

MINUTES OF MEETING

HIGHLANDS COMMUNITY DEVELOPMENT DISTRICT BOARD OF SUPERVISORS MEETING

Wednesday, September 27, 2017 at 7:00 p.m.

Ayersworth Glen Clubhouse

11102 Ayersworth Glen Blvd.

Wimauma, Florida 33598

Board Members present at roll call:

Al Thomka	Board Member
Jeff Jones	Board Member
Elizabeth Brown	Board Member

Also Present:

Sarah Warren	Hopping Green & Sams
Jane Gaarlandt	Fishkind & Associates, Inc.
Joe MacLaren	Fishkind & Associates, Inc.

FIRST ORDER OF BUSINESS

Call to Order and Roll Call

The meeting was called to order at 7:00 p.m. Those in attendance are outlined above.

SECOND ORDER OF BUSINESS

Public Comment Period

Ms. Gaarlandt explained that this public comment period is for any public comment related to the specific agenda items; there is a public comment period at the end of the meeting for residents to present a comment on anything outside of the agenda items. She asked residents, who wish to comment, to step up to the podium, state their name, address, and limit their time to 3 minutes. There were no public comments.

THIRD ORDER OF BUSINESS

Consideration of Letter of Resignation from Board Members

Ms. Gaarlandt explained that the District Manager received resignations from Board Members Ms. Blue and Mr. Fuller.

On MOTION by Mr. Thomka, seconded by Ms. Brown, with all in favor, the Board accepted the Letters of Resignation from Mr. Fuller and Ms. Blue.

The resignations leave two seats open on the Board. Ms. Warren explained that Section 190.006(4) of the Florida Statutes sets forth the appointment process of new Board Members when a vacancy occurs on the Board. Ms. Warren proposed that the Board handle any appointments one by one and that the Board specifically state which seat they will be filling and the year in which the remainder of that term expires. Mr. Thomka mentioned that he would like to give each person who submitted a letter and a resume three minutes to present themselves to the Board. The Board will discuss Seat 3 first which was Mr. Fuller's seat and will expire in 2020. Ms. Ewing presented herself to the Board and explained that she retired from the Air Force after 13 years of service, she is working with a PT Support Team at a large Pharmaceutical Company and is pursuing her Doctorate in Organizational Leadership. She wants to bring transparency back to the forefront. Mr. Lucas presented himself to the Board. He is originally from Connecticut and owned a business for 16 years, he oversaw the budget of the town and the school board. He was president of the HOA for East Coast Merit Island River Grove Association for 3 years. Mr. Franklin III presented his background to the Board and explained that he has a BA from USF in Business Information Systems. He has been serving as Medical Claims Adjustor for 14 years. He noted that he is fair because in his profession he has to analyze every situation. Ms. Schulze presented her background to the Board. She graduated from University of South Florida with a Business Degree and was involved with Student government where they had to work within a \$2,100,000.00 budget. She has a background working with budgets and working with people. Mr. Page presented his background to the Board. He was a police officer for 34 years, 17 of which he was the Chief of Police. He managed budgets from \$1,200,00.00 to \$1,800,000.00. When he retired he became a Public Safety Director and Emergency Management Director and managed a budget between \$3,500,000.00 - \$3,600,000.00 that included State Grants, Federal Grants, Emergency Management Grants, and FEMA. He was appointed the acting Town Administrator in the absence of the Town Administrator and had management over budgets as large as \$6,500,000.00. He said that everything he learned up there he did by Roberts Rules. He does not believe everything is black and white and believes that there is a process to go through with residents in order to get everything right including coming up with different ideas on how to do things, and thinking creatively. Mr. Gondleman presented his background to the Board. He is currently a manager of a publicly traded company in which his client is the Federal Government. He manages 150 people and a budget over \$6,000,000.00 and is working on a project that will save his company \$5,000,000.00. He has also coached Pop Warner and Little League Football for 9 years. He has over 17 years of experience dealing with budgets. Ms. Baxter presented her background to the Board. She served in the Military for 15 years, she was a bus driver the last 5 years, and had 325-350 soldiers under her leadership. She has a BA in Business Management and a degree in Elementary Education and is pursuing her

Master's Degree in Business Management. Mr. Thomka made a motion to appoint Mr. Franklin III to seat 3 but removed the motion when there was no second. Mr. Thomka made a motion to appoint Ms. Schulze to seat 3 but there was no second so Mr. Thomka removed that motion.

