

**MINUTES OF REGULAR MEETING  
HARMONY COMMUNITY DEVELOPMENT DISTRICT**

The regular meeting of the Board of Supervisors of the Harmony Community Development District was held Thursday, March 28, 2019, at 6:00 p.m. at the Harmony Golf Preserve Clubhouse, located at 7251 Five Oaks Drive, Harmony, Florida.

Present and constituting a quorum were:

Steve Berube	Chairman
William Bokunic (via phone)	Vice Chairman
Kerul Kassel	Assistant Secretary
David Farnsworth	Assistant Secretary
Mike Scarborough	Assistant Secretary

Also present were:

Kristen Suit	District Manager: <i>Inframark, IMS</i>
Tristan LaNasa	Counsel Staff: <i>Young Qualls, P.A.</i>
Gerhard van der Snel	Manager: <i>District Field Services</i>
Scott Feliciano	<i>Servello Landscape Solutions</i>
Jason Miguez	<i>Servello Landscape Solutions</i>
Residents and Members of the Public	

*The following is a summary of the discussions and actions taken at the March 28, 2019 Harmony CDD Board of Supervisors meeting.*

**FIRST ORDER OF BUSINESS**

**Roll Call**

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

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

**SECOND ORDER OF BUSINESS**

**Developer's Report**

**A. Status of Buck Lake and VC-10**

*Supv* Berube provided a summary of his meeting with Mr. Jerman noting the developer has suggested they put Buck Lake into an LLC; such as Buck Lake Management Group, LLC. The Board for the LLC would consist of one member from Harmony West and one member from Harmony CDD. An email was sent to Mr. Jerman regarding the concern of only two members and no response has been received.

A question was raised with regard to the streetlights in Neighborhoods I & J. Will they be operated and maintained by the CDD or the developer's HOA? The District Engineer found within the notes of the plat maps for Neighborhoods I & J that the streetlights are in a public right-of-way.

Mr. LaNasa addressed the memo previously provided to the Board based on the fact that it was a private neighborhood.

Discussion followed on the easements with it being noted they are utility maintenance easements.

Mr. LaNasa outlined the AGO's.

*Supv* v Berube noted negotiations are ongoing; they need to get back to what they are going to do about the co-ownership and how they manage it.

*Supv* Berube addressed the five parcels of land along the east entrance, along the fence line of 192, and a piece between the townhomes and market. The four parcels along the east entrance and 192 are owned by Fusilier and the other by the golf course. The pieces are surrounded by CDD property and are being maintained by the CDD.

Mr. LaNasa noted they need to research whether there has been an easement created from the continued maintenance. Either there is an easement in place or they would look to try to get one, or public dedication by the owners, or compensation by the owners for the CDD continuing to maintain the properties.

Discussion continued with the outcome being to try to obtain a maintenance easement for the pieces.

Mr. van der Snel noted there are MaxiCom irrigation clocks on these properties.

### **THIRD ORDER OF BUSINESS**

### **Audience Comments**

Questions from the livestream were raised and addressed.

Unidentified speaker from Sebastian Bridge Lane inquired if there are any provisions for installing a barrier [trees, fence] between whatever goes there.

*Supv* Berube noted neither the CDD nor the HROA have a say in what the development looks like, but the County does. He suggested they watch for the notices from the County for the public hearings regarding the development.

Mr. van der Snel noted Mr. Leets has brought materials for a webcam he is suggesting the CDD purchase.

*Supv* Scarborough noted he has a HD webcam he would donate if they are interested.

Mr. Leets noted the one he found is dedicated to streaming live events and does not need a computer.

*Supv* Farnsworth inquired as to who will run the equipment, where will the digital data be stored and who is going to pay for it.

Mr. Leets noted currently anything they have streamed goes to Facebook, YouTube, and other platforms.

Discussion continued with the outcome being the District Manager will circulate the materials provided to the Board and place it on the next agenda.

Discussion ensued on whether video would become a public record that has to be maintained if the recording equipment is purchased by the CDD with Mr. LaNasa opining that it would.

*Supv* Berube inquired if the CDD buys a device that a private owner/resident uses to livestream meetings on Facebook is it okay for the CDD to do?

