

**CARBON**

Agenda 2021-11-18

**Subsection 5A**

**Minutes**

October 28, 2021

Markup Review Version

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1                                    **MINUTES OF MEETING**  
2                                    **HARMONY**  
3                                    **COMMUNITY DEVELOPMENT DISTRICT**

4  
5                    A regular meeting of the Board of Supervisors of the Harmony Community  
6 Development District was held on Thursday, October 28, 2021 at 6:00 p.m. at the Jones  
7 Model Home, 3285 Songbird Circle, St. Cloud Florida 34773

8  
9                    Present and constituting a quorum were:

10		
11	Teresa Kramer	Chairperson
12	Daniel Leet	Vice Chairperson
13	Steve Berube	Assistant Secretary
14	Kerul Kassel	Assistant Secretary
15	Mike Scarborough	Assistant Secretary

16  
17                    Also present were:

18		
19	Angel Montagna	District Manager
20	Gerhard van der Snel	Field Supervisor
21	Tim Qualls	District Counsel
22	David Hamstra	District Engineer
23	Scottie Feliciano	Servello
24	Pete Betancourt	Servello
25	Brett Perez	Field Director
26	Julie Yevich	Assistant District Manager
27		

28                    **CHAIRWOMAN OPENING REMARKS**

29                    Spv. Kramer:

30                    Good evening, everyone. Welcome to the October meeting of the Harmony CDD. Welcome. A few  
31 housekeeping items really quickly. First, this is our first time in this meeting location. If you do  
32 need to use the facilities, the one up front is set up for you. The one back here, you'll be  
33 disappointed. So please use the one up front.

34                    Spv. Berube:

35                    We'll be what? Disappointed?

36                    Spv. Kramer:

37                    Yes.

38                    Spv. Berube:

39 Okay.

40 Spv. Kramer:

41 I want to welcome you all. I do ask that everybody be respectful. We've had some trouble talking  
42 over each other. We want to be sure to be able to get everybody's information on the record. It's  
43 hard for our transcribers to get the accurate information if we're talking over each other. If you all  
44 will help me with that, I would appreciate it.

45

46 **FIRST ORDER OF BUSINESS**

**Call to Order/Roll Call**

47 Spv. Kramer:

48 First order of business is our roll call. Supervisor Berube?

49 Spv. Berube:

50 Here.

51 Spv. Kramer:

52 Supervisor Leet?

53 Spv. Leet:

54 Here.

55 Spv. Kramer:

56 Supervisor Scarborough?

57 Spv. Scarborough:

58 Here.

59 Spv. Kramer:

60 Supervisor Kassel?

61 Spv. Kassel:

62 Present.

63 Spv. Kramer:

64 And myself, Supervisor Kramer, we're all present.

65

66

67 **SECOND ORDER OF BUSINESS**

**Audience Comments**

68 Spv. Kramer:

# CARBON

69 Second order of business is our audience comments. Audience comments are limited to three  
70 minutes per speaker. If there is a large group that wants to speak on one single issue, we ask that  
71 you nominate someone. Then everybody else can stand up to show that they're in agreement with  
72 that individual. That way it expedites the meeting. We do have one written request. Kim Tobey, if  
73 you'll step forward. Do we have a microphone?

74 Kimberly Tobey:

75 Microphone?

76 Spv. Kassel:

77 For her. To record what you're saying for the minutes.

78 Spv. Kramer:

79 We need to record. If not, you need to come up here closer to the recorder. I'll need your name and  
80 address for the record.

81 Kimberly Tobey:

82 Sure. It's Kimberly Tobey for the record. 3166 Dark Sky Drive in Harmony.

83 Kimberly Tobey:

84 All right. First of all, good evening everyone. Thank you so much for coming. My husband is  
85 Christopher, back there. You're all aware of why we're here.

86 I sent in a letter explaining what happened to our dog in one of our dog parks on October 4. You  
87 have pictures to go along with that. I have enlarged photos with me should anybody else here need  
88 to see them, to show the severity of his injury.

89 We have gone to the Harmony Dog Park five to six months or so from getting our puppy. Never had  
90 any issues until that evening. Unfortunately, that incident opened our eyes to the fact that rules  
91 may need to be amended and if nothing else enforced. My question would certainly be how are  
92 rules enforced? I say that because we're there often and see young children with their dogs.

93 They're supposed to be 16 unless they're with an adult. In fact, it says kids under nine can't even  
94 enter the dog park, which happens all the time. If I had a six-year-old and a puppy I would hope I  
95 would be able to go in. That's not one that I have a huge issue with, aside from the fact that, based  
96 on what happened to us, my fear is this could happen to a child.

97 I did notice the dog park rules are posted in the small park, but not the large.

98 Spv. Kassel:

99 They used to be.

100 Kimberly Tobey:

101 Okay. If we could please get those there. To me that's a pretty big thing. You don't know what the  
102 rules are if you can't read them upon entering.

# CARBON

103 My main goal is enforcement. And to see if there's anything that the Board would be willing to put  
104 into place to either restrict dogs who are aggressive, and by aggressive I mean biting another dog  
105 or child in the dog park. Animal services doesn't deem this dog who attacked mine aggressive right  
106 now. If a dog is in there and bites an animal or another dog or a child or an adult, do we allow them  
107 to keep going? Because right now they can.

108 It was suggested that they have a color-coded system alerting people. My dog is totally playful,  
109 green. Warning if yellow. Red, they're aggressive. Unfortunately, I found with this particular owner,  
110 he wasn't honest at all to me. We can't rely on the honesty of the dog owners because they aren't  
111 always. I don't know what the answer is. You have my suggestions to work with. We just hope that  
112 we will see enforcement. Rules posted in the large park. And somehow eliminating or at least for a  
113 certain period of time aggressive dogs.

114 Spv. Kassel:

115 We have an item on the agenda for later in the meeting.

116 Kimberly Tobey:

117 Perfect. Okay. I think that's it. Thank you so much.

118 Spv. Kramer:

119 Thank you so much. All right. That's Ms. Tobey.

120 Spv. Kramer:

121 I do not have any other written requests for speaking. Is there anyone else that would like to speak  
122 at the meeting?

123 Reinaldo Milliam:

124 I would like to say something about what she just said.

125 Spv. Kramer:

126 If you'll stand up? I need your name and address for the record.

127 Reinaldo Milliam:

128 Yes. I am Reinaldo Milliam. I live in 7177 Oakglen Trail in the Estates. My dog and my daughter  
129 suffer the same thing with the same dog. I was one in the Facebook that approached you and said,  
130 "Hey, the same thing happens to me." I talked to the neighbors. He's actually my neighbor. I told  
131 him, "Hey, you cannot." He's got a big yard and he'll let his dog roam around his backyard. I don't  
132 mind that. He allows his dog to cross around and go around. My daughter was walking my dog in  
133 front of his house on the leash when his two big dogs went and attacked my dog and my daughter.  
134 There's something wrong with him. I spoke to him. I gave him the bill. "Here. You're going to pay  
135 for this." After going a couple times to his house and making pay for the bill... He doesn't care. He's  
136 my neighbor as well. He's having the same issue. It's just that he doesn't care.

# CARBON

137 She said it correctly. It needs to be enforced. It needs to be... All the neighbors need to know, "Hey,  
138 walk them on the leash." Not just having a notice. If they see it, they go around it. If they see it, they  
139 enforce it. That's just not happening.

140 Spv. Kramer:

141 Okay.

142 Spv. Berube:

143 To be clear. This happened in front of your house, not in the dog park. Is that correct?

144 Reinaldo Milliam:

145 That happened in front of his house, but not in his yard.

146 Spv. Berube:

147 I understand.

148 Reinaldo Milliam:

149 I was on the street on the other side, when his dog was on the outside running around and went  
150 chasing my dog and attacked my dog and my daughter.

151 Spv. Kramer:

152 It's happening outside of the dog park.

153 Spv. Berube:

154 It's a people problem, not a dog problem.

155 Reinaldo Milliam:

156 I have video showing his dog going around on street and he doesn't care.

157 Spv. Kramer:

158 All right

159 Reinaldo Milliam:

160 The matter is enforcing this thing.

161 Spv. Kassel:

162 Thank you so much.

163 Tom Gorecki:

164 Teresa-

165 Spv. Kramer:

# CARBON

166 Yes?

167 Tom Varacky:

168 I just have a couple. One is an easy one. Is there going to be a sale of any kind?

169 Spv. Kramer:

170 If you'll step forward here and give me your name and address for the record.

171 Tom Varacky:

172 I'm sorry. Tom Varacky. 3470 Sagebrush.

173 Spv. Kramer:

174 Thank you.

175 Tom Varacky:

176 The first question. Is there going to be a sale the first Saturday in November? Porch sale, yard sale?

177 Spv. Kassel:

178 That's the HOA, not the CDD.

179 Spv. Kramer:

180 We're not involved with that.

181 Tom Varacky:

182 Okay. How about the issue with contractors being here at 4:30 in the morning?

183 Spv. Kramer:

184 Again, we don't regulate contractors.

185 Spv. Kassel:

186 That would probably be the Sheriff's Office.

187 Spv. Kassel:

188 Yeah.

189 Spv. Berube:

190 Code Enforcement.

191 Spv. Kramer:

192 Okay.

193 Tom Varacky:

# CARBON

194 Well, what they told me. I did talk to the sheriff. He said that my strongest link is the community  
195 organizations here. To file a complaint with code enforcement rather than just me calling as an  
196 individual. You calling as an individual. His recommendation is that the leader of every group needs  
197 to contact code enforcement. I don't know if anybody knows the code, but they're not allowed to  
198 start work before seven o'clock in the morning.

199 Spv. Kramer:  
200 We have no control of your gate codes. That's all your Homeowner's Association.

201 Spv. Kassel:  
202 Where do you live?

203 Tom Varacky:  
204 On Sagebrush.

205 Spv. Kramer:  
206 Here in the Lakes.

207 Spv. Kassel:  
208 Oh, here in the Lakes. Yeah. That's your Homeowner's Association.

209 Spv. Berube:  
210 There's the code for time. Not a gate code. Seven o'clock is the county code.

211 Spv. Kassel:  
212 The county code.

213 Spv. Scarborough:  
214 Yeah.

215 Spv. Kramer:  
216 The county code. We can't get into a lot of back and forth. The more residents call, you get a better  
217 bang for your buck.

218 Tom Varacky:  
219 I talked to you last night, I think. We've been here two and a half months and we still don't  
220 understand the organization. What goes on here.

221 Spv. Kramer:  
222 It gets very confusing.

223 Tom Varacky:



224 All we do is...

225 Spv. Kassel:

226 If you contact me. If you get my number from this lady, my email address from this lady, I'll be  
227 happy to explain our different bodies to you and what they do.

228 Unidentified Resident:

229 Just for that the gentleman's information. Our Homeowner's Association. I believe that is meeting  
230 on the first of November at six o'clock.

231 Spv. Kramer:

232 I appreciate that. We can't do a lot of this because we have an absolutely huge agenda. If you need  
233 to share something personal, if you'll step outside and do that, I'd appreciate it. Any other  
234 comments for the CDD.

235 Spv. Kassel:

236 Audience comments.

237 Spv. Kramer:

238 Audience comments. Okay. Hearing none we'll close the audience comments section.

239 Spv. Kramer:

240 We're now going on to our business. In our business agenda, if you reviewed it on the posted  
241 website, you'll see that some of the issues discussed in the comments will be addressed later on in  
242 the meeting itself.

243

244

245 **THIRD ORDER OF BUSINESS**

**Subtractor's Reports**

246

247 **Servello**

248 Spv. Kramer:

249 The next item on our agenda is our subcontractor report. Servello?

250 Mr. Betancourt:

251 We're into our fall-winter schedule. Bi-weekly service mowing the lawn. On top of that, the  
252 gentleman that was here last month about the weeds. Tall weeds-

253 Spv. Kramer:

254 In the ponds.

255 Mr. Betancourt:

# CARBON

256 In the ponds. We have started that. Those have been done. November 1 I'm sending the guys out to  
257 do the ones in Lakes of Harmony then we'll continue throughout the property.

258 Mr. Betancourt:

259 The mainline breaks have been fixed. Grasses will be done throughout the winter. As we work a  
260 section and detail it, we'll do all the grasses.

261 Spv. Kramer:

262 Wonderful.

263 Mr. Betancourt:

264 Okay.

265 Spv. Berube:

266 You say the mainline break. Do you mean the one on Cat Brier?

267 Mr. Betancourt:

268 Cat Brier and Town Square. But the one on Cat Brier, the one I sent out the proposal on has been  
269 fixed. When I turned on the water, there's another break further down the line. So the water's still  
270 off on Cat Briar.

271 Spv. Kramer:

272 Luckily we're getting rain, so that's good. That will be addressed next.

273 Mr. Betancourt :

274 Yes.

275 Spv. Kramer:

276 Okay.

277 Spv. Kassel:

278 I do have a question. You said we're into the every other week mowing season?

279 Mr. Betancourt:

280 Bi-weekly, yes.

281 Spv. Kassel:

282 I thought that was November.

283 Mr. Betancourt:

284 It starts October 15.

# CARBON

285 Spv. Kassel:

286 Oh, okay. Just as an FYI for the next scope of services for landscaping. When we go for RFP, I'm  
287 going to request that we do dog park mowing weekly because we get some seeds. I just took a  
288 picture and I don't know if you saw it, Angel and Gerhard. There's certain weeds: Elliot's Milkpea  
289 and Tropical Milkweed. The dogs get covered with these weeds. One trip through the park and  
290 you're spending an hour getting these seeds out every day.

291 Mr. Feliciano:

292 Okay. Both dogs parks? Okay. At the dog parks, just mow weekly.

293 Mr. Betancourt:

294 Okay.

295 Spv. Kassel:

296 Thank you.

297 Mr. Betancourt:

298 If you see the dog park hasn't been mowed, either one. When we went to mow them, there were  
299 people with the dogs there. So we tend to let it go. Then we'll come back the following day. I know  
300 the big dog park wasn't mowed, so I'll take the mower tomorrow and mow it out. We had people  
301 there by the time we got there.

302 Spv. Kramer:

303 Great.

304 Spv. Kassel:

305 Thanks.

306 Spv. Kramer:

307 Okay. Thank you. Anything else?

308 Mr. Feliciano:

309 Anything from me? I'm normally the guy you all beat up. I bring up the electrical line On Cat Brier.  
310 Huge mistake on our part. We should have called in Locates. Don't know why we didn't call in  
311 Locates for that. Huge mistake on my part. I'm paying close to \$7,000 for that mistake on our  
312 behalf.

313 The reason why. The area where we lifted the electrical line. The electric company said that he can  
314 do that area right around \$3,000. But when he was tracking the line all the way down to the gazebo,  
315 apparently, they are shorting all the way down. The line is short all the way going down. They've  
316 either been nipped, or something's being corroded in those lines. So, I said, " Go ahead and do an  
317 entire job." We're going to yank out the line for the gazebo, even though we had nothing to do with  
318 that section. We're going to pull all the electrical lines out. We're going to have them do everything,  
319 all the way back to the junction box.

# CARBON

320 Spv. Kassel:

321 I have a question. Might it not be less expensive than repairing all these main line breaks over and  
322 over, to just put a new irrigation line between the trees and the sidewalk?

323 Mr. Feliciano:

324 It's going to probably cost even more, to be honest with you. Where the lines are located, where  
325 you've got to pull the main lines out. You don't know what else is running. What other lines are  
326 there? There are other lines that we found out that are running in these locations.

327 You're talking about removing lines, not just electrical lines. Probably optic fiber, communication  
328 lines, all that stuff. It's in there. You're talking revamping everything. You're just going to have to  
329 repair them.

330 The one thing we will not do with a mainline break, we will not put it above ground. That's  
331 something we don't do. We'll bring it out. That's what happened with this part. We brought it out  
332 and that's where we hit the electrical on that. We will bring it out and try to go around the root  
333 system of the trees. We don't put it on top because is a huge liability for you guys.

334 Spv. Berube:

335 That's been SOP with all of these is go around. The well round irrigation and such has been an open  
336 hole. I guess it was dug by you on Indian Grass or near the entrance to the Estates, in front of the  
337 big open field.

338 Mr. Feliciano:

339 Did we do something like that?

340 Mr. Van der Snel:

341 Maybe I can intervene. That is a TOHO.

342 Mr. Betancourt:

343 I understood it as a mainline break. I shut off the meter. I had the irrigation tech dig it up. When he  
344 dug it up, water was still coming out. And that's when I called Gerhard and it's Toho.