On MOTION by Mr. Thomka, seconded by Mr. Jones, with 2 in favor and 1 opposed, the Board appointed Mr. Franklin III to Seat 3.

Mr. Thomka explained that the Board will now take a motion for Seat 5 which expires in 2018.

On MOTION by Mr. Jones, seconded by Ms. Brown, with all in favor, the Board appointed Mr. Page to Seat 5.

Ms. Gaarlandt administered the Oath of Office to the newly appointed Board Members.

FOURTH ORDER OF BUSINESS

Review of Letter of Resignation from Fishkind & Associates, Inc.

The Board reviewed the Letter of Resignation from Fishkind & Associates, Inc. Mr. Thomka said that he feels really bad that Fishkind is resigning and asked if the District Manager will help the Board transition when they go through the request for proposals and Mr. MacLaren said that they would. Mr. Thomka noted that the District will have proposals from 2-3 different companies before the October 11th meeting. The Board will allow those companies to present and answer any questions that the Board has and then the Board will vote on who they decide to elect. Mr. Thomka made it clear that he wants the legal team to stay on board. Ms. Warren stated that the District Counsel serves at the Board's privilege and District Management and District Counsel are handled separately. Ms. Warren added that District Counsel was given notice that Fishkind intended to resign on August 31, 2017 and their contract has a 60-day Notice of Termination Clause. District has a limited timeframe to work within and so began reaching out to different District Management companies within the State to get proposals together. District Counsel will be able to circulate the proposals to the Board Members within the next week or so. Ms. Warren reminded the Board Members that they cannot have conversations between themselves once the proposals are distributed. The Board Members will have a chance to review the proposals and make a list of questions that they have and she recommended that each of the District Management companies that are submitting a proposal have a representative attend the meeting on October 11, 2017, to answer any questions that the Board Members would like answered. Ms. Warren noted that if the Board feels equipped they can make their determination at the October 11, 2017, meeting or continue the meeting for a week and reconvene to make that decision.

Mr. Thomka informed the new Board Members about the Sunshine Law. Ms. Warren stated that it is expected that the District will have 3 proposals but there is a possibility that there will only be two. Mr. Thomka asked Mr. MacLaren if Fishkind & Associates would stay on Board if the District encountered an issue. Mr. MacLaren answered that he would speak to Dr. Fishkind if necessary.

On MOTION by Mr. Thomka, seconded by Mr. Jones, with all in favor, the Board accepted the Resignation of Fishkind & Associates with Regret effective October 31, 2017.

Ms. Warren requested a motion from the Board authorizing District staff to solicit the proposals and to bring them back to the Board at the October 11, 2017 meeting. A resident asked for clarification on District staff and Fishkind & Associates. Ms. Warren answered that when she refers to District staff she is generally referring to both District Management and District Counsel and the reason is that the District is soliciting proposals and Fishkind has been helpful in the early stages by providing the potential District Managers with the information they need in order to put together a proposal.

On MOTION by Mr. Thomka, seconded by Mr. Jones, with all in favor, the Board authorized District Staff to Solicit Proposals for District Management Services.

Ms. Gaarlandt called for nominations for Chair.

On MOTION by Mr. Jones, seconded by Mr. Page, with all in favor, the Board nominated Mr. Thomka as Chair.

Ms. Gaarlandt requested a motion to nominate a Vice-Chairman.

On MOTION by Mr. Thomka, seconded by Ms. Brown, with all in favor, the Board nominated Mr. Jones as Vice-Chairman.

FIFTH ORDER OF BUSINESS

Consideration of Minutes of the August 9, 2017 Board of Supervisors' Meeting and the August 15, 2017 Continued Meeting, and the August 23, 2017 Meeting

The Board reviewed the minutes for the August 9, 2017 Board of Supervisors' Meeting and the August 15, 2017 Continued Meeting, and the August 23, 2017 Meeting.

On MOTION by Mr. Thomka, seconded by Ms. Brown, with all in favor, the Board approved the Minutes of the August 9, 2017 Board of Supervisors' Meeting, the August 15, 2017 Continued Meeting, and the August 23, 2017 Meeting.

SIXTH ORDER OF BUSINESS

Consideration of Resolution 2017-16, Adopting Fiscal Year 2017-2018 Meeting Schedule

Ms. Gaarlandt explained that the suggested schedule shows all of the meetings at 7:00 p.m. Ms. Warren noted that the District has proposed adopting a meeting schedule that has meetings set monthly as opposed to every other month. If there is no business to be handled by the District in a particular month, the meeting could be cancelled, which is done to save money.

