work for your manager to follow in the state schedule,  
2360 because it is easy just to keep everything. It is a lot harder to say. Ok, well, we are  
2361 at the end of this year now, we do not need to keep these anymore. Let us purge  
2362 them.

2363 Mr. Leet, Keeping everything to the statutory requirements is very costly. I  
2364 think. Are we maybe in unofficial agreement of we may be like the chance to go  
2365 through the 32 boxes, before they are being purged. And at the same time, look at  
2366 digitizing the 20 being paperwork, going forward. That kind of everyone's rough,

2367 Ms. Kassel, Once we digitize the 20, we do not need to keep the paper copies.

2368 Mr. Leet, Correct. The 32 are already outside of the statutory requirement. So,  
2369 they can go Celebration or whatever. They do not have that expensive of the  
2370 humidity control or whatever kind of requirements they have for the storing them.

2371 Ms. Kassel, If we adopt this, then we can remove them from the District  
2372 managers in custody and put them in,

2373 Mr. Eckert, You have to certify it to the State Record Keeper that you have  
2374 destroyed them, and what you have done with them. There is a process that  
2375 Inframark has to go through.

2376 Ms. Kramer, So we cannot just keep them ourselves What,

2377 Mr. Eckert, What I would suggest, is go ahead digitize the 20. Get the other 32,  
2378 adopt your resolution saying that you are going to discard them. Have an  
2379 opportunity for any Supervisor, that wants to go through this 32, to pluck out  
2380 anything they think would be good for the District to have. For instance, an as  
2381 built, it may not be required to be kept, but it may be there, and you may want it.  
2382 So, then you have that and then after the Supervisor has gone through it, that is  
2383 when they get destroyed. Then Inframark can certified to the state, here is what  
2384 happened with these records.

# CARBON

2385 Mr. Leet, Surveys, and there is definitely value in there, but we do not want to  
2386 be incurring an unneeded cost.

2387 Mr. Eckert, You are not required to purge if it is something that you want.

2388 Ms. Montagna, So I just want to make sure I understand, because I am hearing  
2389 like four different opinions here. You want us to, I am happy to get them shipped. I  
2390 am actually going to be in Coral Springs, next week. Happy to get these boxes.  
2391 Bring them to Celebration. But you are asking me on one hand, do you want  
2392 Sandra to summarize it? Because I do not want her to go through that, if I am just  
2393 bringing them to Celebration for you all to go through anyway. You know what I  
2394 mean? Kind of seems like double work.

2395 Ms. Kassel, Well, we want to know if we need to go through them.

2396 Mr. Leet, I would say if she has already gone through the process, it might be a  
2397 summary. It might be a very high level, but we do not want to make extra work for  
2398 her, but she has already done some work organizing. We would like to see that.

2399 Ms. Montagna, Ok. But you do want them in the celebration office?

2400 Ms. Kramer, The 32.

2401 Ms. Montagna, Ok.

2402 Ms. Kassel, Then we will have a resolution about digitizing the 20 next month?

2403 Ms. Montagna, You do not need that.

2404 Mr. Eckert, You can make that decision tonight about digitizing them to approve  
2405 that. What you will see next month, will be a resolution that says we are going to  
2406 switch from keeping everything, to adopting the state schedule. Which allows us to  
2407 periodically destroy and purge records, that are no longer relevant, according to  
2408 the state schedule.

2409 Ms. Kassel, So, then we have to have a motion to approve the digitizing of the  
2410 20 boxes at \$200.00 a box.

2411 Ms. Kramer, Ok. I got one question before we go for a motion.

2412 Ms. Kassel, I just made a motion.

2413 Ms. Kramer, Ok. We have a motion on the floor, to digitize the 20 boxes for  
2414 \$4,000.00. Do you want here a second?

2415 Ms. Leet, I will second.

# CARBON

2416 Ms. Kramer, I have a motion and a second.  
2417 Ms. Kramer, Any other comments?  
2418 Ms. Kassel, Were you going to say something?  
2419 Ms. Kramer, I will say it later because it is not,  
2420 Ms. Kramer, All in favor?  
2421 Ms. Kassel, Mr. Leet, Ms. Phillips, And Ms. Kramer, I  
2422 Ms. Kramer, Lucas?  
2423 Ms. Kassel, Is he still here?  
2424 Mr. Hamstra,  
2425 Ms. Kramer, Lucas?  
2426 Mr. Hamstra, He is gone.  
2427 Ms. Kramer, Lucas is no longer with us, so it is four to nothing.

2428 Upon VOICE VOTE, on a motion by Supervisor, Kassel and a  
2429 second by Supervisor, Leet and with all in favor, unanimous  
2430 approval was given to approve the digitalization of the 20  
2431 boxes of records, totaling, \$4,000.00.

2432  
2433 Ms. Kramer, Now, my question is the other part of that, which is requiring a  
2434 \$50.00 annual fee, to maintain them digitally.  
2435 Ms. Kramer, We are not charged now for our digital records. Why would that  
2436 be?  
2437 Ms. Montagna, I do not know, I can ask.  
2438 Ms. Kramer, Ok.  
2439 Ms. Kramer, So right now we are not agreeing to that.  
2440 Ms. Montagna, \$50.00? Ok. What about the one time? \$250.00 per box fee.  
2441 Ms. Kramer, 20 boxes?  
2442 Ms. Montagna, That includes it. I am sorry. But the \$4,000.00, correct? Ok. I  
2443 will find out, and let you know about the fee. That is all.  
2444 Ms. Kassel, That is a \$50.00 annual for all of it or for,  
2445 Ms. Montagna, for the 20 boxes. For whatever is digitized.

# CARBON

2446 Ms. Phillips, Just for the 20.

2447 Ms. Kramer, I do not understand why that, will those digital files be separate  
2448 than the ones you are already doing?