345 Mr. Van der Snel:

346 I reported it to TOHO.

347 Mr. Feliciano:

348 Is it at least cordoned off?

349

350 Mr. Betancourt:

351 It's marked off with caution tape.

352 Spv. Scarborough:

# CARBON

- 353 Are those electrical lines just not deep? There should be 36 inches, right? Or is the irrigation too  
354 deep?
- 355 Spv. Berube:  
356 Not even close.
- 357 Spv. Scarborough:  
358 For what?
- 359 Spv. Berube:  
360 The electric line is no more than 15 inches below the surface.
- 361 Spv. Scarborough:  
362 Interesting.
- 363 Spv. Kramer:  
364 We have interesting construction. Any other questions of Servello at this time?
- 365 Spv. Kassel:  
366 Just that we have, I think a proposal in the agenda, don't we?
- 367 Spv. Kramer:  
368 Yes. At the end. I'm not sure why it ended up back in a field services report. There was a proposal  
369 to add a ground cover-
- 370 Spv. Kassel:  
371 Liriope.
- 372 Spv. Kramer:  
373 Liriope? On Cat Brier. There were two proposals. One to do half the street of Cat Brier and the other  
374 to do the whole street. I've been going back and forth on Cat Brier. Really the only place where the  
375 St. Augustine's looking really poorly is about the 3330 Cat Brier. There are about three houses  
376 where it's pretty bare in there, but the rest of it's not looking horrible.
- 377 Mr. Feliciano:  
378 It's a very shaded area that you're talking about.
- 379 Spv. Kramer:  
380 It's very shaded right there, but the St. Augustine seems to be thriving.
- 381 Mr. Feliciano:

382 Well, what I did. When I walk Cat Brier, when I'm looking at those areas. Some of it that  
383 looks like turf, that's around the entire tree. It's not. It's all weeds. You're not going to get  
384 turf to grow in those areas. We went before and we actually put down turf for free and it all  
385 died out. It's too shady over there. And root competition.

386 Spv. Kramer:  
387 Unfortunately, the leaves are sitting on it and blocking it out.

388 Mr. Feliciano:  
389 It's mostly root competition where they put oak tree.

390 Spv. Kassel:  
391 Yeah.

392 Spv. Berube:  
393 Yeah, the roots are a problem.

394 Spv. Kassel:  
395 I had a question about that quote. It's Option One or Option Two. They were added together instead  
396 of...

397 Mr. Feliciano:  
398 Yeah, I don't know what she did in the system. One option was to do all the trees along Cat Brier.  
399 The second option was in trees in need of Liriopi grass now. So those were deemed the trees where  
400 you didn't have St. Augustine around them. They were either weeds or no sod whatsoever.

401 Spv. Kramer:  
402 Okay. So are you talking about just around the trees or along the entire Right-of-Way?

403 Mr. Feliciano:  
404 Around the trees. Now you do have some areas of sod in that one area. We can propose Seville in  
405 those areas, but you only going to get so much life out of Seville in those areas. We could measure  
406 out that whole strip, that one strip you're talking about, and we can do probably Asiatic Jasmine or  
407 something to go in there. Just to have a ground cover.

408 Spv. Kramer:  
409 Yeah. It seems to me the homeowner had done that on the front yard side, put in the Asiatic  
410 Jasmine.

411 Spv. Kassel:  
412 Are we talking about the east side or the west side of the Cat Brier? The park side, the golf course  
413 side or the residences?

# CARBON

414 Mr. Feliciano:

415 The home side. Mostly there. You're going into the winter season. As soon as these oak trees start  
416 dropping leaves. The first thing the residents do is blow everything right from sidewalk to curb. We  
417 have to pick that up, typically. That's a few months, because you're not just going to get one  
418 flushing out of leaves. You're getting probably three flushings.

419 Spv. Kramer:

420 My concern is that if we put the lirioppe in and the leaves aren't being removed, will the lirioppe  
421 actually survive.

422 Mr. Feliciano:

423 Well, they're going to sit less on the lirioppe, anywhere we pull them out around the trees, than they  
424 would in the jasmine. If we do jasmine around these trees, it's going to take a lot longer to get  
425 established unless you compact the jasmine down in there. They're the same price. Plus, with the  
426 sod area, if we do jasmine on the sod areas, we're going to give you a hefty number in Asiatic  
427 Jasmine, because we want that stuff to take off.

428 Brett can elaborate. He knows what I'm talking about in that area.

429 Spv. Kassel:

430 I'd like to...

431 Spv. Berube:

432 The jasmine looks wonderful when you put it in. But once it starts to decline, it's a maintenance  
433 nightmare. It's all intertwined and dies off. When it's fresh- Beautiful, like a carpet. A year later,  
434 might as well put the sod.

435 Mr. Feliciano:

436 It depends on how you take care of it. We have multiple properties where we use jasmine as  
437 ground covers, all throughout Vista Lakes, along the medians and stuff. We have jasmine ground  
438 covers and they're sitting up that high.

439 Spv. Kramer:

440 It depends on how you care for it.

441 Spv. Kassel:

442 Right. I have plenty of it by me and they're doing great.

443 Mr. Feliciano:

444 What happens is that people do not put enough. So then now it's entangled with weeds and  
445 everything else and it looks horrible.

446 Spv. Kassel:

# CARBON

447 I'm sorry. I'd like to, if we do this here-

448 Spv. Kramer:

449 Hold on a minute. Will everybody take out your cell phones and turn them off?

450 Spv. Kassel:

451 Or at least silence them.

452 Spv. Kramer:

453 Otherwise, we can't have conversations and things going on. I appreciate your cooperation in being  
454 able to conduct the meeting. I'm sorry. Supervisor Kassel.

455 Spv. Kassel:

456 Thanks. If we do this here... On Cat Brier are some of the oldest trees in Harmony. The other trees  
457 are going to age. If we do this here, we're going to have to do something elsewhere. I'd like us to  
458 have a more comprehensive idea of how we're going to deal with this moving forward, rather than  
459 patchwork, not just "We'll put this there and deal with what comes next."

460 Spv. Kramer:

461 Okay. Maybe as we go forward in doing a larger plan for our older trees then we put a full plan  
462 together. So table this proposal?

463 Spv. Kassel:

464 Yes, sorry to say.

465 Mr. Feliciano:

466 No, that's fine!

467 Spv. Kassel:

468 I want something that's a little longer term in thought than just plopping whatever we're going to  
469 put there in this one spot. We're going to have this problem all over the place.

470 Mr. Feliciano:

471 You're exactly right. You're going to have this issue throughout Harmony. Brett and I talk pretty  
472 often. We can get together and we can come up with a plan.

473 Spv. Kassel:

474 Yeah. I'm happy to go on site with you, as long as I'm available. We'll make a date and a time. I'll  
475 meet you there. We'll take a look. I'll be happy to.

476 Mr. Feliciano:

477 Absolutely.



- 478 Spv. Kramer:  
479 Wonderful. All right. We'll put you on it. Thank you.
- 480 Spv. Kramer:  
481 Any other questions for Servello at this point?
- 482 Spv. Berube:  
483 Where are we with the tree trimming?
- 484 Spv. Kramer:  
485 Tree trimming. Do you want to address?
- 486 Mr. Feliciano:  
487 Yeah, they halted the tree trimming. They gave me an option of the percentage that they want to  
488 pay and percentage discounted for some of the trees. I agreed to everything. We're going to invoice  
489 it per the email I got from Brett.
- 490 Spv. Berube:  
491 We're not going back to tree trimming.
- 492 Spv. Kramer:  
493 No, not right now. We're going to move forward with our arborist. The resolution that you'd  
494 authorized Brett and I to work out with Servello. The tree trimming has stopped. It was  
495 approximately 85% complete which dropped it to \$19,040. We took a further 25% discount off that  
496 for improper techniques and some damages. So, we will pay Servello a total of \$14,280 instead of  
497 original \$22,400.
- 498 Mr. Feliciano:  
499 The remaining trees are all small. They don't really need it right now.
- 500 Spv. Kramer:  
501 At this time, we've resolved that concern and we're moving on.
- 502 Mr. Feliciano:  
503 Is that it?
- 504 Spv. Kramer:  
505 Anything further? Okay. Thank you so much.
- 506 Spv. Kassel:  
507 Just a question about that. For all intents and purposes, tree trimming is done for now?

508 Spv. Kramer:

509 The arborist is looking into it and working with Brett, who is our Area Field Services Supervisor.  
510 They are putting together an overall tree trimming plan or tree maintenance plan for the entire  
511 neighborhood. Instead of handling one side of the tree, the street side of the tree, they're putting a  
512 plan together where we will take care of the entire tree. They are seeing the trees. We need to make  
513 sure that they are not causing our residents problems with maintaining their residences or getting  
514 their insurance policies.

515 Spv. Leet:

516 Real quick. Madame Chair, we have a Zoom issue.

517 Marylin Ash-Mower:

518 We have 12 people who can't hear a thing or see a thing. That was my phone call, sorry for the  
519 interruption.

520 Spv. Leet:

521 Okay. Jones Homes is putting in actual WiFi for future meetings. It was not in place in time. We're  
522 doing the best we can off a phone hotspot right now. The other thing is we really need to have  
523 another audience mic for speakers up here. We have the lapel mics that are picking us up.

524 Spv. Kramer:

525 But they're not hearing the audience?

526 Spv. Leet:

527 Right.

528 Marylin Ash-Mower:

529 They're not hearing anything.

530 Spv. Leet:

531 We tested. We appear to be online and Zoom video and everything. We can see it up here. I think  
532 the issues that we have. One it's on a hotspot, so it's limited in how smooth everything looks. Also  
533 not having an audience mic that might not be picking up.

534 Resident:

535 Okay. So can they listen in?

536 Spv. Leet:

537 They should be able to. They'll be hard to hear unless someone has a lapel mic. If you're hearing it  
538 on that speaker, then you're hearing it on computer too.

539 Marylin Ash-Mower:

540 Okay.

541 Spv. Leet:

542 It will be improved for our next meeting.

543 Marilyn Ash-Mower:

544 All right. So, tell them there's no...

545 Spv. Leet:

546 We're doing best we can do right now. It's all being recorded. So, transcript and everything can be  
547 provided after the fact. We're doing the best we can.

548 Marilyn Ash-Mower:

549 Okay. Thank you.

550 Spv. Kramer:

551 Okay. All right. We'll move on to the fourth item on our agenda. The consent agenda.

552 DM - Montagna:

553 Can I just make one comment before we get into that?

554 Spv. Kramer:

555 Certainly.

556 DM - Montagna:

557 The minutes came out. The first set of minutes. Our computers crashed, technological stuff. It  
558 duplicated 51 pages. Dan removed that. It's not in the format that you're used to seeing them in.  
559 That will all go back to normal next month. I just wanted to get that out of the way before we go  
560 down that rabbit hole.

561 Spv. Kramer:

562 Yes. I must admit. Angel and I were scurrying at the last minute. We were both listening to  
563 recordings and finishing up the minutes. I think starting on page 56 or something of the previous is  
564 better. It's the near verbatim, instead of verbatim. Nobody wants to hear or see themselves  
565 verbatim.

566 DM - Montagna:

567 That's right.

568 Spv. Kassel:

569 That's right. It's in the verbatim minutes.

570 Spv. Kramer:

571 It gets really difficult to read past the uhm's and the ah's and the repetitions. But I think we've all  
572 experienced that. So thank you for that.

573

574 **FOURTH ORDER OF BUSINESS**

**Consent Agenda**

575 Supv. Kramer:

576 So the consent agenda has the approval of our regular September 30th monthly minutes, approval  
577 of our September workshop minutes, our financial statements for September 30th and approval for  
578 our number 257 invoices check registry. 258, my apologies. 258 invoices and check registries. And  
579 we also have assigning the fund balances. So, if there are no comments concerning those, I would...  
580 Yes?

581 Spv. Kassel:

582 I had reached out to Gerhard to ask about some Toho bills, which are four or five times what they  
583 were last month than the previous months. And I was referred to Servello who left. So, I should  
584 have asked when they were here.

585 Spv. Kramer:

586 Okay. I can talk about that briefly only because I keep watching them so closely and I do have my  
587 little spreadsheet here too. But I've got to get a better way to do it. But what we've got is last year at  
588 this time, it was wetter than this year. Again, we have the wet, dry cycles. The bill that we're  
589 looking at here, which is \$15,813 which is down from some of the \$19 and \$20,000 bills we've had,  
590 but it's still higher than the about \$4,000 we had last month, is because the month that it was for  
591 was extremely dry. So, we had a very, very dry month. We also had some mainline breaks that  
592 caused some loss of water. This time last year, our bill was \$9,821. So that's comparison. But last  
593 year the same month, and again, we have rainfall data for a couple years back, it was a lot wetter  
594 than that month this year. Our cycles that are wet came a little earlier this year and we got a little  
595 dryer earlier. So, luckily, we're back in a short, wet period-

596 Spv. Berube:

597 Yeah, two or three in a row that were really down low because Maxicom essentially was off  
598 because of all the rain. Now, Maxicom came back on because the rain... And you're back to the  
599 normal cycling.

600 Spv. Kramer:

601 And again, Maxicom is always on. It's just that Servello had placed the rain sensors in, they went  
602 through the neighborhood. Our bills were running in the tens of thousands for month after month  
603 after month, rain or shine or regardless of what it was. So, they were really high. Servello came in,  
604 they replaced all those rain sensors so that we would be in compliance with county code as well as  
605 good water management practices and good fiscal practices. We want to save that money. So, for  
606 the last two bills, our bills were under \$4,000 a month. We've gotten a really dry period and you  
607 can go back and look at your own Toho bills and see the same thing that if your rain sensor is  
608 working, your irrigation didn't run for two months, your bills are way down. Now it's back up. It'll

609 be back up again the next month and because we have entered the dry season. I wish they would all  
610 stay down. So, that's where we are with that. Any other questions about the consent agenda?  
611 Hearing none.

612 Spv. Kassel:  
613 Move to approve.

614 Spv. Kramer:  
615 I have a motion to approve the consent agenda. Do I hear a second?

616  
617 Spv. Scarborough:  
618 Second

619  
620 Spv. Kramer:  
621 I hear a motion and a second, all in favor? Any opposition? Hearing none, passes  
622 unanimously.

623

624 On MOTION by Spv. Kassel, SECOND by Spv. Scarborough

625

626 The consent agenda was unanimously APPROVED

627

628

## 629 **FIFTH ORDER OF BUSINESS**

## **Old Business**

630 Supv. Kramer:

631 The next order of business, old business. We've been discussing our Harmony pool renovations and  
632 we have several proposals. We have three main proposals. SPIES Pool Company, Pool Specialists  
633 and Bluescape Pools. I'll open the floor to any motions or discussions concerning the pool  
634 renovations.

635 Spv. Berube:

636 Considering the extent of that and how important it is, it almost begs for a workshop because this  
637 discussion can get complicated. There's a lot of differences. You're talking about doing two pools.  
638 We've got a big agenda, we're already half an hour in. I'd prefer to workshop the pool renovation  
639 and maybe some of the other stuff that's coming up, but that's just my opinion.

640

641 Spv. Kassel:

642 Would that be a workshop? Wouldn't that be a regular meeting because it requires Board  
643 approval? We don't...

644 Spv. Berube:

# CARBON

645 Well, it's just to discuss all the various options that are included here and not take any action  
646 obviously. But I suspect you're going to spend a significant amount of time once you dig into these  
647 proposals but...

648 Spv. Kramer:

649 I'll leave it up to the rest of the Board. It seemed fairly straightforward to me. My only concern is  
650 that I would like to see more of their, either qualifications or experience, what pools they've done. I  
651 checked one of their references. I tried to check several references, but didn't get anything back  
652 except for the one, and that was for SPIES. And they gave an excellent reference and that  
653 individual's a property manager for a number of organizations. And they had had excellent work  
654 with SPIES. I'll leave it up to the Board. Do you want... Is anybody ready to make a decision tonight  
655 or do you want to spend more time studying it?

656 DM - Montagna:

657 And Julie can answer anything. She talked to all of them so if you have questions or need anything.

658 Spv. Kassel:

659 So, we have a spreadsheet and Julie, if you did that, thank you very much.

660 Julie:

661 You're welcome. I like colors.

662 Spv. Kassel:

663 How urgent is this work to be done?

664 Julie:

665 So, I did have a conversation with the gentleman from SPIES today and he said that you need to  
666 make a decision because the time to do it is in the wintertime when it's not being used a lot and to  
667 get on their schedule, you need to make a decision soon. They've already got a couple lined up and  
668 they said, SPIES specifically said, if you give them a direction that you're going in, they can pencil  
669 you in. But, I understand how long it takes to do a pool. It takes at least two to three months  
670 because you have cure times and the code to meet and inspections and stuff. So, you want to decide  
671 when you want this to be completed by and then make your decision.