On MOTION by Mr. Thomka, seconded by Ms. Brown, with all in favor, the Board approved Resolution 2017-16, Adopting Fiscal Year 2017-2018 Meeting Schedule.

Ms. Gaarlandt noted that the schedule will continue with the 2nd Wednesday of each month. Mr. Jones asked if the day of the week is open for discussion. Ms. Warren said that he can make a motion to reopen the consideration of the meeting schedule. He would like to change the day of the meeting to the 2nd Tuesday of the month at 7:00 p.m.

On MOTION by Mr. Jones, seconded by Mr. Thomka, with all in favor, the Board approved re-opening the Consideration of the Meeting Schedule.

Ms. Gaarlandt asked Mr. Jones if he wanted to make the change in the form of a motion.

On MOTION by Mr. Thomka, seconded by Ms. Brown, with all in favor, the Board approved Resolution 2017-16 Adopting Fiscal Year 2017-2018 meeting Schedule with meetings on the 2nd Tuesday of each month at 7:00 p.m.

The next meeting will take place on October 10, 2017 instead of October 11, 2017.

SEVENTH ORDER OF BUSINESS

**Review of Common Area
Landscape Maintenance**

Mr. Swanson explained that the District's irrigation system was struck by lightning several weeks ago. He indicated that the total cost of the repair is \$557.50 and because of the way he approached this, the repairs have already been made even though they were unauthorized by the Board. By the time he got through the diagnosis his company was 60% of the way through the repair. He is seeking authorization for the \$557.50 for the repair of the lightning strike.

On MOTION by Mr. Thomka, seconded by Ms. Brown, with all in favor, the Board authorized the amount of \$557.50 for the repair to the irrigation System caused by the Lightning Strike.

Mr. Swanson presented proposals to the Board to correct the Well situation. He solicited proposals from 4 companies and only got reasonable responses from 2. The first proposal was from Baker Well Drilling who is proposing \$4,575.00 to remove the pumps from the ground, measure the water level, measure along the casings to see how far the casing goes down, and survey the Wells at which time they would put together a package of solutions and costs to fix the Wells, but was not certain no matter what is done that they can fix the center Well. Mr. Swanson noted that he does not dismiss proposals from any Contractor but suggested the Board dismiss this proposal. Mr. Swanson noted that the other two proposals that are comparable are not exactly apples to apples but are from Tampa Well Drilling and Accurate Drilling. Mr. Thomka asked if he dealt with either company. Mr. Swanson noted that he deals with Accurate Drilling all the time because they are one of the very few well drilling companies that offer Workers' Comp. Mr. Swanson stated that the two proposals are pretty much the same, but the proposal from Accurate Drilling includes a few hardware items that are not in the Tampa Well Drilling proposal. Accurate Drilling is the company that put the new pump in one of the Wells

and they will drill a new Well and it is a turn key operation. Everything will be replaced because it is at least 10 years old. Mr. Swanson said that the reason Jeff Baker with Baker Drilling was adamant about repairing the Wells in place rather than drilling new Wells is because according to the SWFMWD Bylaws you cannot have two active Wells on one parcel of land. If it is taken out of context then Mr. Baker is correct in assuming that the only option is to repair what you have because you cannot get a permit to drill another. If the District abandons those Wells they will report them to SWFMWD as being failed. As long as the District addresses the paperwork and permitting correctly they can build another Well, however, it is an extra step that SWFMWD must take to look at it and verify that the District is abandoning the Well. The abandonment of the Wells includes welding the cap on it and leave it but it must be extended two feet out of the ground. It must stay that way until it is officially abandoned per SWFMWD. If they cap off the Well it must be there forever and the other issue is that there is a remote possibility that if the District has problem with that Well and it is not plugged and the District drills within 20-30 feet the new Well could be affected by the old Well. Abandoning the Well by filling it with clay and concrete is \$1,500 per hole. Welding the cap is no additional cost. Mr. Swanson does not think that the odds of the old Well affecting the new Well are high enough to justify the \$1,500.00 expense. Mr. Swanson noted that Accurate Drilling is proposing to drill new Wells 315 feet deep. Ms. Warren proposed that the District table this item and District staff will take it back to the District Engineer to consult with him on the Well drilling and permitting process, because he would assist with that and make sure that he agrees with the approach that is being taken and then bring it back to the next meeting. Alternatively, the other option would be for the Board to approve a not-to-exceed amount subject to the District Engineer's approval. One of the Wells is in a resident backyard. Mr. Swanson said that the new Well could be moved a little further out but it might be too close to the TECO power lines. The Board agreed to table this until the October 10, 2017 meeting. Ms. Warren requested that members of the public limit their chatter so the Board could be heard. Mr. Swanson answered additional questions from the Board.