2449 Ms. Montagna, I honestly do not know.

2450 Ms. Kramer, She will out.

2451 Ms. Montagna, Yes, I will.

2452 Ms. Kramer, All right. Anything else?

2453 Ms. Montagna, Are you coming back up, David? Did you have anything to  
2454 finish?

2455 Mr. Hamstra, I thought I was asked about something after the boxes. I am lost  
2456 now.

2457 Ms. Kramer, Do you have something else, David?

2458 Ms. Montagna, I thought we cut you short, because of Lynn. But,

2459 Mr. Hamstra, No.

2460 Mr. Hayes, No I said go for it.

2461

2462 **FIFTH ORDER OF BUSINESS** **Consent Agenda**

2463

2464 **A. Approval of Minutes from the Regular Meeting held on August 24, 2023**

2465 **B. Approval of Minutes from the Regular Meeting held on July 27, 2023**

2466 **C. Review of August 2023 Financial Statements**

2467 **D. Approval of August 2023 Invoices and Check Register**

2468

2469 Ms. Kramer, All right. At this time, we will move on to item five. Our consent  
2470 agenda, which includes approval of the minutes from the regular meeting. August  
2471 24, 2023, approval of minutes from regular meeting July 27, 2023, review of  
2472 August 2023 statements, and approval of the invoices and check register.

2473 Ms. Kassel, So, I went through there the minutes. There was a vote missing,  
2474 which I reported to Angel, for July. Yeah, for a go transcript. There was a motion  
2475 and a second but no vote. There were some minor typos that I did not follow up.

# CARBON

2476 So, pending those and I just wrote to Lynn and Angel today about it, that we have  
2477 been paying, well that we have been billed hundreds of dollars a month in late  
2478 fees by Toho for months and months and months the whole year. I do not know  
2479 about going back further. I had to look; I did not notice that we were paying late  
2480 fees. Angel is sending me something about that those late fees were not paid, but  
2481 we approved those numbers. And I was told there is some new portal that they are  
2482 moving to. But meanwhile, that was August 3, 2023, that I heard. Here at the end  
2483 of September and they are still charging us late fees. Because we are not paying  
2484 the bills. The bills are not getting paid on time for something.

2485 Ms. Montagna, The bills are getting paid on time. It is due to Toho switched their  
2486 whole billing system, everything. And I believe it is not only us, but also residential  
2487 as well. It is affecting everyone. And yes, it has been a nightmare. The District,  
2488 yes, it is reflected. You are correct. But the District has not paid any late fees.  
2489 They are hoping that Toho has now got this new billing system worked out. They  
2490 are hoping that starting this coming month, people are not going to see this. It is  
2491 not only you as a District that are seeing it, but it is also residential people that are  
2492 seeing it. It is, from what I am told from Toho and Paula who has been working, it  
2493 is due to them changing their whole entire billing system. And it is been a disaster  
2494 for not only the District but for residents as well. You are not the only District,  
2495 Celebration, and Enterprise. Their water comes through them as well. And it has  
2496 been all kinds of stuff.

2497 Ms. Kassel, It has been at least three months.

2498 Ms. Montagna, Oh, it has actually been longer than that.

2499 Ms. Kramer, It's been three months,

2500 Ms. Kassel, No. It has been at least January,

2501 Ms. Montagna, No, since they started seeing it. But they were working on  
2502 putting in their new system way prior to that. So, regardless, you have not been  
2503 paying late fees. And you are right, any time there are late fees, we always,  
2504 Inframark pays them, or we get a reimbursement if they are not supposed to be  
2505 there. Because we are responsible for your bills being on time.

# CARBON

2506 Ms. Kramer, And there is something else that would help us with this. When I  
2507 get an invoice and it says taxes and fees and things like that. I go to Avid and  
2508 double check it. It typically says that they took out this much and they did not pay  
2509 all that stuff. But if that could be on the invoices, if we could have that information  
2510 so that the question did not arise. That would be very helpful.

2511 Ms. Kassel, Yeah, I asked for that information a while back. When I spoke with  
2512 Paula, long ago, she was showing me the avid system. I said, I want to be able to  
2513 see the invoices, and the list so I have to click on it. She was like, well, we cannot  
2514 really do that. And I am like, well, then I will not see the value of logging in and  
2515 viewing it. Because what I need to see is what I am getting in paper anyway. And  
2516 if I cannot get that on avid, then I still want it on paper. But what Teresa is saying  
2517 would be even more valuable, because then it would show us; the \$700.00, that  
2518 we paid for trees, that you were going to reimburse us, was reimbursed. You tell  
2519 me it was reimbursed, but I do not see that it has been. I feel it is kind of my fiscal  
2520 responsibility, on behalf of the residents, to make sure those things are done.

2521 Ms. Montagna, Yeah. What can you not see an avid? Because you can see all  
2522 that in avid. You can see the invoice, how much it was paid, if it was short paid,  
2523 you can see all on avid. Are you not being,

2524 Ms. Kramer, But we cannot see the refund. Like the we paid for the two,

2525 Ms. Montagna, Yeah no, you would not

2526 Ms. Kramer, So, stuff like that.

2527 Ms. Montagna, Ok.

2528 Ms. Kramer, I had some concerns about some bills, also. I just want to bring it to  
2529 attention. We have asked that we get the more detail for our credit card statement.  
2530 We still are not seeing that. We normally get the receipts from it. So, we know  
2531 what was bought from Amazon, what was bought from Home Depot?

2532 Ms. Kassel, And was there ever taxes charged.

2533 Ms. Montagna, Yeah, they are not. Everyone has your tax exempt. Like your  
2534 Home Depot account, all that stuff.

# CARBON

2535 Ms. Kramer, But it still does show up sometimes. So, anyway, like there was a  
2536 charge for \$684.00 at Paradise Pool Supply. I was not sure what that was. And so,  
2537 I do not know.

2538 Ms. Montagna, The credit card receipts are easy to pull. I will talk to Paula  
2539 tomorrow and see what is an easy way to be able to do that separate. Yeah, I do  
2540 not know would have changed.

2541 Ms. Kassel, that was a few months ago.

2542 Ms. Kramer, Yeah. And then Lynn, I guess used the Inframark credit card at  
2543 Toho Marine, for \$730.00. Lynn, do you remember what that was for?

2544 Ms. Montagna, Was it for the batteries?

2545 Ms. Kramer, That is a lot of batteries.

2546 Ms. Montagna, Was it for the motor?

2547 Mr. Hayes, No, I got a check for Elco for the, the motor. I would have to look it  
2548 up. I mean,

2549 Ms. Kramer, Ok, so you are going to get back, and let us know that. But we do  
2550 need that. Ok. Our Toho bills, my concern is that a lot of our usage has gone way  
2551 up on several of these. Which means there must be leaks or problems. And I want  
2552 to be sure that, one, they are getting corrected, they are addressed right away.  
2553 And that two, we are requesting the refund of grants provided that we have fixed,  
2554 provided proof of repair.