672 DM - Montagna:

673 And to my knowledge, there is visibly stuff going on. bad on those pools and it is leaking.

674 Spv. Berube:

675 This is not an emergency, but it should be a pretty close in priorities.

676 Spv. Kramer:

677 I'm comfortable today in looking at what we have in front of us. I know there are a lot of different  
678 options, but SPIES has been working on our pool for quite a while. Gerhard, unless I hear  
679 differently from you, I understand they've been doing a good job.

680 Mr. Van der Snel:

681 Yes. SPIES is very... They're in business for 32 years and they've been doing very, very great.

682 They're highly recommended and they really know what they're doing. So-

683 Spv. Kramer:

684 And there are different options, but for Ashley Park it looks like everybody's right around \$23,000.  
685 SPIES does have an add on for LED lights, which would bump it up another couple of thousand. But  
686 for the Ashley Park pool, everybody is basically right in the same ballpark. The Swim Club, SPIES is  
687 a little bit higher, but very little bit. And again, they offer an option to adding the LED lights, which I  
688 think it's important to have our lights changed out to LEDs. Theirs's \$62,992. The Bluescape is  
689 \$62,580 without coping. And Pool Specialists is \$59,871. They have coping, but the next one did not  
690 have coping. My other concern is the amount down. SPIES was very specific. They wanted the 50%  
691 down and then 50% at the end when it's totally completed and accepted. Pool Specialist want 50%  
692 down then they want another 40% when they finish the prep work. And that's just totally  
693 unacceptable in my book. I don't want to put 90% up front before they start putting on the finished  
694 coat. So as far as I'm concerned, and since they were the low bid, to me that would be out. And I  
695 couldn't give anybody at all to speak about or give references for Bluescapes. So, at this point, I'm  
696 comfortable going with SPIES.

697 Spv. Berube:

698 Based on past experience, I agree with you. But the scope of work is a little bit... See, the last time  
699 around we got a lousy prep job on the old surface, they didn't prime it. They didn't put the bonding  
700 in. And what we know is in the areas where the stuff is coming up, we know there's no bonding  
701 agent because you can see the difference in color when it comes up, right? The bigger question is  
702 how much of the remaining surface didn't get bonded and hasn't lifted yet?

703 Spv. Kramer:

704 Well, that's not a problem. In SPIES quote, they are going to take the entire surface down, remove it  
705 and redone. The only thing I want us to be sure, and I did see it, it did indicate it-

706 Spv. Berube:

707 Chip off and removed existing pool finish... Yeah, all right. I read that wrong the first time.

708 Mr. Van der Snel:

709 Except with Ashley Park. They only chip off.

710 Spv. Berube:

711 They take off a little bit. Yeah.

712 Spv. Kramer:

713 Right, they're going to take off the-

714 Spv. Berube:

715 I misread their scope of work on the big one to, they were only going to take off the failed areas, but  
716 that is not what it says. Isn't going to take the whole thing off. So-

717 Spv. Kramer:

718 Exactly. I think the scope of work is pretty good. I think Julie worked with them very well and then  
719 if there are any minor things as we get the contract in place, then we will address those at that time  
720 and make sure we have a good scope of work laid out for them. So at this time I'd entertain a  
721 motion if..

722 Spv. Berube:

723 The one thing I'd like to add is of course we're going to have a contract for this, I imagine.

724 Spv. Kramer:

725 Oh definitely. Yes.

726 Spv. Berube:

727 I think we ought to ask, based on prior experience, are all your employees going to be working on  
728 this? And if not, how many subcontractors, who's doing what and who are they?

729 Spv. Kramer:

730 Yes. And that was my concern in the 50:40:10. It sounded like they needed that 40%- to pay a sub  
731 up front. I'm not willing to do that.

732 Spv. Berube:

733 The other thing was you mentioned LED lights and I see it here, but I thought we had LED lights  
734 now.

735 Mr. Van der Snel:

736 We have LED light bulbs in there. So what they're going to put in-

737 Spv. Berube:

738 Oh, they're going to put the new sealed unit with the glow colors.

739 Mr. Van der Snel:

740 Complete unit so that you don't have any maintenance on it.

741 Spv. Berube:

742 Okay, let's back up to Ashley Park, is the repair of the supposed leak that we have, is that included  
743 in what SPIES has put here? Or are we going to get hit with a change order for fixing the leak?

744 Mr. Van der Snel:

745 Well, that will automatically be repaired when they put the new-



# CARBON

746 Spv. Kramer:

747 I will make sure it's in the contract. I will just tell them that it's got to be. That's that leak in the  
748 gutter, right?

749 Spv. Berube:

750 Well, yeah. There's an area there over on the... I guess it would be the-

751 Spv. Kramer:

752 And they're familiar with it because they've been-

753 Spv. Berube:

754 The west side I think, there's something going on because the ground keeps collapsing and we've  
755 had some problems in that.

756 Spv. Kramer:

757 That's the west side?

758 Spv. Berube:

759 I think. Is that right? It's on the west side.

760 Spv. Kassel:

761 Did you make a motion already?

762 Spv. Berube:

763 I don't think so.

764 Spv. Kramer:

765 Okay. I'll make the motion.

766 Spv. Berube:

767 Wait a minute. We talked about coping. There's coping here. I thought that was some of the other  
768 ones. What's going on with SPIES with coping?

769 Spv. Kramer:

770 I do not have that noted, unfortunately.

771 Spv. Berube:

772 Because that's a big deal and the coping that's there in some areas is-

773 Spv. Kramer:

774 And that's on the Swim Club? I know on Ashley Park we had a problem with some of it coming out.

# CARBON

775 Spv. Berube:

776 Yes. And the Swim Club has some minor issues with coping and some old stains from the prior  
777 project and all that. But the coping, if it doesn't look good, really detracts from your newly finished  
778 pool.

779 Spv. Kramer:

780 All right. So, we will sit down and finalize all these final details and a package price. So, I would  
781 move that we enter into negotiations with SPIES for a final contract and start date. Not to exceed,  
782 with the lights and everything-

783 Spv. Kassel:

784 Well maybe more because of the coping. Because then you don't mention the-

785 Spv. Kramer:

786 Well, let's put \$70,000 including... We need a total redo of our pool, a total redo. So, if we'll do not...  
787 Not to exceed for them, but then not to exceed for negotiating the contract for \$70,000, would the  
788 board be okay with that? And for-

789 Spv. Berube:

790 \$62,000, \$65,000. So, you got \$5,000 in it for coping, yeah. What did the other guys want for  
791 coping? Did they call it out?

792 Spv. Kramer:

793 They did not call it out one. One had it, one did not. But they didn't specify separately.

794 Spv. Scarborough:

795 Maybe they just left it off their specification.

796 Spv. Kramer:

797 Yeah, it may be. We may be able to talk to them and -

798 Spv. Berube:

799 They're pretty thorough with what they've got here and that's why I asked the question.

800 DM Montagna:

801 We can follow up.

802 Spv. Kramer:

803 We can follow up. And then for Ashley Park, it would be not to exceed at \$26,000 with the LED's  
804 and tile.

805 Spv. Kassel:

# CARBON

806 And what about coping there?

807 Spv. Scarborough:

808 Just do an overall approval with a not to exceed for both.

809 Spv. Kramer:

810 Do an overall for both pools?

811 Spv. Scarborough:

812 If we are having the same contractor, do both pools-

813 Spv. Berube:

814 Yeah. We got to have two separate contracts.

815 Spv. Kramer:

816 We will do separate contracts and we're not going to close down, at least I don't plan on closing  
817 down both pools at the same time. Spv. Leet: But in our approval we can approve anything we like  
818 now and-

819

820 Spv. Kramer:

821 So, I would ask the Board's approval to go with SPIES Pools for a not to exceed for both pools of a  
822 hundred thousand dollars and we'll negotiate that contract out for the work to be done this winter.

823 Spv. Leet:

824 Seconded

825 Spv. Kassel:

826 I will make that motion.

827 Spv. Kramer:

828 I will let Spv. Kassel make that motion and Supervisor Leet seconded. All in favor? Any opposed?  
829 Hearing none, motion passes unanimously. All right. We'll get that project under way.

830

831 On MOTION by Supv. Kassel and Second by Supv. Leet, with all  
832 in favor, Approved unanimously for Counsel and Chairwoman  
833 to negotiate a contract with SPIES for renovation of the Ashley  
834 Park Pool and the Swim Club Pool with a not to exceed  
835 \$100,000.00

836

837

838

839

840 Spv. Kramer:

841 Okay. Next item on the agenda for old business is the demand letter. We have an attorney in the  
842 background and Mr. Perez.

843 DM Montagna:

844 The demand letter for tree that was intentionally damaged by the resident that-

845 Spv. Scarborough:

846 Again?

847 District Counsel, Tim Qualls:

848 We're just looking for guidance, what the Board wants us to do, or at least from my standpoint.

849 Spv. Kramer:

850 We had the tree evaluated, since nobody else is speaking up here.

851 Spv. Kassel:

852 This is a tree that's on the corner of Button Bush loop. And it's on the south corner of Button Bush  
853 loop and Cat Brier.

854 Spv. Kramer:

855 Correct.

856 Brett Perez:

857 I can speak on that. We had a certified arborist that specializes in Risk Assessments visit this  
858 address and put a certified assessment on it. And there is in the agenda, on page 209, there's a very  
859 thorough detailed report for what he found with the tree. And he gave some options. The first is to  
860 remove the main branch over the road to balance the canopy, but this would've reduced a need for  
861 healing the wound. Second option is to stake or guy the tree but that would require the use of  
862 private property not owned by the CDD, and the third option is basically to remove and replace the  
863 tree with a different species to promote diversity. So, the biggest issue with this tree in his  
864 assessment is not so much the amount of limbs and canopy removed. It's more, there's one cut that  
865 was made in the picture that you all see, that did damage. It's going to impact the long term health  
866 of that tree and the instability of that tree in a severe storm, which could increase the liability of  
867 that tree falling or failing in the future. Unfortunately, this arborist or whatever arborist comes out,  
868 there's no guarantee.

869 Spv. Kramer:

870 There is no crystal ball.

871 Brett Perez:

872 There's no timetable to say how soon the tree will go. And I think that's stated in his report as well.  
873 So basically, we need the Board to discuss what option they want to move forward with. The  
874 reason that he's recommending a different species of tree is to promote diversity because if you  
875 look down Cat Brier, there's a lot of live oak trees that are already there. And over time when these  
876 trees are first planted, their roots have not fused together or made contact with each other. But  
877 now that they're at this point of maturity, the roots have now intertwined and can fuse together or  
878 graft together. And if there is a disease like sudden oak death that does impact one tree, well it's  
879 impacting all of them down the street. So, he's trying to recommend a different species to eliminate  
880 and alleviate that potential for something like that, eliminating a lot of trees down the road on Cat  
881 Brier if that makes sense.

882 Spv. Scarborough:

883 Overall it does make sense, but what does these options have to do with the demand for to the  
884 homeowner? The demand letter, I mean.

885 Spv. Kramer:

886 One, we have to make a decision on, on what option. If we're going to leave it there, then the cost to  
887 the homeowner will be different. What we have for everyone out there. I don't know if you can put  
888 the picture of the tree up or not, Dan. But basically, our attorney, which is very accurate, these trees  
889 are owned by the Community Development District. All of you all own all of these trees. And one of  
890 the things that makes Harmony so special is all of our trees. The tree itself was cut. It was singed  
891 slightly in a furniture trailer fire. It was determined that there was no injury to the tree, the tree  
892 would fully recover but the homeowner took it upon himself to cut off approximately a third of the  
893 canopy of the tree. And this is what the tree looks like now. If you go by that location, they cut off  
894 major limbs on it, which destabilizes it.

895 They cut a cut that goes parallel to the ground, which seriously damages the tree. And there's  
896 concern that it can be a liability and can come down. And if it does come down, it won't go towards  
897 the homes it will go down across the street and it would be a major problem for the CDD if it went  
898 down and someone's car or truck was there and someone got severely injured. So, the question is,  
899 the homeowner that had this work done is liable just as if they've gone into one of our bath houses  
900 and knocked down a bathroom stall or something. By going out and damaging part of the CDD  
901 ownership. So that's where we are now is trying to decide what action we need to do and the action  
902 we choose then affects the amount of payment we're looking to the homeowner for to make that  
903 right. There's no reason that every resident in Harmony should bear the burden of making this  
904 repair since it was done by one homeowner. So that is where we are right now.

905 Spv. Kassel:

906 None of the options are fabulous.

907 Spv. Berube:

908 I think that the fact of the matter is we know what happened, it's documented, we have all of the  
909 information. When you look at the tree, except for the missing limbs, it fits in with the rest of the  
910 trees on the street. It's thriving, it's

911 Spv. Kramer:

912 It's ugly.

913

914 Spv. Berube:

915 Well, I agree with you.

916

917 Spv. Kramer:

918 It's not going to spring back.

919 Spv. Scarborough:

920 Well, I would say I agree. Aesthetically, that's a shame to do that to that tree, for sure. But trees are  
921 pretty resilient. I've seen them completely fall over flat and still grow. So, I don't know that this is...  
922 Everything long term is just pure speculation at this point. So, I don't know that it's fair to try to go  
923 after a homeowner for... How do we assess this amount of damage to a homeowner? I don't think it  
924 would be fair to charge him, to take out an entire live oak tree and replace it with something  
925 comparable. The tree's not dead.

926 Spv. Berube:

927 And you're not going to replace it with something comparable, you're going to put it in something  
928 smaller.

929 Spv. Scarborough:

930 Yeah. A four or six inch caliper.

931 Spv. Kramer:

932 Excuse me, unfortunately, this is all at the Board. I appreciate that you all want to interject but we'll  
933 never get through this agenda if we go down that road. The cost, that would be would not be for  
934 replacing a like-kind tree. We've already said that, one, we can't do that, it's not feasible. And the  
935 second, we're not charging him for the whole value of the tree. So, the final charge when added up  
936 with the cost from the certified arborist and all the cost for the tree removal and everything, which  
937 is what he wanted to do, his whole point was to remove that tree. He was stopped halfway through  
938 what he intended to do. So, I'm at a quandary because I'd rather not give him what he wanted,  
939 which was removing the tree. But I think it's the only unfortunately, responsible way to go. We  
940 can't leave that tree there to end up being a liability for our community because that liability could  
941 be huge. And I don't know that anybody wants to take a chance on that.

942 Spv. Berube:

943 Several thousand other trees that are all a liability. Hurricane comes through, you can't tell what's  
944 going down. Maybe that one goes over, maybe it doesn't. It may stand up and all the others get  
945 down.

946 Spv. Leet:

# CARBON

947 Well, if the other trees fall down, we don't have documentation of, hey we knew something  
948 happened to this tree and we chose to take no action.

949 Spv. Kassel:

950 My quandary is that there are other trees in the community that have been butchered a bit by other  
951 homeowners that weren't caught in the middle of doing that work to the tree. They brought in  
952 some tree trimming organization and a number... There were a couple of places in the community,  
953 two, three houses in a row, where they went in together to have their trees trimmed and so the  
954 whole house side of the tree is missing. On the one hand I don't want to let this go, but on the other  
955 hand we need to be consistent in our treatment. We caught this guy in the midst of it, but we didn't  
956 catch these other people, and those trees may not be as much of a liability, but we need to have  
957 kind of an even-handed approach.

958 Spv. Kramer:

959 Yeah, the only difference with those trees is that those limbs were growing toward their house.  
960 This, they took down the limbs, not just growing towards his house, but the ones that are growing...  
961 So, they basically sheared off all of the limbs that they had no legal right. The other homeowners  
962 had at least the legal right to cut up to their property line. Some came further than their property  
963 line and I agree with that. But I think this is a different situation.

964 Spv. Berube:

965 He only took off one limb that was growing parallel to the road. Everything else was facing that  
966 side.

967 Spv. Kramer:

968 No. The one where the vertical cut is.

969 Spv. Berube:

970 That's 45 degrees off the angle, but whatever. That doesn't matter.

971 Spv. Kramer:

972 That one is actually growing, the bottom one was growing actually over the street itself. So, I don't  
973 know. If you want to give him a pass, the Board can give him a pass. I think it's pretty egregious  
974 when he was specifically told not to cut on the tree.