EIGHTH ORDER OF BUSINESS

Review of Common Area maintenance

- a) Aquatic Systems**
- b) Pinch A Penny**

Ms. Brown presented a proposal from Aquatic Systems for additional plant life in the ponds. Ms. Brown met with an area Manager and went through a couple of ponds and he gave her information on what the District should and should not have in the ponds including good and bad growth. Ms. Brown indicated that some of the growth will need to be removed and the proposal includes adding beneficial plants. Some of the flowers will be more colorful. The cost is \$1,210 for two ponds. Mr. Jones asked about the monthly maintenance that Aquatic Systems currently does for the District. Ms. Brown stated that they are supposed to come out monthly but they come out every other week or every week in order to be able to do every pond and explained the Aquatic System

Report. Ms. Suhay stated that her pond has invasive non-native plants de-oxygenating the water and she supports what Ms. Brown has been working on and noted that spraying the top sinks the plants which de-oxygenates the water more because they are rooted plants. She noted that the only solution is to hand pull the plants and that the only time she has seen progress is when Code Enforcement was called and mentioned the trash in the ponds as well. She stated that the District needs to do whatever it can to clean up the ponds. Ms. Brown requested a motion to purchase approved the proposal. Mr. Jones suggested tabling this until the new Management Company comes on to see if they have another company to work with. Ms. Suhay commented that the ponds are so littered with trash that Florida Fish and Wildlife had to be called because a Mallard Duck had a Publix shopping bag twisted around his neck and she noted that she has called Code Enforcement and Law Enforcement in the past and is prepared to call Code Enforcement again due to the trash in the ponds after Hurricane Irma. Ms. Warren suggested tabling this specific proposal and asking Aquatic Systems to come back to the Board at the next meeting with a comprehensive proposal of what needs to be done and recommendations for the long term to get the ponds back to where they need to be. Ms. Suhay commented that Ms. Warren works with Fishkind, who is leaving next month, and it has been two years that these issues have continued to be tabled. Ms. Warren clarified that she is with the District Counsel's office and she is trying to address Ms. Suhay's concerns that there might be a more comprehensive fix that needs to be done aside from just this planting identified in this proposal and before the District spends this money, Ms. Warren thinks that it would be helpful to know all of the recommendations. Ms. Brown stated that she would go back through email correspondence with Aquatic Systems to double check any recommendations that they have made. A resident stated that he thinks that Ms. Warren has a great idea. He has heard this issue at every meeting and thinks that District must look at it as a long-term issue rather than a band aid. Ms. Gaarlandt asked Ms. Brown for an update related to the pool. Ms. Brown noted that Pinch A Penny did another treatment of the pool and the pool is starting to look good, but Pinch A Penny somewhat concerned so they do not want anyone in the pool yet. Ms. Brown said that she is hoping that the pool will be open on Monday. Pinch A Penny will be doing another treatment on Friday.

NINTH ORDER OF BUSINESS

Public Hearing on the Adoption of the Revised Amenity Policies

- a) Public Comments and Testimony**
- b) Board Comments**
- c) Consideration of Resolution 2017-17, Adopting Revised Amenity Policies**

Ms. Gaarlandt noted that the District advertised a public hearing and requested a motion from the Board to open the public hearing.

On Motion by Mr. Thomka, seconded by Mr. Jones, with all in favor, the Board opened the Public Hearing.

Ms. Gaarlandt requested that any members of the public who wish to comment use the podium, state their name and address, and limit their time to 3 minutes.