2555 Ms. Kassel, It is possible that now that those zones that have been fixed are  
2556 operating or using water, where it was shut off prior.

2557 Ms. Kramer, Right. But these are just, these are just outrageously high. They  
2558 should not be. And I know one of them, which was the Harmony Square Drive was  
2559 the area with a major leak. That should be like \$2,000.00, coming back to us.

2560 Ms. Kassel, Schoolhouse Road, one too is,

2561 Ms. Kramer, Also, that is very high. So, we need somebody, we need to be sure,  
2562 somebody is watching this, other than managing this for us. The total. And not just  
2563 the few that should give us weekly reports on. Instead of just paying the bill, look  
2564 at it and see what the problem is and getting. And we did really good, and Bret  
2565 used to get a lot of that money. And got \$22,000.00, back for us. So, if we can do

# CARBON

2566 that. Our waste connections, I noticed that um our bill for the dumpster, such an  
2567 important part of our existence, went up 15%. Can we check and see if there is  
2568 another dumpster operator in the area?

2569 Ms. Montagna, We can, but um across everywhere, that was part of the  
2570 budgeting process, when we talked about that. that is part of it that went up.  
2571 Republican. And what is the name of the other one? Some sanitation. They all  
2572 went up about 10% to 15%.

2573 Ms. Kramer, We can do a comparison.

2574 Ms. Montagna, Sure.

2575 Ms. Kramer, So we are getting the best thing for money. Since money is so  
2576 tight. Also, I do not know why the William Scott invoices keep showing up in our  
2577 invoices and payments. There is another one this month that is in there.

2578 Ms. Montagna, In avid or just in the invoices?

2579 Ms. Kramer, No, just in the invoices.

2580 Ms. Montagna, I need to look into avid, because we had several conversations.  
2581 Paula even called it, because she put one in, and I said we are done with that like.

2582 Ms. Kramer, Right. We should never see them.

2583 Ms. Montagna, Speaking of that. Celebration asked me to ask you if are you  
2584 willing to sell one of them to them? If not, they are going to go buy a use one.  
2585 They are getting rid of their rentals.

2586 Ms. Kassel, We have been wanting,

2587 Ms. Kassel, We just need a place to store the stuff, until we have another place  
2588 to store the stuff.

2589 Ms. Kramer, Ok. So as soon as, yes. Yes, because we want to sell it to them.  
2590 Unless anybody says something different.

2591 Ms. Kassel, I thought we had two, we wanted to sell to them.

2592 Ms. Kramer, We have two, if they want two.

2593 Ms. Montagna, We would take two of them. But if it is not going to happen over  
2594 the next month or so, they are going to want to move on and get rid of their rentals  
2595 and buy some.



# CARBON

2596 Ms. Kassel, Then probably we cannot, because we do not have someplace else  
2597 to put this stuff. Because it is going to take longer than that,

2598 Ms. Montagna, Understood.

2599 Ms. Kramer, So except for those billings,

2600 Ms. Kassel, Do you want to make the motion? Because you,

2601 Ms. Kassel, I mean, I move to approve the with amendments to the minutes,  
2602 and the removal of the William Scott invoice, I move to approve the consent  
2603 agenda.

2604 Ms. Kramer, I have a motion. Do I hear a second?

2605 Ms. Phillips, I will second.

2606 Ms. Kramer, I have a motion and a second. All in favor?

2607 Ms. Kassel, Ms. Phillips, Ms. Kramer, Mr. Leet, and Mr. Chokanis, I

2608 Ms. Kramer, All opposed?

2609 Ms. Kramer, Lucas, are you here with us, yet?

2610 Mr. Chokanis, Yes

2611 Ms. Kramer, The consent agenda, are you in favor of passing that? The minutes  
2612 and financials.

2613 Mr. Leet, I think I heard an I.

2614 Ms. Kramer, Ok. You think you heard an "I". Ok, Lucas, unless you say  
2615 otherwise, we are putting you down as an I.

2616 Ms. Kramer, Motion passage unanimously.

2617 Upon VOICE VOTE, on a motion by Supervisor, Kassel and a  
2618 second by Supervisor, Phillips and with all in favor,  
2619 unanimous approval was given to approve the amended July  
2620 27, 2023, meeting minutes, August 24, 2023, meeting minutes  
2621 August financials, and the Invoices and Check Register  
2622 without the William Scott invoice.

2623

2624 **SIXTH ORDER OF BUSINESS**

**Update on Existing Code Enforcement**

# CARBON

## Violations-Frontage Fence and Storage Containers

2625

2626

2627

2628 Ms. Kramer, Old business, ho is the Code Enforcement? Have you received a  
2629 formal word back from the County on the frontage fence? Lynn?

2630 Mr. Hayes, I am sorry.

2631 Ms. Kramer, Have you got formal word back from Code Enforcement that we,

2632 Mr. Hayes, Yeah. You all are ok. As far as compliance, with regards to the frontage  
2633 fence. And the storage,

2634 Mr. Chokanis, Can you hear me now?

2635 Ms. Kassel, Yes.

2636 Mr. Chokanis, I did approve that motion.

2637 Mr. Hayes, So, yes. You are in compliance, with regards to the frontage fencing.

2638 As far as the storage containers, she is still putting that off, with no fines for the District.

2639 District Engineers presenting plans for the community building, at the end of September.

2640 Correct?

2641 Mr. Hamstra, No, the survey has got to be done before first.

2642 Mr. Hayes, The survey and then the plans. And speaking with Lisa, our contact  
2643 with Code Enforcement, once that has been submitted to the County, and we get some  
2644 form of like a confirmation or anticipated date, I just need to provide that back to her. In  
2645 which she will provide a consent order and she will just wipe it off the slate, until the  
2646 building is built.

2647 Ms. Kramer, Ok. So, we will go through the same process we went through with  
2648 the fence.

2649 Mr. Hayes, Yeah, we just need some more information to provide back to them.

2650 Ms. Kassel, The four violations we had on landscaping, they were taken care of?

2651 Mr. Hayes, Yes. That was presented back to Lisa. We did show her the information  
2652 of the building permits and she understands that those are being maintained now. The  
2653 other two that were the landscapers they are maintaining. So, there are no issues with  
2654 that. So, that should be closed, as well.