975 Spv. Scarborough:

976 Well, he's already into it for the arborist at minimum, right?

977 Spv. Kramer:

978 What do you mean?

979 Spv. Scarborough:

980 So, I mean, we had an Arborist come out so he should pay for that.

981 DM - Montagna:

982 We should bill him for the arborist.

983 Spv. Scarborough:

984 I agree.

985 Spv. Kramer:

986 I think we should bill him.

987 Spv. Scarborough:

988 I don't know that you're further ahead by taking this out and replacing it with something different  
989 as opposed to just letting this thing attempt to come back on its own. I don't know that you replace  
990 it with a six inch caliper. It's going to be way out of place to take years to catch up.

991 Spv. Kramer:

992 It will.

993 Spv. Kassel: We have lots of those-

994 Spv. Scarborough: We do, we do -I have just seen trees come back.

995 Spv, Kramer:

996 So, what is the will of the Board? Do I hear a motion as to whether to leave it and bill him for the  
997 arborist work or for whatever work we need to do? I want to hear from the Board.

998 Spv. Berube:

999 Two pieces. I move that we send him a letter requesting payment of our cost up to date for the  
1000 inspections. I think there were two, maybe one or two that we paid for. And also putting him on  
1001 notice that we're going to monitor this into the reasonable future for the tree's decline and if it goes  
1002 over, something breaks and we're going to hold them responsible at that point. But I think that's  
1003 what the letter should say we're going request that he pays our costs so far for the inspection.

1004 DM - Montagna:

1005 Just to clarify, the motion is, send a letter requesting payment for arborist bill and place him on  
1006 notice for future issues with the tree?

1007 Spv. Berube: Yes

1008 Spv. Kassel:

1009 So, I'd like to ask our attorney whether that will fly. In other words, is there some kind of statute of  
1010 limitations?

1011 Spv. Kramer:



1012 Let me do one thing very quickly. I need a second before we go in further discussion. I have a  
1013 motion to second.

1014 Spv. Scarborough:

1015 Second

1016 District Counsel:

1017 There is a statute of limitations, but I would think five years is what it is. I'll double check to  
1018 confirm that.

1019 Spv. Kassel:

1020 And how long do we want to give it? 24 months?

1021 Spv. Scarborough:

1022 That seems reasonable.

1023 Spv. Kramer:

1024 Then he will be legally responsible so if-

1025 Spv. Kassel:

1026 To replace at these costs that we have in the agenda, which is \$9,760, it's on agenda page 211... By  
1027 the way, folks, this agenda was 617 pages long.

1028 Spv. Kramer:

1029 \$9760.00

1030 DM - Montagna:

1031 So, to add to your motion, it was for future issues with trees for two years at the cost listed below,  
1032 which is \$9760.00.

1033 Spv. Kassel:

1034 Two years from now.

1035 District Counsel: Tim Qualls:

1036 I'll get right on it. I got it, I'll get with DM.

1037 Spv. Kramer:

1038 If it comes down, he'll be liable for any damages that it may cause.

1039 Spv. Berube:

1040 Yeah. He's on notice.

# CARBON

1041 Spv. Kramer:

1042 All right, I've got a motion and a second. It's a long motion, but all in favor?

1043 Spv. Kassel:

1044 Aye.

1045 Spv. Berube:

1046 Aye.

1047 Spv. Kramer:

1048 Any opposed? Hearing no opposition, passes unanimously.

1049

1050 On MOTION by Spv. Berube, seconded by Spv. Scarborough,  
1051 with all in favor, Counsel will draft and send a demand letter to  
1052 the resident that cut the CDD tree. The letter will state the  
1053 damages, demand payment for the Arborist bill for \$200 and  
1054 place him on notice that he will be responsible for two years  
1055 regarding the health of the tree. If something happens within  
1056 those two years, the resident will incur the costs for any  
1057 damages and be responsible for the cost of \$9760.00 for the  
1058 District to remove and replace the tree.

1059 Spv. Kramer:

1060 The next item on our agenda is Buck Lake, the Buck Lake committee. We just had a meeting, I'll go  
1061 very, very quickly for you, if we can all stay on this agenda item.

1062 One thing we need to do is, because Harmony West CDD owns the lake, I think it would behoove us  
1063 and our relationship with them to add them to our liability waiver for people who are going out on  
1064 the lake and using the lake. So, if I hear no objections to that, we can go ahead and add that. Biotech  
1065 came up with a lake management plan, it's in your package. I would ask that the board would  
1066 approve that tonight, it's very scant.

1067 I did try and get them to beef it up and they did beef it up a bit by including torpedo grass in the  
1068 plants to be controlled. We were going to put water quality monitoring in, but the Harmony West  
1069 board shot that down. So, I reached out to Lake Watch and we are under their water quality  
1070 monitoring so we will have that separate from this particular plan, but we will have water quality  
1071 monitoring, which has been ongoing for about a year now. And I'll bring those results to the board  
1072 at a later date. So, I would ask the board to approve the Buck Lake Joint Management Plan between  
1073 Harmony CDD and Harmony West CDD. I'll make that a motion.

1074 Spv. Kassel:

1075 I just want some clarity because it wasn't exactly clear to me what was being requested of this CDD  
1076 and this was back from July and it sounded like they were requesting our approval of the minutes  
1077 rather than requesting our approval of having Biotech perform the lake management.

# CARBON

1078 Spv. Kramer:

1079 They were, in July, but we had a more recent meeting in October and out of that meeting, we don't  
1080 have the minutes for you yet, but out of that meeting, what I'm bringing forward to us is they would  
1081 like our approval of the Lake Management Plan. If you want to wait for next meeting, we can do  
1082 that but that's what they're asking for now. Also, we dealt with the policies, they have adopted, or  
1083 are planning on adopting all the policies that were approved, which basically mimic all of our  
1084 policies. And also, the annual maintenance contract and I have good news on that front to if you  
1085 want me to go ahead with that. Would you like to do this all as one package?

1086 Spv. Kassel:

1087 Well, I'm just trying to understand what's being requested of as a Board.

1088 Spv. Kramer:

1089 I'll go over it carefully. They're asking for us to approve the Buck Lake Management Plan as  
1090 presented in your Board package.

1091 Spv. Kassel:

1092 Which is to have Biotech?

1093 Spv. Kramer:

1094 No, the Lake Management Plan just shows what Biotech drafted up, talking about the different  
1095 invasive species, the water hyacinth, the

1096 Spv. Kassel:

1097 Torpedo grass.

1098 Spv. Kramer:

1099 Torpedo grass. And in this package, they also call out the Old World Climbing Fern that is right  
1100 there on the lakeshore, so they call all that out and that is-, and they don't specify who will manage  
1101 that, but-

1102 Spv. Kassel: Is that all that they are asking of us?

1103 Spv. Kramer:

1104 Well, no. The second thing they're asking of us is to adopt the policies that the committee came up  
1105 with. And again, we pretty much have those policies in place. The big onus is who's going to be on  
1106 them to adopt the policies, but all of the policies that were in your Board packet is what we as a  
1107 committee jointly agreed to take back to our Boards and say, please approve these policies. We had  
1108 a head start because we drafted them first, they took ours and pretty much ran with it, we just  
1109 adjusted. There was a boat length of 18 feet, which we bump up to 20 since we already had 20 foot  
1110 boats on water, but no gasoline powered engines, no high powered engines. Everything that  
1111 Harmony already has. Tuesday is the day of rest for the lake and all that's in those policies.

# CARBON

1112 They're also asking that we approve entering into a contract with Biotech and again, we don't, the  
1113 Harmony CDD does not enter into that contract, Harmony West does. And Harmony West, the  
1114 board is already approved, we have for the past year been paying for the maintenance for the lake.  
1115 So, I negotiated with them and we were able to come to agreement that they would forgo the initial  
1116 treatment, which our share would be 50% of \$3,500 and the full year of treatment for FY 2022. So  
1117 basically, they will foot the entire bill for the initial treatment and a full year's worth of treatment  
1118 in recognition of our past year of treatment of Buck Lake.

1119 Spv. Kassel"

1120 But, with biotech?

1121 Spv. Kramer:

1122 Yes, Biotech. To them that was not negotiable.

1123 Supv. Berube:

1124 So, in effect, they're calling the shots?

1125 Spv. Kramer:

1126 Yeah, that's what we did when we lost the lake.

1127 Supv. Berube:

1128 And we're paying half?

1129 Spv. Kramer:

1130 No, we're not paying half this year. I negotiated where we-

1131 Supv. Berube:

1132 Well yeah, we had a trade off because we did lake maintenance for a while.

1133 Spv. Kramer:

1134 Yeah but it didn't cost nearly as much.

1135 Spv. Berube: Yeah, I understand

1136 Spv. Kramer:

1137 I had them reword the management and monthly maintenance to include that it would be Buck  
1138 Lake, they're treating all of Buck Lake and the associated areas on the lake shore that can be  
1139 reached from a boat including our side of the lake shore. And they will also be treating that for old  
1140 world climbing fern. So that really is quite a deal for us because trying to get down to that old world  
1141 climbing fern that is on the marsh side shoreline of the lake is very, very difficult for our crew, so  
1142 they will be doing it from a boat for the next year at no cost us.

1143 Spv. Kassel:

1144 So just to be succinct, you're asking us to approve the Lake Management Plan, the Policies that  
1145 they're proposing that are essentially the same policies we have and the contract, the agreement  
1146 that we have that they contract with Biotech and we don't pay for the initial contract or the first  
1147 annual?

1148 Spv. Kramer:  
1149 That's correct.

1150 Spv. Kassel:  
1151 So moved.

1152 DM Montagna:  
1153 Are you doing all three of those in one motion?

1154 Spv. Kramer:  
1155 All of them in one motion. All three, correct.

1156 Management Plan, Policies, Annual maintenance contract with them paying a hundred percent for  
1157 initial and first year.

1158 Spv. Leet:  
1159 I'll second.

1160 Spv. Kramer:  
1161 I have a motion and a second. All in favor? Any opposed? Hearing no opposition motion passes. And  
1162 that's your update on Buck Lake?

1163

1164 On MOTION by Supv. Kassel seconded by Supv. Leet with all in  
1165 favor, the Board approved and adopted the Buck Lake  
1166 Management Plan, Buck Lake Policies, and the initial and FY  
1167 2022 treatment by Bio-Tech with Harmony West paying 100%  
1168 of cost were approved.

1169

1170

1171

1172 Supv. Kramer:  
1173 Next item on the agenda is a repair of the Garden Road. It is also under the Engineer's Report but  
1174 was put here since it may take action.

1175 District Engineer, David Hamstra:

1176 Last meeting, we talked about doing some improvements to Garden Road to make it more  
1177 structurally stable, not have the continued potholes and when I threw out the cost estimate of

1178 \$335,000, I think the Board thought it was nuts. So, we went back to the drawing board to look at  
1179 replacing the existing road with what they call recycled concrete aggregate. Basically, it looks like  
1180 small gravel, 15 inches thick. Osceola County has accepted that as a replacement for the road,  
1181 Florida gas transmission has accepted that as a replacement for the road and it looks like we're  
1182 going to get a no permit required from South Florida for that. The only caveat is it's the same  
1183 alignments and same width, but it's a \$100,000 versus \$335,000 and it's got the same structural  
1184 strength as your typical subdivision paved road, so I think it'll serve your purpose.

1185 Spv. Berube:

1186 This would be similar to the stuff that went in under the bridges, but smaller grain?

1187 District Engineer, David Hamstra:

1188 15 inches thick.

1189 Spv. Berube:

1190 I mean the size of each piece.

1191 District Engineer, David Hamstra:

1192 The three agencies have all basically blessed it, with that said as soon as I get the official word from  
1193 South Florida tomorrow, I need to give Amy Powell of Florida Gas Transmission final plans so she  
1194 can do the agreement between the CDD and Florida Gas Transmission. With all that said, since  
1195 everybody was cooperating so much, I would recommend that we don't do the short term fix and  
1196 we just wait a little bit longer to do the ultimate fix because I hate to have Gerhard put gravel down  
1197 and regraded only to rip it all up and remove it. So, if the Board is okay with holding off just a little  
1198 bit longer, we'll solicit bids for the 15 inches, the thick of the rock. And then all agencies are good to  
1199 go moving forward.

1200 Spv. Kassel:

1201 So, in the agenda, you had not heard back from the county, but the county has since given you  
1202 approval?

1203 District Engineer, David Hamstra:

1204 Yes. They came full circle and said, "It's replacing the same alignment and width, and the structural  
1205 number we gave them, they were okay to treat that as a maintenance issue."

1206 Spv. Kassel:

1207 Okay. Thank you.

1208 District Engineer: David Hamstra:

1209 They didn't require a full-fledged plan review again.

1210 Spv. Kramer:

- 1211 Will we also have to put, for FGT, that small low profile fence and the pull off areas?
- 1212 District Engineer, David Hamstra:
- 1213 Yes, we have to add it to the plans.
- 1214 Spv. Kassel: So moved.
- 1215 Spv. Kramer:
- 1216 We have it fully planned out. I have a motion. Do I hear a second? Let's get a second. And then we'll
- 1217 go through discussion, any second.
- 1218 Supv. Scarborough:
- 1219 I second.
- 1220 Spv. Kramer:
- 1221 We have a motion and a second.
- 1222 Spv. Berube:
- 1223 Is this just the straight Garden Road or is this turning over to-?
- 1224 District Engineer, David Hamstra:
- 1225 It's all the way from Five Oaks Drive to the entrance of the RV parking lot, the entire length.
- 1226 Spv. Berube:
- 1227 So, it's the whole distance?
- 1228 District Engineer, David Hamstra:
- 1229 Yes. With three pull over areas, if some people are conflicting on coming in and out of there.
- 1230 Spv. Kramer:
- 1231 All the drawings and everything were in the packet.
- 1232 Spv. Kassel:
- 1233 So, when they develop neighborhood M, they're just going to be responsible for repairing whatever
- 1234 they may damage as they develop that neighborhood, right?
- 1235 District Engineer, David Hamstra:
- 1236 I guess if you let them use that road to access the site, then yes.
- 1237 Spv. Kassel:
- 1238 They are probably not going to be able to avoid it.

- 1239 Spv. Kramer:
- 1240 I'm sorry, I'm missing something. Where's neighborhood M?
- 1241 Spv. Kassel:
- 1242 To the right of Garden Road, on the road to the garden.
- 1243 Spv. Kramer:
- 1244 Oh, okay. I presume they would come up off of Harmony Square Drive for entry road.
- 1245 Spv. Berube:
- 1246 Yeah, but there was another entrance into that area. We could prohibit them from using the brand  
1247 new road, whatever the equipment.
- 1248 Spv. Scarborough:
- 1249 Absolutely.
- 1250 Spv. Berube:
- 1251 Once that road is down, you can say, you got to repair it all you want.
- 1252 Spv. Kassel:
- 1253 Yeah but is it our road? It's not our property.
- 1254 Spv. Kramer:
- 1255 It is our property.
- 1256 Spv. Leet:
- 1257 FGT has an easement.
- 1258 Spv. Kassel:
- 1259 They have the easement. Okay.
- 1260 Spv. Kramer:
- 1261 We own, they have an easement.
- 1262 Spv. Berube:
- 1263 Did the square footage include the area around the office trailer and whatnot?
- 1264 District Engineer: David Hamstra:
- 1265 Yes, one of the pull-offs is in front of Gerhard's trailer and along the side.
- 1266 Spv. Kramer:



1267 Along that whole side. David put it all together and got it approved. The speed of this approval is  
1268 great.

1269 District Engineer: David Hamstra:

1270 The County was very cooperative.

1271 Spv. Kramer:

1272 Never seen anything like it before. So, we have a motion and second, all in favor?

1273 Supv. Kassel:

1274 Aye

1275 Supv. Scarborough:

1276 Aye.

1277 Spv. Berube:

1278 Aye.

1279 Supv. Leet:

1280 Aye

1281 Spv. Kramer: All opposed? Hearing none, approved.

1282

On MOTION by seconded by with all in favor, the Engineer is approved to proceed in getting bids for the repair of the Garden Road using concrete fines per the provided drawings.