*Supv* Scarborough inquired if he streams to Facebook would it be legally acceptable for the video to reside permanently on Facebook if they are required to retain a copy.

Discussion followed on residents 'borrowing' District property such as the tripod and the boats. District Counsel will research the matter further to provide answers delineating further between buying the camera and operating the camera.

### **FIFTH ORDER OF BUSINESS**

### **Subcontractors Reports**

#### **A. Servello**

##### **i. Grounds Maintenance Status (*Work Chart*)**

Mr. Migues noted he has nothing to report, but he would be happy to answer questions.

*Supv* Berube addressed conservation areas intruding into what used to be green grass lands. He has noticed it in Pond H-1 where the conservation area signs are now four feet behind the grassy lands.

Mr. Migues noted they have cut some of those back very recently.

*Supv* Berube addressed the conservation area signs being moved – one was found lying down where it was removed and another has been moved three feet to where it is closer to the new grass line.

Discussion continued on cutting back the conservation areas.

*Supv* Berube addressed Servello contract renewal coming up in six months and inquired if they will be submitting a renewal.

Mr. Feliciano noted they do want to renew.

Discussion followed on tree trimming with Mr. Feliciano noting it is wrapping up. They have a few that were noticed when Mr. van der Snel and a Servello rep drove the community.

*Supv* Berube addressed a berm in Neighborhood J at the end of East Five Oaks. He noted the property was dedicated to the CDD, the water is still being supplied by the developer. He requested they look at the berm to determine what they need to spend to maintain it.

Discussion continued on the irrigation/water supply for the area with it being noted there is currently one meter that is billed to the HOA.

Discussion followed on a punch list Mr. van der Snel is providing to Servello on a bi-weekly basis. The consensus is it is working for Mr. van der Snel and Servello.

*Supv* Farnsworth noted there are a lot of areas where the ants are showing back up.

*Supv* Kassel noted they are starting mounds in the dog parks also.

Discussion followed on accessing the trail to deposit mulch / tree chippings. It was noted the chippings are also being used on the garden area paths.

#### **FOURTH ORDER OF BUSINESS**

#### **Approval of the Minutes**

##### **A. February 28, 2019 - Regular Monthly Meeting Minutes**

*Supv* Kassel noted she provided corrections.

On MOTION by <i>Supv</i> Kassel seconded by <i>Supv</i> Scarborough, with all in favor, the February 28, 2019 regular meeting minutes were approved, as amended.
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#### **SIXTH ORDER OF BUSINESS**

#### **Staff Reports**

##### **A. District Engineer**

##### **i. SFWMD Monitoring – Revised Austin Proposal**

*Supv* Berube addressed last month's request for Mr. Boyd to go back to Austin Environmental regarding the monitoring. The revised proposal came down \$6,000 for the same work.

Discussion followed on Austin Environmental and BioTech.

On MOTION by <i>Supv</i> Kassel seconded by <i>Supv</i> Scarborough, with all in favor, the Austin Environmental Consultants, Inc. proposal for SFWMD Annual Monitoring and Reporting was approved.
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**B. District Attorney**

**i. OUC Street Lighting Maintenance Agreements for Neighborhoods I & J**

Mr. LaNasa noted he has nothing further to add.

**C. Field Manager**

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

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

**iii. Resident Submittals (Facebook & Direct)**

**iv. Pond Maintenance (Chart & Map)**

Mr. van der Snel inquired if the Board has any comments, questions or concerns?

*Supv* Farnsworth noted it appears someone may be getting lazy on the pond maintenance report. The exact same ponds have been marked the same way for the last three or four months.

Discussion continued on the ponds with it being noted in the winter the ponds do not change a lot. Mr. van der Snel noted the ponds look very good. Servello has done a clean cut around them and the golf course has worked on clearing up the ponds around the course.

**v. Parking and Garden Facility Improvements**

*Supv* Berube outlined the maps provided by Mr. Boyd. Discussion followed on optimizing the space.

*Supv* Kassel noted the District Engineer has not provided the updated reserve study schedule as requested.

*Supv* Farnsworth requested he be provided the slot-by-slot layout for the parking facility when available.

**vi. Rubber Surfaces Specialist Quote - \$2,950**

*Supv* Kassel addressed the proposed material to be placed around the benches in the dog park noting she thinks it will be fine for the dogs.