2655 Ms. Kassel, So Jeison is away on a family emergency right now and that is why he  
2656 did not see the fencing come down by the townhouses and could not ask that it be set  
2657 aside.

2658 Ms. Montagna, Yeah, he is not on vacation. His mother had a stroke. So, he had to  
2659 leave kind of quickly. And he is supposed to be back tomorrow barring any  
2660 complications. But we will find out if there are.

2661 Ms. Kassel, Because I was seeing that come down, and I was wondering myself, if  
2662 anybody had approached them and said, could you just set your fencing aside and we'll  
2663 take it? Of course, we do not have a place to store it. But,

2664 Ms. Kramer, Right. And the problem also was, is that it was aluminum fencing, and  
2665 it is not really compatible with what we had. It was a three rail versus a four rail. So,

2666 Ms. Kassel, I do not,

2667 Ms. Kramer, It is a huge point, at this point.

2668 Ms. Kassel, But just to address somebody who may still be on the call, the concern  
2669 about we could have used that. And I was thinking the same thing, but it was just a  
2670 really, just a timing and opportunity, a timing window opportunity that could not be  
2671 addressed.

2672

2673 **SEVENTH ORDER OF BUSINESS**

**Consideration of Movie Night Facility  
Usage Applications**

2674

2675

2676 Ms. Kramer, Ok, on to your business consideration. Moving night facility usage  
2677 application. I see one in here for October, but on our website, we have a November and  
2678 December already scheduled. Have we gotten those requesting?

2679 Mr. Chokanis, Yeah. So, I had an issue with Jen requesting facility usage. And  
2680 apparently, we have a document, that says it was established in 2019, that says that if  
2681 there are more than 50 people then you have to have Board approval. I am not really  
2682 sure how that document came about and how it was approved. I wanted to revisit that  
2683 and ask Angel to put this on the docket for the Board to review. It is a quite lengthy

# CARBON

2684 document, but it does highlight if they have 50 people and over for Inframark to be able  
2685 to approve the usage for a facility. So, this is what brought it up.

2686 Ms. Kramer, Right. Lucas,

2687 Ms. Montagna, I was just going to say there is way more issues than that. We have  
2688 been having problems. I brought it to the Board previously. A lot of stuff gets posted, as  
2689 far as events and stuff. The applications are not submitted in. The proper insurance is  
2690 not submitted. We have talked about this at Nauseam. I do not know what the Board  
2691 wants to do. We get applications sometimes. Sometimes we do not. Sometimes I do not  
2692 even know that there ss an event, until someone will send me a screenshot. Going,  
2693 "Hey, do you know about this event that is going on?" And I will ask Jeison, and he is  
2694 like, "No, she has not come to me." And Jeison talks to Jennifer on the phone. They  
2695 have a good working relationship. Lynn has talked to her several times, as well.  
2696 Sometimes we get it, sometimes we do not.

2697 Ms. Kassel, I think. So, my conversations that I have had. She feels that if the  
2698 events are taking place in the streets, the streets are not CDD property. So, she does  
2699 not have to submit an application, because she is not on CDD property. And that may  
2700 be why now Movie Night may be an exception because Movie Night may happen in the  
2701 amphitheater, which is on CDD property, and that is why something is being submitted  
2702 for those events.

2703 Ms. Kramer, But there is only the one for this month. There is not one for November  
2704 and we will not have a meeting.

2705 Mr. Hayes, if I may, I did shoot over the email Teresa with those three evens.

2706 Ms. Kramer, Lucas, Lynn is talking for a moment. Lynn, if you will come up here for  
2707 a moment.

2708 Mr. Chokanis, Let me know when I can talk.

2709 Mr. Hayes, I did provide on the 26 at 4:16. The upcoming events. The one is on the  
2710 first, one is on the 19<sup>th</sup>, and the one that is in November. I sent them the applications  
2711 too.

2712 Ms. Kramer, So that is the Harmony market.

2713 Mr. Hayes, Yes, there are three of them. And in talking with Jennifer, she was  
2714 having this girl Nancy, that she works with, that is supposed to provide the COI. I did

# CARBON

2715 request it again. Still waiting for the one for the October 1st. So that we will be  
2716 compliance. I have registered it as an additional insured. I have not received it. And as  
2717 far as the other events, if you look at that one for the first, she says that it was going to  
2718 be in the streets. But then she has the stage. Then when I talked her on the phone, she  
2719 said, "Well, no, it is not going to be on the stage." So, whether it is in the streets or not,  
2720 my only concern is trying to protect the District. It spills out of the streets on the District  
2721 property. I will let Council speak to that if he thinks that is incorrect.

2722 Ms. Montagna, I would like to ask Council, because we were told from way back,  
2723 even if she is having something in the street and she is blocking off the street, she is  
2724 supposed to have the MOT. Whether that is true and right wrong or otherwise.

2725 Ms. Kramer, And a safety plan.

2726 Ms. Montagna, Right. And a safety plan and all this stuff. And from the County.  
2727 Whether that is right, wrong, or otherwise, I do not know, but that was in place before  
2728 we took over. So, we have just been following suit.

2729 Mr. Eckert, Yeah, if you are going to be on County property for an event, the County  
2730 has got requirements that you are going to have to satisfy. So, since the event occurs  
2731 on the CDD property, we have the right to make sure that we are protected. Regardless  
2732 of whether it is an HOA or any anybody.

2733 Ms. Montagna, And being that it is in the street. Yeah, she has got to go through the  
2734 County, but the District policy is, we want to see that. We want to see that you set it up.  
2735 And that is the protection for residents and everything else. That is where,

2736 Ms. Kassel, Yeah. But can we require that if it is not on our property? I think that,

2737 Mr. Eckert, I, I think to the extent that there is no part of this on CDD property, it is  
2738 going to be up to the Country. To the extent that it is partially on CDD property and  
2739 partially on County property, then both of us are going to have to consent. And if it is all  
2740 on CDD property, the County does not have to consent, but we do.

2741 Ms. Montagna, But I think her question is, let us say it is in the street. All of it is in  
2742 the street. And the District wants to see her safety plan that she has submitted to the  
2743 County. Do we have the right to ask that? Because we do not,

2744 Mr. Eckert, We do have the right to ask it but we do not have the right to require it.

2745 Ms. Montagna, And we do not have a right to shut the event down.

# CARBON

2746 Mr. Eckert, No. Only standing on our property.

2747 Ms. Montagna, Ok.

2748 Ms. Kramer, She has got the one for the October. I guess we will have another  
2749 meeting before November 16, 2023. It seems like it would have been easier, since the  
2750 dates are already set, and they are publicized. I understand if we get another request to  
2751 reserve this particular area, before she gets her request in, they take priority, and then  
2752 she is going to be bumped from the date she has publicized.