1283

1284

1285

1286

1287 Spv. Kramer:

1288 All right. The next item on the old business is Steve Berube. I have no idea what this is, I saw no  
1289 backup-

1290 Spv. Berube:

1291 I asked the District Manager to table this until next month.

1292 Spv. Kramer:

1293 Okay. This item has been tabled until next month. So, our next item we are moving into New  
1294 Business. On New Business is Harmony Cove.

1295

1296 **SIXTH ORDER OF BUSINESS**

**New Business**

1297

1298 Supv. Kramer:

- 1299 I understand that we have a 10th Amendment of our drainage easement. We have a blanket  
1300 drainage easement that originally was over all Harmony. As neighborhoods come on and  
1301 development takes place, that blanket drainage easement piece for that development is taken out  
1302 and replaced by a more custom form of drainage easement. That's where we are today.
- 1303 We are removing, through this Tenth Amendment, a portion of property adjacent to the town  
1304 home/condominiums and also asking to approve a new drainage easement that goes over a large  
1305 pipe that connects the main front storm water pond through to where the Brownies repair was and  
1306 then to the golf course pond. Interconnects those. It's currently in place, it's a concrete pipe as was  
1307 indicated by the developer's assessments. And if it's not, they're going to put a concrete pipe in,  
1308 right? Okay. Do you have anything to say, Mr. Boyd?
- 1309 Mr Boyd:
- 1310 I'm just here just as a representative of the developer to answer any questions you might have  
1311 about it.
- 1312 Spv. Kramer:
- 1313 So that's what's before us, all the information was in the packet. There have been some minor legal  
1314 changes, a change, the original one talked about a appurtenant easement, it needs to be a gross  
1315 easement. Basically, what that is, is the gross easement rides with the entity, like a utility or in our  
1316 case, the CDD. So, no matter what lands the CDD owns or doesn't own, this easement will still  
1317 remain in place with the CDD instead of the other way around. It's been legally reviewed, any  
1318 questions about these two?
- 1319 Spv. Berube:
- 1320 My question is for Mr. Boyd, you've been around here for a long time and from what I understand,  
1321 this is a minor and routine restatement of the easement in question. For my edification, what's the  
1322 minor and routine restatement of the easement? What are we gaining or losing here in the  
1323 specificity of it?
- 1324 Mr Boyd:
- 1325 Certainly. So, there's two easement documents in the agenda that-- come up front, okay. There are  
1326 two documents, one is the 10th amendment, which is releasing what's in the blanket easement  
1327 today, which is the yellow portion of property, you see, there... It's about four and a half acres  
1328 immediately east of Ashley Park. That's what's left in the blanket easement of that Town Center  
1329 area.
- 1330 Spv. Berube:
- 1331 To that point, is that what we know as A2?
- 1332 Mr Boyd:
- 1333 Yes. That is A2, correct.
- 1334 Spv. Kassel:

1335 But, it's part of A2, it's not all of A2. Or is it all of A2?

1336 Mr Boyd:

1337 It's really what used to be called A2? Yes. The rest is called TC and, I don't remember the numbers  
1338 there are, the rest of its TC. So that's the first part, is releasing that area from the blanket drain  
1339 easement, the same way you've done nine times before with plats that come in. This time it's being  
1340 done outside of an actual plat. The other thing that you're getting here, which typically nothing's  
1341 being given to the CDD at these times, but prior to the developer, there were some questions about  
1342 when that was released, but the area that's being granted an easement to the CDD is an area that  
1343 the CDD needs an easement over. And so, we were basically asking for a release of the area there,  
1344 which is just a remnant of the old blanket easement that's serving their purpose. But, at the same  
1345 time, to grant the CDD an easement over infrastructure that's already existing, gives you the right  
1346 to maintain it, not the obligation to maintain it.

1347 Spv. Kassel:

1348 So, I'm still confused, was this part of the old—You are too?

1349 Spv. Berube:

1350 Well, I understand what's being done and it's been done before, and I guess there's really no  
1351 change other than we're lifting it out of a big package and making a specific easement for this piece  
1352 of property.

1353 Spv. Kassel:

1354 But I don't understand why? Why would we go through that?

1355 Mr. Boyd:

1356 There's two parts, the release is something that happens routinely so that you can develop. You  
1357 can't put a home or any building on top of these easements. So the blanket easement was created in  
1358 the beginning because the CDD, to go in and build upon and build the roads and build the  
1359 underground pipes, they needed to access the entire private property. So the original developer  
1360 granted the CDD a blanket easement that covered everything. And every time a development comes  
1361 in, the easement is modified so that buildings can go on certain pieces of land. That's the release.  
1362 What had happened is, and I apologize for any confusion I created earlier about this issue when I  
1363 was still district engineer. The existing pond, I had always understood you still had an easement  
1364 over it, but it turns out that it was released in the very first amendment that was filed because the  
1365 land just immediately west of the Town Center was platted, even though it was never developed, it  
1366 was included in a plat, it's called Tract X. And when that happened, it was automatically released  
1367 from the easement. So that pond needs an easement over it for the CDD. So that's what we're  
1368 attempting to do today is to release the easement that is of no consequence and grant you an  
1369 easement over what is of consequence.

1370 Spv. Kramer:

1371 And also, across a long pipe that is underground that runs from that front pond all the way across  
1372 to the diverter box. My understanding, we don't have an easement over that right now, either.

1373 Mr Boyd:

1374 That's correct. This was discovered when the title work was done for the new developer.

1375 Spv. Kramer:

1376 So we would have the difficulties maintaining our permit status if we don't have these easements.

1377 Spv. Berube:

1378 All right. So that answers that question, now let me look at our current Engineer, we'll go from our  
1379 former engineer to the current engineer. I'm sure you've looked at all this and you're okay with  
1380 everything? There's no detriment to the community here by doing this?

1381 District Engineer, David Hamstra:

1382 I won't speak legally, but from a maintenance point of view, it's what is needed to properly  
1383 maintain your pond, pipes, and everything that's within that utility corridor.

1384 Spv. Berube:

1385 Good answer. Thank you. Counsel, you agree.

1386 District Counsel, Tim Qualls:

1387 I have reviewed the documents from the legal point of view and my concern had to do with the  
1388 classification of the easement running with the land. It was initially treated as a, what I would call a  
1389 more typical easement, where you have two adjacent properties and this property owner needs to  
1390 gain access to this other property. What happens there though is, those easements run with the  
1391 land and they're designed for adjacent properties. The District does not own any property around  
1392 this area, so this is more akin to an easement a utility company would have to maintain power lines  
1393 and it inures to the benefit of the holder, that's the CDD, not the benefit of the land so to speak since  
1394 the CDD doesn't own that land. So, from that standpoint, it was good to address that and get that  
1395 taken care of.

1396 Spv. Berube:

1397 In effect, it makes us a utility company, so we can access our utilities, which is that drainage system  
1398 under the land storm.

1399 District Counsel, Tim Qualls:

1400 Yeah, I would say that it allows the District to properly maintain District storm water  
1401 infrastructure.

1402 Spv. Berube:

1403 Okay. Sidenote for the District manager, legal counsel, and the engineer, when Sunterra bought  
1404 from Starwood, there was a true-up agreement done in 2017, two pieces of that and it includes A2.  
1405 There's a \$220,000 debt due when A2 gets platted as a result of that true-up agreement. I don't  
1406 know who owns it, but when that A2, and that's why I asked is that A2, when either M or A2 gets

1407 platted, somebody owes \$220,000 in debt payment money. And if you go back to 2017, you'll find  
1408 the documents for that.

1409 District Manager:

1410 We are looking into it, I think we've been on email chain about that.

1411 Spv. Kassel:

1412 So, we just need a vote.

1413 Spv. Berube:

1414 Yeah, we already got a motion and a second, right?

1415 Spv. Kramer:

1416 We have a motion and a second. If I hear no further discussion, I'll call the question. All in favor?

1417 Any opposed? Hearing none, passes unanimously.

1418

1419 On MOTION by seconded by Chairwoman Kramer and a second  
1420 by Supv. Leet, with all in favor, the Drainage Easement and  
1421 10<sup>th</sup> Amendment are approved regarding Harmony Cove.

1422

1423

1424 Supv. Kramer:

1425 Okay the next item under new business is the audit engagement letter, Burger, Tombs, Elams,

1426 Gaines, and Frank for a Not To Exceed at \$4,400.

1427 Spv. Berube:

1428 Move to approve.

1429 Spv. Kassel:

1430 Second.

1431 Spv. Kramer:

1432 Motion and second. All in favor? Any opposed? Passes unanimously.

1433

1434 On MOTION by Spv. Berube, seconded by Spv. Kassel, with all  
1435 in favor, the audit engagement letter with Booger Tombs is  
1436 approved

1437

1438 Supv. Kramer:

1439 Move on to the next, security of RV storage lot. I had no backup, and nobody identified on  
1440 this one.

1441 Spv. Kassel:

1442 Recently we had somebody tell us about a security issue with the RV parking and so I just didn't  
1443 want it to go unaddressed. I just wanted to know if there's any plan.

1444 Spv. Berube:

1445 As you probably remember from the last meeting, I was appointed to liaison to determine what  
1446 we're going to do about that fence. Myself, District Engineer and District Counsel have been going  
1447 back and forth on the most expeditious way of either recovering our money or getting that fence  
1448 put up. As it turns out, our engineer still has to go back to the county, but we feel that the best thing  
1449 to do is put up that fence as contracted, which should be okay as it was originally designed. So, as I  
1450 understand it, Mr. Engineer is going to go to the county, make sure we're good to go with that, get it  
1451 permitted and then we will bring that contract forward and have Straight Line Fence put up that  
1452 fence, which will secure that facility 90%. Now as the, the road gets improved and the site plan gets  
1453 further refined by the county, we're going to have to move some existing fence, which won't affect  
1454 what we're doing right now. Some existing fence will have to come closer to the field services area,  
1455 the trailer, and enclose those Conex boxes that are there, but that'll be a separate piece and we'll  
1456 decide what we do for further security at that time, maybe a key card system or whatever. But right  
1457 now, as soon as Mr. Hamstra can get this permitted, we anticipate asking Straight Line to come in  
1458 and put up the fence per the contract. And that should clear up that mess.

1459 Spv. Kramer:

1460 Right. And they're holding firm on the contract?

1461 Spv. Berube:

1462 We think so, at the moment. What are we going to do? But we needed a plan before we go back to  
1463 the contractor and say, "Hey, we want our money back." Right?

1464 Spv. Kramer:

1465 Right.

1466 Spv. Kassel:

1467 It doesn't address the concerns of the resident who brought this to our attention. So, the concerns  
1468 were that people open that gate and leave it open. So, they come, they leave, they open the gate,  
1469 they leave the gate open. There's no camera or anything, as we may have in other areas of the  
1470 community. There's no security for the vehicles that are inside. There may be a gate, but that  
1471 doesn't mean it's going to be closed.

1472 Spv. Berube:

1473 Well, for most of each day, we have Field Services personnel within a hundred feet of that gate and  
1474 they can look at it. And if that gate is open, it's pretty easy for a Field Services guy to go over there,  
1475 close the gate, put a lock on.

1476 Spv. Kassel:

# CARBON

1477 If there's going to be vandalism you think it's going to happen during the day when there are cars  
1478 right there?

1479 Spv. Berube:

1480 Well, I understand that, but how far do you go? Even if you had a camera, you can't see it at night.

1481 Spv. Kramer:

1482 There is a Camera out there and this goes back to our security cameras, is that, it used to be on the  
1483 light pole there, right at the gate.

1484 Mr. Van der Snel:

1485 That's a deer camera and motion activated right? Yeah motion. I tried that and it only works for a  
1486 day because there's so much motion there that it fills up very quickly. And then you would have to  
1487 change it out every day. You'd have to format the card every day.

1488 Spv. Kramer:

1489 Is that the one that the Sheriff's office reviewed?

1490 Mr. Van der Snel:

1491 No, that was the one that was actually in my trailer. So around, around CDD trailer there's cameras.  
1492 However, it only shows how far a vehicle goes in, but it doesn't show what the vehicle does inside  
1493 the RV lot, I mean, once they're in, who knows what they do. If you want to have a tight security  
1494 with cameras, you have to first of all, get power there and have... You could try with solar power,  
1495 and then you have to have night vision cameras with motion. And that even if, then you still don't  
1496 really know who does it. You have a person on camera-

1497 Spv. Berube:

1498 Here's suggestion, short term we're going to ask Field Services to keep that gate closed and locked  
1499 routinely, because they're there all day, right? Doesn't fix the nighttime problem. The slightly  
1500 longer term is, once we get the site plan approved by the county, we're going to have to redo the  
1501 gates in there anyway. And it's probably going to be a 10 or 12 foot wide gate, probably going to  
1502 need a roller and probably be electrically activated. So, we can put in a gate, an automatic gate,  
1503 we're going to put one in anyway, right? Probably key code activated, open the gate, 30 seconds,  
1504 the gate closes behind. When whoever went in, wants to come out, slide a key card again, to get out.  
1505 Now you're going to know who is coming in and who is going out.

1506 Spv. Kassel:

1507 That's what I'm asking for.

1508 Spv. Berube:

1509 I mean, we're going to put on a gate anyway.

1510 It's just a matter of a slightly fancier gate that closes.

1511 And that does it.

1512

1513 Spv. Leet:

1514 And if there's power for that, then camera could also have power.

1515

1516 Spv. Berube:

1517 And if I remember right where that gate's going to go, there is power pretty close.

1518 Mr. Van der Snel:

1519 There is power. That's no problem.

1520 Spv. Berube:

1521 So we don't have to run a power wire to run the gate and a camera.

1522 Spv. Kramer:

1523 This will be included in the site planning and the future fence install?

1524 District Engineer, Hamstra:

1525 There's two parts of this, we're going to do the Straight Line fence as quickly as possible to secure  
1526 the site.

1527 We're doing a long term site planning improvements that I work with Gerhard and Brett on, vehicle  
1528 parking, vehicle movements, whether we put some minimal electricity out there and we'll get with  
1529 a fancy gate so it closes within 30 seconds and-

1530 Spv. Berube:

1531 The site plan that Mr. Boyd did initially should show the new line of where that gate's intended to  
1532 go and the county wanted a 10 foot landscape area in front of it. We hadn't planned on what kind of  
1533 gate we were going to put in at that time. We're thinking swinging gates, but those were  
1534 impractical for this reason. So, I'm going to put a gate therein, put it on a roller.

1535 Spv. Kassel:

1536 Will a rolling gate work consistently well overtime on top of concrete fines?

1537 District Engineer, David Hamstra:

1538 We may have to put a concrete strip where the wheels are, so it doesn't get rotted out, and you may  
1539 still have somebody who's impatient, they hit or bump it because they want to get out sooner than,  
1540 but we'll do the best we can with something that's more robust and safer.

1541

1542 Supv. Kramer:

1543 Item D, discussion of sidewalk pressure washing.

1544



# CARBON

1545 Spv. Kassel

1546 These are all from resident requests. That's why I brought them forward. So, we used to be doing  
1547 regular sidewalk washing and I don't know if we still are. There are areas that apparently are quite  
1548 black and slippery when wet. Are we still doing sidewalk pressure washing?

1549 Mr. Van der Snel:

1550 Yes, we did last week and we're actually doing it this week. The pressure washer was broke, so we  
1551 have to put a new start motor on it, but they're working on it now. The Lakes, the East Five Oaks  
1552 where the most black spots were, are actually finalized today on this side because they were black  
1553 spots and we've been working on it today and this week, but we are doing the Boulevards, the  
1554 boardwalks. So, the press washing, it's going to be in the schedule every week from now on.  
1555

1556 Spv. Kassel:

1557 The pressure washing of all the CDD sidewalks.

1558 Mr. Van der Snel:

1559 Also in front of the residence homes.

1560 Spv. Kassel:

1561 Yes. That's what I mean, all CDD sidewalks.

1562 Spv. Kramer:

1563 Right. That's underway. Any other questions concerning sidewalk pressure washing? No?

1564 Spv. Kramer:

1565 We're moving on. Discussion of security rules and enforcement for the dog park.

1566 Spv. Kassel:

1567 Building on what Ms. Tobey presented earlier, we have boats and we have pools and we have some  
1568 kind of enforcement. We have enforced our rules in those locations in the past, whether it's, if  
1569 somebody brings alcohol in a boat, they may get their privileges revoked for a period of time. And if  
1570 they're repeat offenders, they could permanently have their privileges revoked. Same with the  
1571 pools. If there are repeated violations, they can have their privileges revoked. Why shouldn't we do  
1572 that with the dog parks?