Discussion continued on the PIP mulch with it being noted it has been at the swim club for three years with no fading or degradation.

*Supv* Kassel addressed Mr. van der Snel lowering the quote by using the CDD tractor to clean out the area first.

Mr. van der Snel noted the \$350 for removal and disposal would come off the quote.

On MOTION by <i>Supv</i> Berube seconded by <i>Supv</i> Kassel, with all in favor, the Rubber Surfaces Specialist proposal for PIP mulch, as amended, in the amount of \$2,600 was approved.
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Mr. van der Snel reported he has contacted Wall Construction and they are finalizing the contract for pergola for Ashley Park.

*Supv* Farnsworth addressed the signs in the dog park noting they are from 2010; the item requiring dogs to be registered with Harmony does not belong there anymore.

*Supv* Kassel suggested they review it as part of the next rule changes workshop and put up new signs with any modifications.

Discussion followed on holding a rules workshop and setting a public hearing for adoption.

## **SEVENTH ORDER OF BUSINESS**

## **District Manager's Report**

### **A. Financial Statements for February 28, 2019**

Ms. Suit reported as of March they are 88% collected on non-ad valorem assessments.

### **B. Approval of: #227 Invoices, Check Register and Debit Purchases**

On MOTION by *Supv* Berube, seconded by *Supv* Kassel, with all in favor, Invoice Approval #227, Check Register and Debit Purchases, were approved.

### **C. FEMA Update**

*Supv* Berube reviewed the memo from Ms. Burgess noting the District will recover some money, about 40% of what they spent.

*Supv* Farnsworth inquired if they have received anything?

*Supv* Berube noted they received some, but there is more coming. At the bottom of the memo it shows what has been received and what is expected. Mr. Moyer made arrangements with Inframark to cover the cost of Ms. Burgess chasing down all of this stuff. Getting this money back is not costing the District anything.

### **D. Facilities Usage Applications**

There being none, the next item followed.

#### *[Supplemental Discussions]*

Ms. Suit noted the budget workshop is scheduled for 4:00 p.m. April 25th, followed by the regular meeting at 6:00 p.m.

Mr. van der Snel inquired if the Harmony Community Church is planning an Easter service.

*Supv* Bokunic noted he believes so, but he is no longer on the [*Church*] Board.

Mr. van der Snel noted normally there is an application for the Easter service and it has not been received.

## **EIGHTH ORDER OF BUSINESS**

## **Old Business**

### **A. Overall Sidewalk Cleaning by Field Services**

Discussion ensued on the overall sidewalk cleaning by Field Services and the information posted on Facebook.

It was noted there are other projects that have been requested by residents.

Board members addressed their objections to doing the overall sidewalk cleaning for the community.

*Supv* Berube MOVED for the CDD to do the sidewalk cleaning with no increase in assessments as a result of the cleaning. Motion died for lack of a second.

*Supv* Kassel noted they did not second the motion because it is an incomplete picture. There are a lot of other things going on and they need to look at all of them together.

*Supv* Farnsworth addressed HOA oversight and spending public funds on private property.

Discussion continued on the sidewalks with it being noted there are some safety issues where mold gets on the sidewalks. The sidewalk grinding was addressed with it being noted they do this to eliminate liability issues with sidewalks being raised by trees.

*Supv* Scarborough inquired if the cleaning can be done with current staff.

Mr. van der Snel noted it cannot.

*Supv* Berube noted this is where the \$50,000 cost comes from.

*Supv* Bokunic noted he thinks it is a value to the homeowners and would support it.

## **NINTH ORDER OF BUSINESS**

## **Topical Subject Discussions**

### **A. Discussion of Consent Agenda**

Discussion followed on the purpose of consent agendas with the outcome being this item was tabled.

## **TENTH ORDER OF BUSINESS**

## **Supervisors' Requests**

Hearing none, the next order of business followed.

## **ELEVENTH ORDER OF BUSINESS**

## **Adjournment**

There being no further business,

On MOTION by *Supv* Kassel seconded by *Supv* Bokunic, with all in favor, the meeting was adjourned.

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Kristen Suit  
Secretary

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Steven Berube  
Chairman