2753 Mr. Leet, What did you want to say Lucas?

2754 Mr. Chokanis, Am I allowed to talk now? I am just making sure.

2755 Ms. Kramer, Oh yes, definitely.

2756 Mr. Chokanis, I was waiting for a silent moment. No, I just think she runs a lot of the  
2757 community events. This document that we have says that we have the vote if it is over  
2758 50 people. And we have to wait for the next Board member meeting is kind of not  
2759 efficient. And having so many events that pop up. Yes, I am going to follow all the  
2760 legalities and if they are on their property, yes, we need to go through the right  
2761 channels. But having to approve our community to use our facilities as far as our land  
2762 for events. I do not think it really makes sense. Like they do the legal aspect, and they  
2763 get all the paperwork done. I do not think we need to vote on it. We are just saying yes.  
2764 I mean, they are getting all the paperwork done and the community is enjoying the  
2765 event. We got Halloween. We got Thanksgiving. You got Christmas. All these events  
2766 are going to pop up. Where you have one meeting, every month, at the end of this  
2767 month. Are we going to approve these things that they thought of it. If we do not hit the  
2768 right time, they do not approve it. that is just not fair. It is not right. I mean, We need to  
2769 update this document that we, someone approved in 2019, and established of all these  
2770 things that we have to agree upon.

2771 Ms. Kramer, Ok. And let me clarify that for you, Lucas. Those are our rules that are  
2772 adopted through statutory rule making procedure. It is quite a lengthy process with legal  
2773 advertising and the paper and everything. So, when we do revisit,

2774 Mr. Chokanis, they are not all statutory though. All those are not statutory.

2775 Ms. Montagna, The requirements are.

# CARBON

2776 Ms. Chokanis, We made some of those rules based on what we wanted done.  
2777 There is no statutory rule that says a District has to approve over 50 people.

2778 Ms. Kramer, No, I understand that Lucas, but what I am trying to explain is that  
2779 those rules were adopted following the formal statutory process that is laid out for rule  
2780 adoption. And so, it is a,

2781 Mr. Chokanis, It was adopted by the Board who agree on those rules. There is no  
2782 legal,

2783 Ms. Kramer, I understand that Lucas, but,

2784 Mr. Chokanis, Do you though? I do not think you do, because those rules are not  
2785 validated by any statutory legal rule. We have to,

2786 Mr. Leet, Can I have a second, Lucas? There are statutory requirements for how  
2787 we set those rules, and how we change those rules. I think she is just trying to tell you  
2788 that we can,

2789 Mr. Leet, There are rules. We can set whatever we want within the confines of the  
2790 law. But to do that change, it is a lengthy process. Is that kind of summarizing, Teresa,  
2791 what you were saying?

2792 Ms. Kramer, Yes, Dan. That is exactly what I'm trying to,

2793 Mr. Eckert, Lucas is raising a substantive question. Can we make that change?  
2794 And I think the Chair is just saying there is a process for any change we want to make.

2795 Mr. Chokanis, Right. We have to vote on it.

2796 Ms. Montagna, No.

2797 Mr. Chokanis, It is a CDD Board. We voted on that, that need to be changed in  
2798 mind. Not a legal rule that we have to have the Board to vote on event that is happening  
2799 with 50 or more people. That is something that the Board voted on when this document  
2800 was established in 2019. So, I want to put this on docket to revisit this whole document,  
2801 because it is outdated. I told Angel about this whole document. There is a bunch of stuff  
2802 in there that needs to be revisited, because it is totally outdated, and it has not been  
2803 revisited in say four or five years.

2804 Ms. Kramer, Lucas, in order to do that, Angel is going to address your concern.

2805 Ms. Montagna, Lucas, you are correct. This Board can vote to change its rules, but  
2806 there is a process to that. You cannot just come before a Board in a board meeting and

# CARBON

2807 vote to change a rule. We have to advertise it. There is a process of how we have to  
2808 make rules. How you change the rules. That is what we are saying. In order to get it  
2809 done, it has nothing to do with the statute of the rule that you are talking about. There is  
2810 no statute that says they have to approve 50 people or less. That is not what we are  
2811 talking about. What we are saying is if this Board wants to make changes to their  
2812 policies and rules, that is fine, you can do that. However, there is a process. It has to be  
2813 advertised. There is a process that we have to go through in order for that to happen.  
2814 That is all that is being said.

2815 Mr. Leet, And we did bring up earlier in the meeting that we were in the process of  
2816 getting our rules together for potentially having our new Council give them a review, to  
2817 see if there are anything that are outdated. So, your comment it fits in what we are  
2818 already potentially looking at. Refreshing our rules. It can't happen just like that the  
2819 process we have to follow.

2820 Mr. Chokanis, Well, I am not saying it happens tonight, but I am just saying I  
2821 brought it up obviously for a reason. It needs to be addressed. Obviously, we are not  
2822 going to vote on it tonight, but it does need to be revisited. The whole topic can be  
2823 revisited because it is way outdated. So, that is just what I am saying. I am not saying  
2824 we are going vote on it tonight. And it cannot be tomorrow, and here we go. I am  
2825 addressing this, because it is kind of cumbersome, and it is not the way things should  
2826 be done in my opinion.

2827 Ms. Kramer, Ok. So, we have before us, consideration of movie night facility uses  
2828 application. And this is for a movie in October and,

2829 Ms. Kassel, We have not received the COI?

2830 Ms. Montagna, You have not received the insurance name. The District has  
2831 additional insured, which is required. We have not received that.

2832 Ms. Kassel, So can we approve a pending receipt of that?

2833 Ms. Montagna, Of course.

2834 Ms. Kassel, So moved.

2835 Mr. Leet, Second.



# CARBON

2836 Ms. Kramer, I have a motion and a second to approve it on the contingency that we  
2837 received the certificate of insurance, prior to that date. All in favor?