1573 Spv. Scarborough:

1574 Well, the delineated difference is because we have key card access to those locations. We have that  
1575 enforcement option. The parks are public. I mean, anybody can use them. They do have a fence, but  
1576 they're not access controlled.

1577 Spv. Kassel:

1578 We can regulate, not restrict.

1579 Spv. Kramer:

1580 We can go ahead and add the key card access?

1581 Spv. Kassel:

1582 I inquired with Gerhard about that. That's a very expensive a proposition.

1583 Mr. Van der Snel:

1584 I had TEM visit the site and a rough estimate will be \$30,000 because there has to be trenching  
1585 done from all the way from the back also to the pavilion. So, the pavilion's going to be the central  
1586 point. All the gates will have the 600-pound magnets and they all need power. So, we are dealing  
1587 with Wi-Fi for the card recognition for the readers. However, the magnets need power. And then  
1588 comes the trenching in and then comes to the electrician in.

1589 Spv. Kassel:

1590 And that's \$30,000 for all the dog parks, or just one?

1591 Spv. Kramer:

1592 Just that one. Let me ask you. We've got two entry boxes for each of the parks there.

1593 Spv. Kassel:

1594 We have a total of six.

1595 Spv. Kramer:

1596 We've already secured the maintenance gates. That's not costing us anything. Do we have to keep  
1597 both boxes on both sections of that dog park open? Can we chain off and lock one of them and only  
1598 put the key car to access at the ones closest to the pavilion. And would that significantly drop that  
1599 cost?

1600 Mr. Van der Snel:

1601 Definitely.

1602 Spv. Kramer:

1603 Because we don't have that extensive of trenching.

1604 Mr. Van der Snel:

1605 Definitely.

1606 Spv. Kassel:

1607 I don't know that people are going to be happy coming in all the way from Schoolhouse Road to the  
1608 entry. I mean, it's a good 600 feet at least maybe 800 feet.

- 1609 Spv. Kramer:  
1610 I do it all the time. I never use the back entry box.
- 1611 Spv. Berube:  
1612 There's X amount of people who drive their car over.
- 1613 Spv. Kassel:  
1614 All right. We have a lot of people here. What do you think?  
1615 Kim Tobey:  
1616 Can I address something that I heard mentioned? I thought someone stated that this is a public  
1617 park.
- 1618 Spv. Kassel:  
1619 Well, all CDD property is public, but we can regulate access, but we can't restrict access.  
1620 Kim Tobey:  
1621 So, it says access to the dog park is limited to Harmony residents and annual pass holders.
- 1622 Spv. Kassel:  
1623 It is, but there's no enforcement.
- 1624 Spv. Kramer:  
1625 There's no enforcement without the gate key card.  
1626 Kim Tobey:  
1627 That's not true. The sign is wrong because that's posted there.
- 1628 Spv. Scarborough:  
1629 It's true, but like you said, there's no enforcement.
- 1630 Spv. Kramer:  
1631 We just need the key card access.
- 1632 Spv. Kassel:  
1633 If we had the key card access, then we could do that.  
1634 A question for me is essentially, all of this has come up because of one particular owner.
- 1635 Spv. Scarborough:  
1636 That was my point.
- 1637 Spv. Kassel:

# CARBON

1638 To spend even \$15,000 to protect the dog parks because of one particular owner seems excessive.  
1639 But then we're also thinking longer-term about I mean, there are times where people from here,  
1640 there, and everywhere, especially during the holiday.

1641 Spv. Scarborough:

1642 But then, again, even all the stuff that we're discussing, even if that were in place that wouldn't  
1643 necessarily have prevented that incident.

1644 Spv. Kassel:

1645 No, it wouldn't have prevented the incident, but we could revoke his privileges.

1646 Spv. Scarborough:

1647 Yeah. But after the fact... It's a tough spot to be in.

1648 Spv. Kramer:

1649 I hate to draw this out more, but the \$30,000 is a huge hit, but if you would consider closing off two  
1650 of the entry boxes, consolidating those two, putting key cards on those, we could have Gerhard go  
1651 back and get a revised estimate and deal with this in the next meeting.

1652 Spv. Kassel:

1653 Let's find out what it costs, and then we can table the ongoing discussion.

1654 Area Field Spv. Brett Perez:

1655 Can I ask the question to the Board for consideration too? I have seen dog parks that are also  
1656 divided in half, whereas small dogs on one side and large dogs on the other. You have that  
1657 capability, even with the new dog parks, that you have two boxes to enter to where potentially we  
1658 could do a change order to add a fence dividing it right down the middle.

1659 Spv. Kassel:

1660 But we would still pay more because there are two access points.

1661

1662 Spv. Kramer

1663 We still couldn't enforce against a dangerous dog.

1664 Area Field Spv. Brett Perez:

1665 I understand. I'm just making a point where it may be separates smaller dogs stay in one side of it,  
1666 and larger dogs, the other.

1667 Spv. Berube:

1668 To your point, you already have two parks. One's a small dog park. One's a large dog park.

1669 Spv. Kassel:

1670 That's more been about the size of the park than the dog.

1671 Spv. Berube:

1672 I understand.

1673 Spv. Kramer:

1674 We could do that without adding another fence. If we wanted to designate the smaller one for small  
1675 dogs. But, I don't know that that would resolve the issue.

1676 Spv. Kassel:

1677 That's not practical. It's not practical anyway. If you go to the small dog park with a small dog, and  
1678 there's another small dog in there, you don't know, and you're not feel you comes barking at your  
1679 dog at the gate. You're going to want to go to the big dog park. If nobody's in there and vice versa.  
1680 That's the reason the big dog park with the big dog... You have a big dog, but you don't like what  
1681 that dog looks like, you want to go in the small park. It's impractical.

1682 Spv. Scarborough:

1683 I've been here for 11 years now. And I have heard of a few minor incidences, but they're not  
1684 reoccurring. They're one-offs, but this one seems to be reoccurring.

1685 Spv. Kassel:

1686 He has not been coming to the dog park with his dogs.

1687 Spv. Kramer:

1688 He specifically stated that he did not want his access to the dog park and that was a priority  
1689 because he wants to continue coming to the dog park.

1690 Spv. Kassel:

1691 Well, that brings me to my second point about the dog park and access, which is, I guess, we can go  
1692 over this now, David. I had requested, and this is what Kim was talking about with the green,  
1693 yellow, red that I had talked about this many years ago. You'll remember, Steve, I talked about this  
1694 sort of a flag system where people, when they bring their dog in, they could indicate whether the  
1695 dog is friendly with all dogs or friendly with some dogs, but not all dogs or enter at your own risk  
1696 because this is not a dog that gets along with other dogs. And I asked David to see what he could  
1697 come up with regarding such a system.

1698 District Engineer, David Hamstra:

1699 So, I'll be honest. I asked some of my coworkers who are huge dog lovers and it all boils down to  
1700 human behavior.

1701 I have a dog, German shepherd and my coworkers all have dogs, and the people who seem to have  
1702 an aggressive dog don't think their dog's aggressive. They don't take ownership of it. And so to ask  
1703 them to be honest and flip the tab or do something, I think it's going to break down. I'm just being  
1704 honest. I like the card better if there's a cheaper way to get it because then you could restrict it if

# CARBON

- 1705 there's another event. But I think the other thing just falls back and just lousy human behavior  
1706 about how they view themselves, their dogs.
- 1707 Spv. Berube:  
1708 This is an ongoing problem. This is a people problem. One person in particular.
- 1709 Spv. Kassel:  
1710 I think we're good for now. We're going to have Gerhard get an estimate for three gates instead of  
1711 six gates.
- 1712 Kim Tobey:  
1713 Can I ask one question? You mentioned about restriction with this card. I think I heard you saying  
1714 we can't tell that he can't enter, but he may be restricted. When will he be restricted? Will he ever  
1715 be? Will the dog have to be deemed aggressive by adding services?
- 1716 Spv. Kramer:  
1717 No, we have our rules and the rules will be enforced and the enforcement will be cutting off the  
1718 privileges for that particular pass holder whose animal violates them.  
1719
- 1720 Spv. Kassel:  
1721 So, we haven't done anything about this. So, we could vote-
- 1722 Spv. Kramer:  
1723 Do we have a motion?
- 1724 Spv. Kassel:  
1725 Let me just say, we could say that we want to revoke that person's privileges for a period of time or  
1726 permanently because of the past behavior of the dogs and the owner. And even though we don't  
1727 have the enforcement of the key cards, we still have that revocation in place. We can't enforce it,  
1728 but we have the revocation in place.
- 1729 Spv. Leet:  
1730 We need to address that sometime in the future even when we get the key cards in place.
- 1731 Spv. Kassel:  
1732 We could, tonight, decide that we want to revoke this person's privileges for a period of time. You  
1733 want me to make a motion? Is that what you're asking for?
- 1734 Spv. Kramer:  
1735 If you would like to. That would be great.

# CARBON

1736 Spv. Kassel:

1737 Before I do that, I'd like to hear from other Board members about the period of time of revocation,  
1738 do we make it six months, do we make it permanent? All dog parks.

1739 Supv. Berube:

1740 How do you revoke his privileges?

1741 Spv. Kassel:

1742 You don't have enforcement yet with the key card system.

1743 DM - Montagna:

1744 You can send him a letter and say, "You have broken these particular rules of our dog park. And we  
1745 are putting you on a X amount suspension or however it needs to be worded.

1746 Spv. Kramer:

1747 I spoke to him today and he said that he had mentioned that both of his dogs... Neither dog, he  
1748 states, has attacked twice, which is required by statute to be declared a dangerous dog. But he did  
1749 state that each of his two dogs have attacked. He has two dogs that have violated our code. I have a  
1750 motion on the table.

1751 Spv. Kassel:

1752 The motion isn't clear yet because I would like some feedback from the Board members about the  
1753 length of time of this revocation.

1754

1755 Spv. Berube:

1756 Permanent.

1757 Spv. Kramer:

1758 I would say permanent with these particular dogs.

1759 Spv. Kassel:

1760 So moved.

1761 DM - Montagna:

1762 I don't think you can do permanent.

1763 District Counsel, Tim Qualls:

1764 I'll try to explain this. So, what the CD does is maintains the infrastructure, the fences, the facilities,  
1765 okay. The CDD falls under the jurisdiction of the county when it comes to regulating the behavior.  
1766 So, if you make your motion to revoke subject to conferring with the county jurisdiction and animal  
1767 control and legal review, then we can figure out the best way to do it. But we will want to  
1768 coordinate with the county because the county has the jurisdiction.

- 1769 Spv. Kassel:  
1770 So moved, but for the period of time, are we still saying permanent? Can we do permanent or can  
1771 we not?
- 1772 District Counsel, Tim Qualls:  
1773 Subject to review.
- 1774 Spv. Kassel:  
1775 Permanent, subject to review. So, moved. Thank you.
- 1776 Spv. Kramer:  
1777 Do I hear a second? I have a motion on the floor.
- 1778 Spv. Scarborough:  
1779 I'll second right now for discussion.
- 1780 Spv. Kassel:  
1781 To revoke the privileges permanently subject to the county and legal review.
- 1782 Spv. Scarborough:  
1783 My concern is then what does he do, and I don't care what he does. That's not my concern. My  
1784 concern is whatever he does. Does that cause even more problems?  
1785
- 1786 Spv. Berube:  
1787 We are putting in a rule that we have no enforcement on. Then what do we do?  
1788
- 1789 Spv. Scarborough:  
1790 My concern is not with him or his dogs. My concern is what problem does that create for other  
1791 residents and their animals if he's not able to have his dog. If he's in the dog park and his dogs are  
1792 the only ones there, they can't possibly harm anybody else's dogs. It's only if there's another dog  
1793 there. If he's walking his dogs and comes in contact with another dog, that's still on a leash, what  
1794 happens?
- 1795 Spv. Kassel:  
1796 Well, it's his responsibility.
- 1797 Spv. Scarborough:  
1798 I get that. That's okay.
- 1799 Audience Member:  
1800 People with dogs like that, don't take responsibility.



1801 Spv. Scarborough:

1802 I know that.

1803 Spv. Berube:

1804 How many times are you going to do this with this guy?

1805 Spv. Scarborough:

1806 But we're not law enforcement. We're not civil authorities.

1807 Spv. Kramer:

1808 I need to call the meeting to order. We can't control what happens when somebody's walking down  
1809 the street with their dog on a leash, we can control our property. We can control access to our  
1810 property. And that's what we've got before us at this time.

1811 Spv. Kassel:

1812 Mr. Attorney, there are signs posted at the dog parks. If there's a disturbance, please call the  
1813 Sheriff's office. If we send him a letter saying that his privileges are revoked with these dogs at the  
1814 dog parks and that if he enters the dog parks, he will be trespassing, then we can ask the sheriff to  
1815 enforce.

1816 District Counsel, Tim Qualls:

1817 Let me just read what the statute says, and we're all playing by the same rules. So, you guys have  
1818 the ability to operate your facilities for parks and recreation and to adopt and enforce appropriate  
1819 rules in connection with doing so. But then it goes on to expressly state, you do not have police  
1820 power. So, this is a question of what kind of rules can you have to regulate your infrastructure, that  
1821 doesn't get over into the police power. And when you're taking somebody's liberties away, that  
1822 tends to get closer to that. So, your motion to address this subject to the controlling authorities, I  
1823 think is the best way to go. Then you'll get some guidance. But see, the rules for the pools are then  
1824 you can access it, how you behave there. If there's a violation there, you need to enforce that, and  
1825 you need to enforce it consistently. And I don't know that your rules now address what the  
1826 penalties are. I would be really hesitant to just revoke it forever. And then you certainly want to  
1827 give the gentleman ability to come to a meeting and address the subject as well because he has that  
1828 right under the rules.

1829 DM Montagna:

1830 And that's pretty typical. If your rights get revoked, then you have to come to a Board meeting and  
1831 approach the Board to get them back.

1832 Spv. Kassel:

1833 So where does that leave us?

1834 Spv. Berube:

1835 Your motion was okay because counsel says subject to further review with the appropriate  
1836 authorities, which means Sheriff's office and probably going to be animal control.

1837 Spv. Kassel:

1838 And, how does he get to address that with us?

1839 Spv. Kramer:

1840 He requests the hearings before the Board.

1841 District Counsel: Qualls:

1842 In our letter to him, we would remind him of your existing rule, that a decision is made affecting his  
1843 substantial interests and he has the right to request a hearing within X number of days.

1844 Spv. Kassel:

1845 Do I have a second?

1846 Spv. Kramer:

1847 We do. All in favor?

1848 Spv.s Kassel, Berube, Scarborough, Leet, Kramer:

1849 Aye.

1850 Spv. Kramer:

1851 Any opposed? Hearing no opposition, motion passed.

1852

1853 On MOTION by Spv. Kassel seconded by Chairwoman Kramer,  
1854 with all in favor, the Board revokes Mr. Braverman's privilege  
1855 to use Harmony's dog parks subject to review by Counsel with  
1856 Sheriff and Animal Control by which Counsel will draft a letter  
1857 advising him of same and of his right to request Board review.

1858

1859

1860 Supv. Kramer:

1861 Next item on the agenda. Review of flat fee for legal services. Oh, and on that last item, can we get  
1862 the estimates for our next meeting?

1863 Spv. Leet:

1864 Okay. Do we think solar is an option for the power requirements for that lock? Is that something  
1865 that could solar and battery versus trenching?

1866 Mr. Van der Snel:

1867 Yes, but it's probably more costly than trenching. So now the distance is shorter, you don't need to  
1868 do that much trenching.

1869 Area Field Services Spv.:

1870 For clarification, there's only two boxes that you'll need power too.

1871 Mr. Van der Snel:

1872 Right. For the existing dog park and for the new dog park. Would you like to implement that too  
1873 because then you have to close out another box for the new dog part too?

1874 Spv. Kramer:

1875 Yes, and it's a brand-new box.

1876 Mr. Van der Snel:

1877 There's no power to it.

1878 Spv. Kramer:

1879 We'll look at a variety.

1880 Spv. Kramer:

1881 Review of flat fee for legal services. Again, we had instituted a flat fee for legal services in the past.  
1882 We can take this up now but we have got a lot of reports. We can table this till the next meeting and  
1883 go over it then.