2838 Ms. Kassel, Mr. Leet, Ms. Kramer, Ms. Phillips, and Mr. Chokanis, I

2839 Ms. Kramer, All opposed? Hearing non the motion passes unanimous. We do need  
2840 to be looking for those other ones. You may want to call her and just remind her to get  
2841 them in.

2842 Upon VOICE VOTE, on a motion by Supervisor, Kassel and a second  
2843 by Supervisor, Leet and with all in favor, unanimous approval to approve  
2844 the movie night HROA application, pending the receipt of the COI naming  
2845 the District as an additional insured.

2846

2847 Ms. Montagna, Yeah, we have the applications. We just do not have the  
2848 documentation to go with it.

2849

2850 **EIGHTH ORDER OF BUSINESS** **Consideration of Egis Insurance Proposal**

2851

2852 Ms. Montagna, I can be quick. The next one is Egis. We budgeted. They sent over  
2853 the preliminary premiums, for your District insurance. When they sent that over, it was  
2854 budgeted according to what they said at \$20,000.00. The premium, actually they sent  
2855 us the full banded package, it came in at \$22,932.00. So, we under budgeted by  
2856 \$2,932.00. So, typically I would just sign these, and we would get them done. But being  
2857 that it went over what we typically budgeted, I just wanted to let you know. Obviously,  
2858 we have to have insurance. Your new insurance starts, October 1, 2023. So, I just need  
2859 Board approval, so we can pay this and get it going.

2860 Ms. Kramer, Do have a motion to,

2861 Ms. Kassel, So moved.

2862 Mr. Leet, Seconded.

2863 Ms. Kramer, I and a motion and a second to accept proposal for insurance for the  
2864 next physical years. Any other discussion? Hearing none I will call the question, all in  
2865 favor?

2866 Ms. Kassel, Mr. Leet, Ms. Kramer, Ms. Phillips, Ms. Chokanis, I  
2867 Ms. Kramer, All opposed? Hearing none the motion passes.

2868 Upon VOICE VOTE, on a motion by Supervisor, Kassel and a second  
2869 by Supervisor, Leet and with all in favor, unanimous approval to approve  
2870 the Fiscal year 2024 Egis Insurance proposal, totaling \$22,932.00.

2871

2872 **NINTH ORDER OF BUSINESS** **Discussion Regarding a Parking**  
2873 **Study**

2874 Ms. Kramer, The next item on the agenda is a discussion regarding the parking  
2875 study. This really is not a parking study. We came up under supervisors businesses.  
2876 There are two items dealing with our roadways. The District cannot actually do anything  
2877 with the public roads, but the County has already told us that if we request any changes  
2878 to things such as parking, that they will do it, if at all possible, both mosquito control and  
2879 fire rescue has stated that it is a very dangerous situation. Mosquito control cannot get  
2880 in to do some treatments that they need to do. Which could put us all in danger and fire  
2881 rescue on many of our streets, when we have heavy parking on both sides of the street,  
2882 just cannot get associate trucks through. So, I do not know if the Board wants to  
2883 formally request that the County have one side street parking or some other solution to  
2884 this issue.

2885

2886 Ms. Kassel, This is a parking study, rather than asking the County to do it. What is  
2887 the parking study?

2888 Ms. Montagna, It is not labeled correctly. That is the bottom line. It should not have  
2889 been labeled study. It is not a study. Does the Board want staff to go to the County and  
2890 ask for these two things that are on the agenda? For Harmony.

2891 Ms. Kassel, It seems to me before we do that, that we should be at least somehow  
2892 canvassing the residents. Because they are going to be directly affected. A lot of people

# CARBON

2893 operate out of their house, and they cannot operate in front of their house, and they  
2894 have a full garage, their driveways, other vehicles on it. I think we cannot just request  
2895 the County to do something without even notifying the residents that we are considering  
2896 doing such a thing. And why,

2897 Ms. Phillips, How would you propose we do this canvassing?

2898 Ms. Kassel, That is a question for our DM, and our DC?

2899 Mr. Eckert, Yeah, I do not have a concern. In terms of you can put out some sort of  
2900 E blast or whatever saying, we are considering this. Please let us know your thoughts  
2901 on it. You can do that.

2902 Ms. Kramer, I thought we did not have a way to do something like that.

2903 Ms. Montagna, We would ask the HOA if they would put out an E blast, on behalf  
2904 of the District.

2905 Mr. Eckert, That would be legally permitted, then you could take that feedback into  
2906 account for what you are doing. That is probably the easiest way to do that. You can do  
2907 surveys and things like that, but that gets a little bit more cumbersome.

2908 Ms. Kramer, And expensive.

2909 Mr. Eckert, But I think an E blast saying, "hey, we are having challenges with  
2910 parking that are creating safety concerns. We are contemplating asking the County to  
2911 do XY and Z. If you have any thoughts on this, please let us know and the Board will be  
2912 discussing it in December or whatever date. That would probably be the easiest way.

2913 Ms. Montagna, Yeah. Do you want us to include in the E blast? About requesting a  
2914 fire station?

2915

2916 **TENTH ORDER OF BUSINESS**                      **Discussion Regarding Fire Rescue Services**

2917

2918 Ms. Kramer, That was the next one. The fire rescue services, the actual rescue  
2919 services. Lucas, that you were approached about.

2920 Mr. Chokanis, Yes. Actually, one of the firefighters that I am kind of friends with. He  
2921 approached me and messaged me on Facebook, and he said that the fire station which  
2922 is across from the high school does not have a uh a rescue team. Which is basically the

# CARBON

2923 people who come and save your life. The one that we have currently closest to us is in  
2924 Palm. And he recommends we get one with how many older folks we have in our  
2925 community. But he said we have to reach out to the Government official.

2926 Ms. Kassel, County Commissioner? Ricky Booth?

2927 Mr. Chokanis, To get it approved. So, I mentioned this last time at our meeting. So,  
2928 I do not know how we reach out to him, but,

2929 Ms. Kramer, We can also include this in our email blast. Asking people their  
2930 opinion on requesting the County to have more. Unless the Board feels comfortable  
2931 authorizing that request to go out. It is just the Board requesting or asking our District  
2932 Manager to contact to Ricky Booth to say, hey, we support additional emergency  
2933 management services.

2934 Ms. Phillips, Is that within our role?

2935 Mr. Chokanis, I will make a motion to do that.

2936 Ms. Kramer, Ok. I have a motion for our District Manager to reach out to our  
2937 County Commissioner to request additional emergency services. Kind of like ambulance  
2938 transport services.