1884 Spv. Berube:

1885 Well, to review, it saves money, without a doubt.

1886 Spv. Kramer:

1887 We will go further over it in the next meeting.

1888

1889 DM Montagna:

1890 Table it.

1891

1892 **SEVENTH ORDER OF BUSINESS**

**Staff Reports**

1893

1894 **District Engineer**

1895 District Engineer, David Hamstra:

1896 For those in the audience that don't want to hear about all the engineering, you're welcome to  
1897 leave.

# CARBON

1898 But I'll go through it quickly. The Estates. Some of those inlets were under, actually, literally two  
1899 feet or 18 inches up below the dirt. So, within the Estates, there are 12 inlets outside the right-of-  
1900 way in people's rear yards. When they developed the Estates, they allowed the lots to be filled and  
1901 then the open space behind the lots remain wooded, but unfortunately, some of these inlets that we  
1902 have gotten clean measured the water levels. When the ponds fill up to their normal water level,  
1903 will literally back up and flood some of these lower areas. And I will tell you, I've never in my life  
1904 seen mosquitoes so aggressive and nasty back there. So we have to figure out a way to drain those  
1905 lower areas. And I don't want to put pumps everywhere, it's not practical, but it's a bad situation.

1906 As we keep pushing more and more houses being built, we're going to lose more storage and  
1907 maybe have the water stage higher. And so at a minimum, I'm going to write a letter to the county  
1908 on, there's three pipes identified that I think are full of dirt. When Gerhard's staff unearthed the 12  
1909 inlets, three of them are packed solid with dirt and there's no way they're going to work. I'm sure  
1910 whatever dirt is in there is in the 12-inch pipes. We need to get blown out. So I'll do a memo to your  
1911 guys and a separate one to the county because the county will do the right-of-way. They're not  
1912 going to go beyond the right-of-way for maintenance. We may have to get a vac truck or something  
1913 to clean those pipes. So we know the cause, the culprit. I'm not quite sure how we can practically fix  
1914 it yet. I know Mr. and Mrs. Gable have been very patient and they've allowed me back there several  
1915 times to look at what's going on. I appreciate Gerhard phoned the home builder right away when  
1916 they put the silt fences up to protect the what we've already exposed, but it's a slight design issue.  
1917 We just got to figure out a practical way to fix those problems, so those homeowners don't have to  
1918 deal with water backing up for prolonged periods of time, and a very aggressive mosquito  
1919 environment.

1920 Spv. Kramer:

1921 We did get mosquito control out there. They understand, they've done a larva count and hopefully,  
1922 they're treating.

1923 District Engineer: David Hamstra:

1924 It's bad.

1925 Spv. Kramer:

1926 We'll keep on top of them.

1927 District Engineer: David Hamstra:

1928 I will keep you posted.

1929 Spv. Berube:

1930 I was out there with the county today, with the sewer truck and they were sucking up some of the  
1931 storm drains and the street drains and heavy accumulation of pine needles. That's what's clogging  
1932 because when you use a sewer truck, you can see what goes into the truck, but a greater concern,  
1933 they found some of the storm drains with concrete debris down them. Chunks.

1934 Spv. Kramer:

1935 Somebody's washing out in our storm drains.

# CARBON

- 1936 Spv. Berube:
- 1937 Yes and throwing junk concrete down there. And they had to work to get those out because the job  
1938 ended today because it started to rain, but the county is diligently working and they're finding stuff  
1939 in the storm drains, concrete, that shouldn't be there. So, people are dumping stuff now. But the  
1940 pine needles are a real problem.
- 1941 Spv. Kramer:
- 1942 Cherry Hill.
- 1943 District Engineer: David Hamstra:
- 1944 Cherry Hill, we've got a survey proposal to survey 3170, who's the culprit and his two neighbors on  
1945 either sides. I will tell you when I look at the Steve Boyd construction plans, swales were not  
1946 intended back there in the first place. They were supposed to build a house and then slope the rear  
1947 yard to match the top of the bank at the pond. But for some reason, the house, the yards went down  
1948 and there's a swale in-between, that wasn't by design. That's what exists today. So I got a surveyor,  
1949 Johnston Surveying, sorry, Teresa. I can't get a second proposal in time, but it's \$1,200, which I  
1950 think is very practical. They survey three lots to do a drawing that I can use. I need to give to Angel,  
1951 Gerhard and Brett to solicit a contractor to do the grading, the sodding, and fix it.
- 1952 So with your permission, if the Board would consider a \$1,200 authorization to get Johnson  
1953 Engineering to survey those three rare lots so we can properly grade them, locate the property  
1954 corner. So, whoever does do the work is not encroaching on private property. And the work has  
1955 actually done in the CDD open space.
- 1956 Spv. Berube:
- 1957 Is this to eliminate the swale and just let it all be sloping?
- 1958 District Engineer: David Hamstra:
- 1959 No, it's the fix. The gentleman at 3170, that built his pool really close to the swale and the one to the  
1960 east or north or south, where the water keeps ponding when it rains. I don't want to fill every lot,  
1961 it'd be too expensive.
- 1962 Spv. Kramer:
- 1963 Any objection to the Johnston Surveying getting started?
- 1964 Spv. Kassel:
- 1965 Do we need to do a Board approval?
- 1966 Spv. Kramer:
- 1967 Yes.
- 1968 Spv. Kassel:
- 1969 So, I move to approve the \$1,200 survey at Johnston.

1970 Spv. Berube:

1971 Second.

1972 Spv. Kramer:

1973 All in favor?

1974 Spv. Berube, Kassel, Scarborough, Leet and Kramer:

1975 Aye.

1976 Spv. Kramer:

1977 All opposed? Hearing none. Motion passes unanimously.

1978

1979 On MOTION by Spv. Kassel, seconded by Spv. Leet, with all in  
1980 favor, the Board approved Johnston Surveying for \$1200.00,  
1981 which will be charged back to the resident

1982 Spv. Berube:

1983 This is all on the homeowner's account, right?

1984 District Engineer, David Hamstra:

1985 Yes. He's going to get billed for all of these things.

1986 District Engineer, David Hamstra:

1987 House Bill 53. I think I'm going to ignore for now because we've really got a lot on the agenda, but it  
1988 basically says by June of next year, we have to inventory and tell the government, how we're going  
1989 to take care of our infrastructure, the condition of it and anything that's going to be done. The  
1990 memo that I gave you that's in there was well written by a firm that brought this up to another  
1991 CDD, and I'm just informing all the CDDs and every city and county's going through this with the  
1992 inventory of their storm water, their sewer and their water and reports to the government about  
1993 what they're going to do to keep it up .

1994 Spv. Kramer:

1995 Are we going to have to scope our system and do all the evaluation?

1996 District Engineer, David Hamstra:

1997 I don't think we're there yet. I think they want the inventory at this point.

1998 Spv. Kramer:

1999 They just want the inventory, right now.

2000 District Engineer, David Hamstra:

- 2001 We have a pretty good one with Steve's prior work. Okay, great. Footbridges, I'll leave to Gerhard. I  
2002 think we're done. You may be going back and forth on some punch list items, but I think the  
2003 footbridge is done as far as I know.
- 2004 Mr. Van der Snel: I think it's just the holes that need to be filled up.
- 2005 Spv. Berube:  
2006 To that point, when we did the change order, there was some commentary about sealant and I  
2007 presume that meant sealing?
- 2008 Spv. Kramer:  
2009 It is in there if you touch it, you feel it's not concrete that they put that. It's almost like caulking and  
2010 you touch it and it's soft.
- 2011 Spv. Berube:  
2012 The surface or the concrete?
- 2013 Spv. Kramer:  
2014 Between the joints.
- 2015 District Engineer, David Hamstra:  
2016 Underneath of it, we had them pump grout, which we had to do it twice because the first time it  
2017 wasn't done properly, he took ownership of it, broke it all out. Did it again. And I got some probes  
2018 and they actually did fill the voids that went quite a bit back underneath the concrete slabs.
- 2019 Spv. Berube:  
2020 What I'm talking about is where the approach pad comes in and it's on an angle and it kind of meets  
2021 the structure of the bridge. So that they're both on a V, but I didn't see any seal in that joint.
- 2022 Spv. Kramer:  
2023 No, these are the joints between two concrete panels. There's a panel that the garbage can sits on a  
2024 and then there's the panel to the approach for the footbridge. That sealant went between those two  
2025 concrete panels.
- 2026 District Engineer, David Hamstra:  
2027 Between the trashcan and when you approach the bridge, it was about a half to three-quarters of  
2028 an inch. And that's what got filled in with a sealant.
- 2029 Spv. Kramer:  
2030 Pliable seal.
- 2031 Spv. Berube:  
2032 I will look a little more carefully at that.

2033 District Engineer, David Hamstra:

2034 The dog park we talked about, Five Oaks Drive crosswalk is done. The county put in the proper  
2035 signage, so that's in good shape. Billy's Trail, Dan I will give you what I have and we can get  
2036 together. The sidewalk maintenance, I have your final sidewalk exhibit. I got a digital file to give  
2037 you as well. We have a CDD wide overall map, and then we got it in the four quads or sectors.  
2038 District Manager:

2039 I need those.

2040 District Engineer, David Hamstra:

2041 Okay. I'll give you the digital, then I'll give Gerhard the paper copy. And we also have a spreadsheet.  
2042 For every sector, it's got the width, the length. So now you can start doing quantity takeoffs and  
2043 things like that. It includes the ramps. Thanks for everybody's input about what is CDD, what's not  
2044 CDD. It's all color-coded now based on width. So hopefully it'll be very helpful for Gerhard's  
2045 sidewalk maintenance program moving forward. We're almost done. Five Oaks Drive sidewalk  
2046 repair. You probably saw my email to Arrow Pavement, basically saying you didn't ask for  
2047 permission. You took it upon yourself to go thicker than you should have. He responded by saying,  
2048 "Can you at least meet me halfway? Because my proposal says four inches, and allows me some  
2049 adjustments for a thicker product," then he went from four to seven or eight. I didn't respond to  
2050 him, because I'm still stating, that we don't owe him the change order. But do you guys have any  
2051 desire to give him something?

2052 Spv. Kramer:

2053 No. I checked with our legal counsel. I reviewed the contract, basically when he accepted that final  
2054 payment check. That completed it.

2055 District Engineer, David Hamstra:

2056 We talked about RV parking lot already. And then Steve Boyd gave me the easement documents to  
2057 be signed before you guys leave. Thank you very much.

2058 DM: Montagna:

2059 Perfect. Thank you.

2060 Spv. Kassel:

2061 When can we expect the reserve study?

2062 District Engineer: David Hamstra:

2063 The reserve study should be coming out.

2064

2065 DM Montagna:

2066 In about a month or two.

2067 Spv. Kassel:



2068 Thank you.

2069 Spv. Kramer:

2070 Christmas present.

2071 DM: Montagna:

2072 Yes.

2073

2074 **District Counsel**

2075 District Counsel Tim Qualls:

2076 Good evening. I think if you have any questions on items one, two, three, and four, those don't  
2077 require any action by the Board. I'll start with the items may require action. One is the change  
2078 order policy. We updated your procurement policy.

2079 Spv. Kramer:

2080 He just added a line at the bottom for the change order policy. It can't go there.

2081 District Counsel, Tim Qualls:

2082 You guys can adopt subject to putting it wherever you want or you don't have to adopt it.

2083 Spv. Kramer:

2084 We just need to make sure we know it does not just apply to contracts over \$5,000. It applies to all,  
2085 any contract, so we need to just move it up to the requirements for all procurement section.

2086 District Counsel, Tim Qualls:

2087 Okay. So, we'll move that, then if you want to adopt that subject to that change, I think you'd want  
2088 to make a motion just to make it clear on the record.

2089 Spv. Kramer:

2090 Do I hear a motion?

2091 Spv. Kassel:

2092 Do we have the motion? Can you state the motion for us?

2093 District Counsel, Tim Qualls:

2094 The motion would be, to approve the change to your procurement policy in order to allow for some  
2095 instances of approval of a change order without it having to come before the Board, either \$5,000  
2096 or 10%, whichever is less. It's a limited approval, but it avoids having to come back to the entire  
2097 Board for minor change orders.

2098 Spv. Scarborough:

2099 So moved.

2100 Spv. Kassel: So seconded.

2101 Spv. Kramer:

2102 And that language would go up to the Requirements for All Contracts section.

2103

2104 District Counsel, Tim Qualls:

2105 The next item is-

2106 Spv. Kramer:

2107 Second?

2108 Spv. Kassel:

2109 No, he moved. I seconded.

2110 Spv. Kramer:

2111 I have a motion and a second. All in favor?

2112 All Supervisors:

2113 Aye.

2114 Spv. Kramer:

2115 Any opposed? Hearing none. Motion passes.

2116

2117

2118 On MOTION by Spv. Scarborough, seconded by Spv. Kassel,  
2119 with all in favor, to approve the change to Harmony's  
2120 procurement policy in order to allow approval of a change  
2121 order without it having to come before the Board, either  
2122 \$5,000 or 10%, whichever is less.

2123

2124 District Counsel, Tim Qualls:

2125 Item seven also would require action. If the board is still inclined, which is you have in your agenda  
2126 packet a resolution. That resolution states that the District has the ability to contract with the tow  
2127 company, under Florida law, to tow improperly parked vehicles. Those are vehicles that are parked  
2128 at a facility where the owner of the vehicle is not actively utilizing the facility. The facility is broadly  
2129 defined, but it's your parks and recreation, but it's much broader than that actually.

2130 Spv. Kassel:

2131 Somebody leaves a vehicle there for long periods of time. We can have it removed.

- 2132 Spv. Kramer:  
2133 It's written in a way such that we can use it in the future if we designate specific parking if we say  
2134 staff parking only at the staff trailer, we can do that. So it's not just recreational facilities. And then  
2135 we'll be able to, with the new development that's proposed, we're going to have some serious  
2136 parking problems and better to get ahead of it.
- 2137 District Counsel, Tim Qualls:  
2138 Yes
- 2139 Spv. Kramer:  
2140 I have a motion. Do I hear a second?
- 2141 DM Montagna:  
2142 No motion was made, we need a motion.
- 2143 Spv. Kassel:  
2144 No, we needed a resolution number to do that.
- 2145 DM Montagna:  
2146 It'll be numbered in after approval prior to being finalized.
- 2147 Spv. Kramer:  
2148 It'll be numbered after it's approved.
- 2149 Spv. Kassel:  
2150 Okay, so moved.
- 2151 Spv. Kramer:  
2152 This is the towing policy.
- 2153 Spv. Kassel:  
2154 So moved, seconded, voted.
- 2155 Spv. Kramer:  
2156 We have a motion and a second, all in favor?
- 2157 All Supervisors:  
2158 Aye.
- 2159 

On MOTION by Spv. Scarborough, seconded by Supv. Kassel 2160 with all in favor, the Towing Resolution was approved.
--
- 2161

2162 Spv. Kramer:

2163 Which we have really had all this time because our sign said so, but we just didn't do it legally, now  
2164 we'll be able to enforce it.

2165 District Counsel, Tim Qualls:

2166 Unless there are any other questions, but it's a detailed report there in front of you. And so those  
2167 are the items I see that would require action. On the towing, we do have a little bit we have to work  
2168 on. There is some language in this statute that says " you don't have to do public bidding for the  
2169 tow company. As long as they're on a list approved by Osceola County." The county ordinance does  
2170 reference a rotational towing list. We're just confirming with the one company that responded to  
2171 make sure they're on that rotational list.

2172 Spv. Kramer:

2173 We expect to be implementing it right away.

2174 District Counsel, Tim Qualls:

2175 Assuming the law is complied with, yes.

2176 Spv. Kramer:

2177 Are we also implementing the temporary access easement agreement? It was approved. I'm just  
2178 asking if it's being implemented.

2179 Spv. Kassel:

2180 But, we do have the tree policy?

2181 Spv. Kramer:

2182 The tree trimming policy. The policy that was proposed and is in the agenda package, I think goes  
2183 way beyond what we are looking for.

2184 Spv. Kassel:

2185 12 pages? Whew!

2186 District Counsel: Qualls:

2187 Sorry, I like less is more. I'd rather you tell me to cut stuff out, then re-add stuff.

2188 Spv. Kassel:

2189 It is so legalese, this is the policy that our residents are going to have to follow and they're going to  
2190 have to understand, it's got to be in lay language.

2191 Spv. Kramer:

2192 We're not doing it, we are throwing it out. We're going to contract to take care of our trees and  
2193 that'll be done. Does that make sense?

2194 Spv. Kassel:

2195 The policy is a message to the homeowners to say, " you can't trim your trees. We're going to trim  
2196 your trees. And if you trim your trees, you're going to be in violation of CDD policy."

2197 Spv. Kramer:

2198 We will make a quick policy that says just that.

2199 District Counsel, Tim Qualls:

2200 We are working with Brett and the Arborist to get us the specifics of the Harmony tree  
2201 maintenance program. I asked all of the local government attorneys for an example of a policy.  
2202 That's the one that we tracked down from Sanford.

2203 Spv. Kramer:

2204 That they never adopted because it was too long.

2205 District Counsel, Tim Qualls:

2206 You don't know why they didn't adopt it. I know what you want me to do, put the policy you tell  
2207 me to put.

2208 Spv. Kramer:

2209 We will be working on this in the future.

2210

2211 Spv. Berube:

2212 If you ask a lawyer to write a policy's going to be done in Legalese.

2213 Spv. Kramer:

2214 Filing the claim for Harmony Retail versus Steve Berube, that's been filed. You've provided the  
2215 information?

2216 DM Montagna:

2217 Yeah, right after the last meeting.

2218 Spv. Kramer:

2219 Our District Manager filed a claim with our insurance company. They are reviewing it. Because it's  
2220 fairly far into it, they have a lot to review and they will be getting back with us hopefully before the  
2221 next meeting.

2222 District Counsel, Tim Qualls:

2223 The only other thing just to be thinking about is on the extremely generous offer of First Nature  
2224 Ranch, the Ethics Commission rendered and informal opinion. So, you may want to plan for space

2225 that's not there for your short-term planning. And I am working with Supervisor Kassel to get some  
2226 further clarification

2227 Spv. Kassel:

2228 We got an informal opinion that says that even though I don't accept any money from the  
2229 Foundation and I don't accept any money from the CDD Board that, and I have a stated policy of  
2230 how much I charge and I'm giving the use for less, that I still have a conflict of interest because I'm  
2231 a Board member of both organizations.

2232 Spv. Kramer:

2233 But you're making a decision of how to spend the Board's money and that money goes for  
2234 something you're attached to.

2235 Spv. Kassel:

2236 I don't want to take that chance. And so we're requesting a formal opinion.

2237

2238 Spv. Berube:

2239 If there were no money being exchanged, would it then be an issue?

2240 District Counsel: Qualls:

2241 Just on this particular statute? Yes. It just simply says you may not do business with your own  
2242 agency.

2243 Spv. Berube:

2244 No, if there is no money changing hands. Would it still be a conflict?

2245 District Counsel, Tim Qualls:

2246 I still think they would flag that particular section, but here's the way this works. I'll sit down. I  
2247 know those attorneys over there. I know the executive director we'll talk it through. What they  
2248 have to do is, they have to tell you if, on its face, it would be violative of that one statute. And the  
2249 answer to that is yes, but there's a litany of statutes that play here. And remember the staff  
2250 attorneys don't make the decision at the end of the day of whether there's an ethics violation. It's  
2251 the members of the commission, and so what they're trying to do is, is make sure that all these  
2252 things are considered.

2253 Spv. Kramer:

2254 Now, I have a question here, Spv. Kassel very generously foregoes her monthly payment for serving  
2255 on the CDD and she has for her 4 terms so far, but if at anytime, she should chose to accept that  
2256 money and then she can chose, totally separate from anything else to donate it to Nature First.

2257 Spv. Kassel:

2258 But, it is still an ethical violation because we will still have a contract and obligations.

2259 District Counsel, Tim Qualls:

2260 I want to be kind here and I know you all are experts on a wide variety of subjects and for  
2261 somebody to say with this set of facts, will you be able to go in front of those seven, do-gooders and  
2262 escape unscathed, you got to flag this issue and you got to address it. Does that mean that it's a flat  
2263 out a problem? No, I've dealt with this with other clients where they say, look check your first  
2264 amendment rights at the door. You just got to, there's a totality of circumstances that has to be  
2265 considered.

2266 Spv. Kramer:

2267 We will leave this for now.

2268 Spv. Scarborough:

2269 Get the totality considered and let us know what happens.

2270 District Counsel, Tim Qualls:

2271 Yes, that's what we're doing. Thank you.

2272

2273 Spv. Berube:

2274 So what I expect we are doing, Spv. Kassel cannot be nice and tell us, just come on over because  
2275 that isn't going to work either. District Counsel, Tim Qualls: That would be a different set of facts,  
2276 because in our set of facts we said it would be at just a reduced rate and that could be very valid,  
2277 but here's the thing, we want to get the Commission to opine in advance and that way, if we get the  
2278 right answer and somebody would file a complaint—it is just better to get these answers up front.

2279 Spv. Kramer:

2280 We are moving on.

2281

2282 **FIELD MANAGER**

2283 Mr. Van der Snel:

2284 You get my weekly reports. If any concerns or questions about that, then I only have one request.  
2285 The HROA events, are not going as well as that I anticipated at the end of the event, no cleanup is  
2286 arranged by the organizer. And I would really like to have that arranged by the organizer now CDD,  
2287 or Inframark is picking it up and it's creating quite a mess. So my question is can we implement  
2288 that?

2289 Spv. Kramer:

- 2290 I would think because we don't have any exclusion in our rules that they should put down a deposit  
2291 like anybody else. And if they don't clean up, then we should,
- 2292 Spv. Kassel:  
2293 Well, we have not required that in the past.
- 2294 Spv. Berube:  
2295 The president of the HROA is here, you know the lady who's putting on the events, it's a simple  
2296 question of making sure that she knows she got to clean up. And I guarantee that she will.
- 2297 Spv. Kramer:  
2298 Yeah, if she has a deposit down, there will be definitely be no issues.
- 2299 Spv. Kassel:  
2300 Well, that will have to be a decision on the part of the Board as to whether, this Board, will require  
2301 a deposit on HROA events. That's not up to the HROA that's up to this Board.
- 2302 Spv. Kramer:  
2303 That's correct. If this Board chooses, well, right now, it's in our rules and requirements that we do  
2304 charge a deposit.
- 2305 Spv. Kassel:  
2306 But we have not done so for the HROA board.
- 2307 Spv. Kramer:  
2308 I'm not sure why that is.
- 2309 Spv. Kassel:  
2310 Because it's for residents.
- 2311 Spv. Kramer:  
2312 I understand. But it's just a deposit. It's not a charge, we will be providing that back to them upon  
2313 clean up.
- 2314 Spv. Leet:  
2315 Going forward, based on what we're hearing, maybe there is cause for doing that.
- 2316 Spv. Berube:  
2317 I'm going to tell you if you just ask Jen to make sure she hires cleanup people after the event to  
2318 clean it up, otherwise she going to get charged for it. She'll do it. She got the budget to do it. It's that  
2319 simple.
- 2320 Mr. Van der Snel:



- 2321 It's been an ongoing problem that has been discussed with her numerous times.
- 2322 Spv. Kramer:
- 2323 I'll move that we charge the HROA a deposit. They can put a deposit for all the ongoing events. It  
2324 just sits there. Then that will just ensure that there's incentive to get it cleaned.
- 2325 DM Montagna:
- 2326 What's the deposit amount? \$250.00
- 2327
- 2328 Spv. Kassel:
- 2329 We have a motion. We would need a second in order to have a discussion.
- 2330 Spv. Kramer:
- 2331 I've made a motion. Is there a second for them to provide us with a check for \$250, won't be  
2332 cashed, but will be held in case there is an issue
- 2333 DM Montagna:
- 2334 If it's not cleaned up, then Gerhard verifies that, our policy would be to notify them to say it wasn't  
2335 cleaned up. So, your deposit is going to be used to do the cleanup, unless they get out there and  
2336 clean it up.
- 2337 Spv. Leet:
- 2338 I'll second it.
- 2339 Spv. Scarborough:
- 2340 It doesn't incentivize., I love Jennifer. It doesn't incentivize her to do anything.
- 2341 Spv. Berube:
- 2342 It's going to come out of her budget.
- 2343 Spv. Scarborough:
- 2344 250 bucks.
- 2345 Spv. Kessel:
- 2346 So here's my suggestion, I'm texting her. As we speak to say, I need to talk to you. I'm the new  
2347 president I need to talk to you. What's say we tell her that she needs to clean up. I'll tell her she  
2348 needs to clean up after her events. And if she doesn't, in a month or two, if we have the same issue,  
2349 then we institute a \$250 deposit on the HROA.
- 2350 DM: Montagna:

- 2351 Her next event is on November 13th.
- 2352 Mr. Van der Snel:  
2353 It's the Fall Festival.
- 2354 Spv. Berube:  
2355 Tell her to take money from her budget and hire some people to clean up. This is a new budget.  
2356 She's got plenty of money.
- 2357 Mr. Van der Snel:  
2358 I've advised her of this a couple of times.
- 2359 Supv. Kramer:  
2360 We have a motion and a second.
- 2361 Spv. Kramer:  
2362 All in, in favor.
- 2363 Spv. Scarborough, Leet and Kramer:  
2364 Aye.
- 2365 Spv. Kramer:  
2366 Any opposed?  
2367 Spv. Kassel and Berube: Nay.  
2368  
2369
- 2370 On MOTION by Spv. Kramer, seconded by Spv. Scarborough  
2371 with three in favor, and two opposed, Supv. Berube and Supv.  
2372 Kassel, the motion to charge the HROA a \$250.00 deposit for  
2373 events passes.
- 2374 Supv. Kassel:  
2375 The motion was to charge them \$250 every time they want to have an event.
- 2376 DM Montagna:  
2377 No, no.
- 2378 Spv. Berube:  
2379 They put a deposit to ensure clean-up.

2380 Spv. Kassel:

2381 So it sits there so that when they have an event, there is a deposit on hand to pay for clean-up if  
2382 required?

2383

2384 Spv. Berube:

2385 Do we have additional trash containers that can be put at these events? Because that's a problem.

2386

2387 District Manager:

2388 Why wouldn't the event organizer provide everything that they need to run this event that is the  
2389 way events are run.

2390 Spv. Scarborough:

2391 I don't object the \$250. I'm just saying, I don't know that it incentivizes anybody to, if the events  
2392 over and the trash is left, does the CDD come in and say, "oh look, there's trash. Let's go hire  
2393 somebody to", that's not how that's going to work, how does that work?

2394

2395 Spv. Leet:

2396 And in any Facilities Use, if that happens, then we would not return the deposit if they trash-

2397 DM Montagna:

2398 What's been happening is that if they leave it trashed, then we go out and clean it up.

2399 Spv. Kramer:

2400 That's not it. It is a deposit of \$250 that would be used to towards the cleanup.

2401 Spv. Kassel:

2402 When they have an event, there's a deposit on hand to pay for a cleanup. If required.

2403 Spv. Berube:

2404 Right. Then we would pay. That's our other option. If she leaves it messy, we'll just keep the \$250  
2405 deposit. If you don't want to hire cleaning crew, we will charge her \$250 to clean up and keep it.

2406 Spv. Kassel:

2407 I wanted to give her the option to do it herself before we do it.

2408 Spv. Kramer:

2409 We've got the replacement of the pool furniture. It's holding together right now with the repairs  
2410 you've made but we need to consider replacing it. That's on your agenda item. Very expensive. I  
2411 looked through several of the sites that the proposals came from and they have a wide variety. Is  
2412 there a way to actually look at the furniture or maybe get samples?

2413 Mr. Van der Snel:

2414 This is actually the exact same furniture that we have. It's evolved into a better-quality material  
2415 over 16 years when we got it. These were made out of old milk jugs and deteriorates in the UV.

2416 Spv. Kramer:

2417 I'm just amazed. Except for those cracks where they drill the hole is too close. That stuff is held up  
2418 amazingly well and it looks like it's brand new.

2419 Mr. Van der Snel:

2420 The problem with it is, it always fails at the joint.

2421 Spv. Kassel:

2422 That's right.

2423 Spv. Kramer:

2424 We'll table that. And we also need fence proposals.

2425 Spv. Kramer:

2426 Next up is the District Manager.

2427

2428 **EIGHTH ORDER OF BUSINESS**

**District Manager**

2429 DM: Montagna:

2430 The Harmony invoices, I'm going to table that.

2431 DM: Montagna:

2432 The website. I know we talked about it last time. I'm getting a lot of calls regarding ADA compliance  
2433 and can't find stuff on the website, updates, the generality of things. My biggest thing is the ADA.

2434 You have to watch out for that. There's a lot of that going on right now and it's going to trickle  
2435 down.

2436 Spv. Kramer:

2437 Now there's a group and I keep hearing about them and I know you discussed them like before I  
2438 came on the Board, the Lighthouse. I know they're staffed with folks that will actually review our  
2439 website and advise us of what is and isn't compliant and how to correct it. Is it possible we might  
2440 want to contract with them?

2441 DM: Montagna:

2442 I can get you proposals. There's a number of companies out there for ADA compliance, things that  
2443 will do your whole website so I can get them for the next meeting.

2444 District Counsel, Tim Qualls: I think Supervisor Farnsworth did that already. You've already gotten  
2445 the report from them.

2446 Spv. Berube:

2447 We've been down the road with many of those compliance companies and they all have an angle  
2448 and an objective, and the objective gets really expensive really quickly and Spv. Farnsworth did an  
2449 admirable job, dragging up the pertinent stuff and did it for nothing and got that compliant. The key  
2450 to this is and Spv. Leet understands you have got to be careful what you post, it's got to be  
2451 convertible. And one is convertible for readability. You're safe. And I know where you understand  
2452 that. So I don't think we have a huge problem with the website and there's probably a lot of stuff on  
2453 there that should get jettison.

2454

2455 Spv. Kassel:

2456 How many years did we decide to keep?

2457 Spv. Kramer:

2458 We were required to keep seven. My personal thought is if it's up there, it's already ADA compliant.  
2459 Why jettison it unless it's costing us.

2460 Spv. Leet:

2461 The point is making sure that, and this goes with the review and everything, I mean the package for  
2462 it was just the files were, bigger than they've ever been. And the important part is that they're just  
2463 as long text searchable, then we can say that we're, making the effort we're not trying to keep  
2464 anything hidden. We're providing all that information publicly and that it's accessible. It's then up  
2465 to the user to -

2466 Spv. Kassel:

2467 But we got some complaints about stuff that some of it wasn't

2468 DM: Montagna:

2469 It's very hard to navigate through. You can't find anything. Not user friendly.

2470 Spv. Leet:

2471 Specifically, about the agenda?

2472 DM: Montagna:

2473 No, ADA I'm talking about because there are pieces coming up again about, they're hitting websites  
2474 again.

- 2475 Spv. Kassel:  
2476 But have you got complaints about our website?  
2477  
2478 District Manager:  
2479 Yes. User friendliness. Nothing to do with ADA. It's about user friendliness, two separate issues.
- 2480 Spv. Berube:  
2481 Here's the deal on that. People using their phone, it doesn't work well on mobile phones. This is not  
2482 a mobile type website.
- 2483 Spv. Kramer:  
2484 It is hard to find things.
- 2485 Spv. Leet:  
2486 I can click this, or I can scroll down, click this other thing and they take it. I agree. They can be  
2487 streamlined.
- 2488 Spv. Scarborough:  
2489 Yes.
- 2490 Spv. Kramer:  
2491 There is another individual in the neighborhood that's volunteered to help with the website.
- 2492 Supv. Leet:  
2493 Okay.
- 2494 Spv. Kramer:  
2495 So afterwards I'll give you his contact information.
- 2496 Spv. Leet:  
2497 Great.
- 2498 Spv. Kramer:  
2499 Check him out and let us know.
- 2500 Spv. Leet:  
2501 I will.
- 2502 Spv. Kramer:  
2503 You have to make sure that somebody knows what they're doing

2504 Spv. Leet:  
2505 Absolutely. I mean, taking nothing away from what Spv. Farnsworth has done in the past, but I  
2506 mean, the website has looked similar to this going back years and years.

2507 Spv. Scarborough:  
2508 That's just like a WordPress template. That's been converted.

2509 Spv. Leet:  
2510 So if you look at it and you know, more modern websites that are designed around one of those, it's  
2511 going to be a lot more streamlined and easier to get to things.

2512 Spv. Kramer:  
2513 Any other business to come before the Board?

2514  
2515 **NINTH ORDER OF BUSINESS** **Supervisors Request**

2516 None

2517  
2518 **TENTH ORDER OF BUSINESS** **Adjournment**

2519 Spv. Kassel:  
2520 Move to adjourn.

2521 Supv. Kramer:  
2522 Seconded.

2523 All Supervisors:  
2524 Aye.

2525  
2526 

On MOTION by Supv. Kassel seconded by Supv. Berube, with all 2527 in favor, the Board moved to adjourn the meeting
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Chair/Vice Chair