2939 Mr. Chokanis, Yeah. Rescue, rescue squad or team.

2940 Mr. Leet, Second.

2941 Ms. Kramer, So I have a motion and a second. All in favor?

2942 Ms. Chokanis, Mr. Leet, Ms. Kramer, Ms. Kassel, Ms. Phillips, I

2943 Ms. Kamer, All opposed? Hearing none the motion passage.

2944 Upon VOICE VOTE, on a motion by Supervisor, Chokanis and a  
2945 second by Supervisor, Leet and with all in favor, unanimous approval for  
2946 the District Manager to contact the County for more information on street  
2947 parking, and to request additional emergency services for Harmony CDD.

2948

2949 Ms. Kramer, So it will not be in the email blast. It will not be in the email blast,  
2950 requesting citizen input. We will just go ahead and request that from, Lucas. Since you  
2951 have contacts with the fire department, could you ask them one night if they could come

# CARBON

2952 down and check out our roads and see if they can get through? I mean, I have had  
2953 several fire officials approach me on this it might be good to have them give it a try.

2954 Mr. Chokanis, Yeah. What road were you specifically referring to?

2955 Ms. Kramer, Well, it is basically all of them. But,

2956 Ms. Kassel, Well the interior roads. Not the Boulevards.

2957 Ms. Kramer, Oh, not the boulevards. Of course, they could, roll under those and  
2958 make sure that the trees are cut for the proper for the clearance, which is important  
2959 also. The ones that are the most serious is I know,

2960 Ms. Kassel, Middlebrook, Feather Grass,

2961 Ms. Kramer, Middlebrook, Feather Grass, Dark Sky. That is down to the next light,

2962 Mr. Leet, Bear Grass.

2963 Ms. Kramer, Basically, it is all of our streets. Not the main boulevard. The main  
2964 boulevards are trees. Interior streets are,

2965 Mr. Chokanis, Yeah, I will reach out to my mate, my buddies and have them come  
2966 through and see if there are any issues with getting access to any of them. Yeah.

2967 Ms. Kramer, And it is particularly on weekends and nights.

2968 Mr. Chokanis, Yeah.

2969 Ms. Kramer, So, we really appreciate your help.

2970 Ms. Kramer, Yeah, because that would help us decide about the road harding. Ok.  
2971 We are now on supervisor request.

2972

2973 **ELEVENTH ORDER OF BUSINESS**

**Supervisor Requests**

2974

2975 Ms. Kramer, Ms. Kassel.

2976 Ms. Kassel, A couple of things. I wanted to bring up the tower at the East entrance.  
2977 Feel that it needs to be addressed. It is not only in disrepair, but it also just looks really  
2978 awful. It is a mess. I have been approached by folks in The Lakes because they come in  
2979 that way, and they see it every day. I have never gone out over that way. I do not know  
2980 what, I think field services needs to take a look at that tower and tell us what they can  
2981 do on their own, and tell us what we need to get close to doing. If nothing else, it needs

# CARBON

2982 to be repainted. It needs to be power washed, and repainted. And all those signs for  
2983 doctor's offices need to be painted, also.

2984 Ms. Montagna, Need evaluation and list out everything that it needs. Not that we  
2985 need Board approval, but just let us summarize it and send it to the Board and get  
2986 started on the work.

2987 Ms. Kassel, Right.

2988 Ms. Montagna, Is that good?

2989 Mr. Leet, Tradition, going down South Florida, just redid theirs very recently. It is  
2990 very nice.

2991 Ms. Montagna, Ok.

2992 Ms. Kassel, My second thing, as most of the others were addressed, is I just  
2993 published something from growth spotter, that we are getting another 1200 dense  
2994 apartments, right. Like it is five stories, etcetera. We are getting a lot of new residents  
2995 who are occupied small spaces. And I think we need to look at revising our assessment  
2996 methodology so that these people are paying the pittance toward getting the same  
2997 benefits as the rest of the residents. I think that things need to be adjusted. So, I had a  
2998 quick conversation with Mike, and I am going to hand it over to him to talk about.

2999 Mr. Eckert, Yeah. So, when we are talking about your assessment methodology,  
3000 we are talking about your operation and maintenance methodology, not your debt  
3001 methodology that is fixed, that is set in stone pretty much. So, when you look at your  
3002 operation and maintenance assessments, if you are following your debt assessments,  
3003 which I am assuming that you are doing, some of that does not make sense following it  
3004 such as recreation. So, for example, if you have a three-bedroom town hall and a three-  
3005 bedroom house, that is probably the same number of people who are using your  
3006 recreation. It is a reasonable interpretation. However, if you are following your debt  
3007 methodology, which usually is based on front footage or square footage, or something  
3008 like that, that is not really as fair as coming up with something that is square footage of  
3009 the home or the number of bedrooms or something like that. So, I think there are ways  
3010 that you can look at the O and M side. How would you make adjustments to your  
3011 methodology to more equitably split the cost? And that is certainly something that you  
3012 could do. I would say that if you were going to look at doing that, you should start talking

# CARBON

3013 about it in January. Because you want to incorporate it with your upcoming budget that  
3014 comes up. Finally, I would say that whatever you do would apply to anything that is new  
3015 as well as anything that is existing. So, if you have an existing two-bedroom town home,  
3016 that is going to be the same size as a two-bedroom town home that is going to be built  
3017 next year. That methodology will have to apply to them in a fair and equitable manner.

3018 Ms. Montagna, And I will tell you this information has all been sent to Leah, which  
3019 is our assessment director. So, she is kind of already starting to look into it and  
3020 preliminary numbers and kind of stuff like that. I know you have had a back and forth  
3021 with her a little bit.

3022 Ms. Kramer, We were looking at the 377 apartments that are proposed. And again,  
3023 I want to caution you, these are articles in a magazine, these are pipe dreams of the  
3024 developers. Even if they have gone through part of the County process, it is still a pipe  
3025 dream, until they have the money. they are coming to us asking us to gin up bond  
3026 money, so they can make this really happen. So, I do not want our residents to get all  
3027 upset. Some of what they have proposed is not even on property that is in the CDD or  
3028 that it has any type of zoning that would ever permit it. So please, some folks get all  
3029 concerned about this, but we need to look at it. The one that is closest to reality is that  
3030 377 and we took the two parcels, one we found last year or the year before it was not  
3031 even assessed, because of the split out that was done. But now they are both being  
3032 assessed. The total of the two assessments divided by the 377 units would come to an  
3033 assessment. Now this I think is O and M and a debt service of \$466.00. The condo units  
3034 are right now paying almost \$1,200.00 per unit. So, you can see there is a huge  
3035 disparity. So, I think you need to look at it closely. So,

3036 Ms. Kassel, We will keep it out and make sure I get on the agenda for January?

3037 Ms. Montagna, Yeah, and we already have Leah. So, between now and then she  
3038 will gather more information and kind of started putting together something. And then  
3039 have some rough draft or something for you guys to start looking at. And then whenever  
3040 there is a process and yeah. We will go through that.

3041 Mr. Eckert, And keep in mind too, if it is an apartment building, it will not be a  
3042 separate assessment per apartment. It will be one bulk bill to the owner of the  
3043 apartment building.

# CARBON

3044 Mr. Hamstra, I just want you know, Vista Lakes did this last year. So, you want me  
3045 to give you a copy with that? They hired somebody and they outsource that and did it.

3046 So,

3047 Ms. Montagna, Yeah, it is the same guy. We gave them that guy. Yeah, Leah is  
3048 really good. But again, there are options as they just stated.

3049 Ms. Kramer, And do understand that when we start doing this, it may have a  
3050 negative impact on some of the owners. So, a house that has five-bedrooms but is on a  
3051 very small lot. They are owing may go up too. So, just be aware that that it has  
3052 repercussions. Any other supervisor requests?

3053 Mr. Leet, Mine was just to echo that. I noticed the Cat Lake access that only  
3054 started showing up in our budget, I think two years ago. So, I do not know if that is,

3055 Ms. Kramer, Yes, I found that and then they went and started an assessment. It  
3056 was not only that but a couple of their properties.

3057 Mr. Leet, Ok, but that would not have any bond impact? I guess if there were to  
3058 now be something built out on there.

3059 Mr. Eckert, I do not know whether there are bonds on that right now, or not.

3060 Ms. Kramer, Not that and not parcel GA.

3061 Ms. Montagna, Right.

3062 Mr. Eckert, I just need to see was it the assessment area originally. And if it was  
3063 never in any assessment areas and it is a different answer. I If it was in an assessment  
3064 area, it just was not allocated, because it was originally thought not to be developable,  
3065 then,

3066 Ms. Kramer, Yeah.

3067 Mr. Eckert, But if it is now is going to be housing then we will look to reallocate  
3068 those debt assessments. And bondholders like it when you have more rooftops and  
3069 less. And for GA that is the empty lot across from the elementary school.

3070 Ms. Kramer, Any other supervisor to request? Lucas, did you have anything you  
3071 want to discuss?

3072 Mr. Chokanis, No, that is going to do it today. No, just a few things, Angel. Is it  
3073 possible to get a quote for the, this East side fence line, on the east side entrance, just  
3074 that front left corner? It is kind of look at from the side.



# CARBON

3075 Ms. Montagna, I am non directional. East side fence line?

3076 Ms. Kramer, East entrance, to where all developments fences is?

3077 Mr. Chokanis, Just from the woods, from the central back side where our property  
3078 line starts, to the entrance where we have the signs that need be pressure washed, that  
3079 says doctors and all of that stuff.

3080 Ms. Kramer, We do not, Lucas, we do not own all of that.

3081 Mr. Chokanis, No, I am not saying all the way down there. I am saying is that side.

3082 Mr. Leet, The portion that we took down for Code Enforcement.

3083 Mr. Chokanis, You got me, right.

3084 Mr. Leet, That little slice, just east entrance, going east until we leave our property.

3085 Ms. Kramer, To the development land.

3086 Mr. Leet, Just so it looks a little if we are talking aesthetically,

3087 Mr. Chokanis, A quote for what we took down, to replace that. So can you,

3088 Ms. Montagna, Can you just tell me, I am not directional. I got it. Yes, Lucas, we  
3089 can get you a quote.

3090 Ms. Kassel, Can we do? We have leftover fencing material. We,

3091 Ms. Montagna, We did take the stuff they took down that was salvageable. They  
3092 do have that.

3093 Ms. Kramer, So, we could look at that.

3094 Mr. Chokanis, Yeah. So, I would just say it does not look the same, obviously. And  
3095 it does look a little tacky with having columns that are not fence. So, if we can piece part  
3096 certain areas with low cost, I think that is probably a good strategy. I think going forward  
3097 we need fence. I think probably community people will agree with that. I just want to see  
3098 how much it costs is for that little portion of what we need, such little.

3099 Ms. Montagna, All right, then we get some quotes.

3100 Ms. Kramer, Did you have something else, Lucas?

3101 Mr. Chokanis, Yeah, this is not CDD, but there is a huge puddle that is in on Five  
3102 Oaks, going towards Feather Grass where I live. At when it rains a lot earlier.

3103 Ms. Kassel, We discussed that earlier.

3104 Mr. Leet, Yeah, that was the Engineer report. Yeah, we will have more. He is going  
3105 to send out a report. They did analysis and we might be,

3106 Mr. Chokanis, All Right. Sorry, I missed that about that one. Thanks for the info.  
3107 But the other one just informational apartment dates in public. I had a couple community  
3108 members ask for some dates on when those things are happening. They are  
3109 happening.

3110 Ms. Kassel, We do not know.

3111 Mr. Chokanis, Ok. All right. Well, I take it. That is, it. Thank you.

3112 Ms. Kramer, Ok, thank.

3113

3114 **TWELFTH ORDER OF BUSINESS** **Adjournment**

3115

3116 Ms. Kassel, Move to adjourn.

3117 Ms. Kramer, I have a motion to adjourn. Do I hear a second?

3118 Mr. Leet, I will second.

3119 Ms. Kramer, I have a second. All in favor?

3120 Ms. Kassel, Mr. Leet, Ms. Kramer, Ms. Phillips, Mr. Chokanis, I

3121

3122

3123 Upon VOICE VOTE, on a motion by Supervisor, Kassel and a second  
3124 by Supervisor, Leet and with all in favor, the Board voted to adjourn the  
3125 meeting at 10:01 p.m.

3126

3127

3128

3129 \_\_\_\_\_  
Secretary/Assistant Secretary

\_\_\_\_\_   
Chair/Vice Chair

3130