Ms. Estabrook asked about the User Fee of \$2,500.00 in addition to the rental fee increase to \$100.00. Ms. Warren explained that the User Fee is a Non-Resident User Fee. The Amenities are public facilities because they were built using Bond Funds, which is public money, so the way it is set up is that residents within the District pay assessments to have access to these facilities every year. For non-residents to gain access to the facilities and the right to use them, they must pay a Non-Resident User Fee which was set to be approximately equal to the annual assessments for Debt and O&M that are paid by residents. The District does not have any non-resident users at this time. Ms. Estabrook asked about the fee increase for the rental of the Amenities. Ms. Warren explained that the fee structure is changing. The District previously had a structure that was based on the size of the event that a resident was having. There were different rental fees based on that and it was found that from practical administration of the rental of the facilities that was not working so a different fee schedule was proposed which is what the public hearing is on right now and she asked the public to present any proposal for what they think the fee should be. Ms. Estabrook stated that she does not think the fee should change because the Facility is the same no matter how many people are here. Ms. Warren mentioned that is exactly why one rental fee amount is being proposed.

Mr. Barger wished the new Board members luck. He asked Ms. Brown for specific details about the hold up of the pool. Ms. Brown stated that there is an accumulation of different things that happened. There was a crack in the pool, the pump issue, and those issues have been addressed but the pool has black algae which is improving, but there are still some spots of it so Pinch A Penny wants to get that out before allowing residents in the pool. Mr. Barger asked if the District has a plan in place to keep the pool clean so this issue does not arise again and Ms. Brown said yes. Ms. Brown reminded residents to shower before entering the pool because everything that goes into the pool contributes to the issue. Mr. Barger asked about key cards and asked if he is able to come and get one. Ms. Brown stated that he did not show up for his scheduled appointment on September 5, 2017 at 9:00 a.m. as he said he would. Ms. Brown stated that if he gets the email blast he can sign up and she would prefer that he makes an appointment rather than walking in. Ms. Brown said that she has a target date of mid-October to get the access cards activated, however, if any residents do not have a card by then they should not worry because she can still do it, but there are plenty of appointments available before that time.

Ms. Gondleman asked justification for why 5 Board members were paid three times for last month which is \$3,000.00. Mr. Jones stated that he was not present for 2 of those meetings so not all Board members were paid. Mr. Thomka explained that the maximum a Board Member is allowed to receive in a year is \$4,800.00 so if Board Members reach

that number they are not permitted to be paid for any meetings after that within the Fiscal Year. Ms. Gondleman questioned the payment again and she said it is concerning that when asking the District Management Company for information on the budget they provided the information the day before so she did not have time to review every line item. Mr. Thomka indicated that Board compensation is justified under Florida Law. Ms. Gondleman claimed it is shady and a misrepresentation because there is no reason to have three meetings in one month and she stated that one meeting was cancelled and asked if the Board were aware that there was no power to the Amenity Center prior to the meeting. Ms. Warren responded that the reason the meeting was cancelled in that way was because District staff was concerned that the Board needed to take immediate action related to the pool and they did not know that until the morning of the meeting. It would have cost the District to pay to publish a second meeting. Ms. Gondleman brought up a statement of a previous Board Member. Ms. Warren indicated that she cannot address his statement and he is no longer on the Board. Ms. Warren explained the Board Member payment policies. Ms. Warren noted that she understands the residents' concerns and the District is moving forward with a new Board and hiring a new District Management company to address all of the concerns that have been raised. Ms. Gondleman asked what the money that was given to the District for the Splash Pad is going to be used for. Ms. Warren stated that the District Board may revisit that once the new Management Company is in place. Ms. Gondleman raised concerns about the assessment increase and the pool being inoperable all summer and mentioned that the two big sellers to get more residents in the community are not working. Ms. Gaarlandt noted that her three minutes are up and Mr. Thomka thanked her for her comments.

Ms. Gaarlandt reminded the residents that this a public hearing on the Amenity Policies and there will be another opportunity later in the meeting for other comments and concerns.

Mr. DeLima mentioned that the District lost power for two days during Hurricane Irma and that other communities still had power. He asked District staff if they can find out where the disconnect was. He noted that since he moved in last August the power will flicker out of nowhere. Ms. Warren responded that she can have the District Engineer look into it. A resident stated that one of the power grids is on the Boulevard by the gate area and Mr. Jackson's house and it flooded and caused the power to go out. Another resident stated that it was just this community because it was full of water and it threw the breaker and caused the power outage and TECO and the community will have to look at that. Mr. DeLima reminded the residents to lock their cars as well.

Mr. Black reminded the Board about his attempt to get a Neighborhood Watch going and he has a startup meeting on October 11, 2017 at 6:00 p.m.

Ms. Warren asked if there were any more public comments specifically related to the Amenity Policies. Ms. Warren requested a motion from the Board to close the public hearing.

A resident asked a question on the Amenity Policy related to notarization and Ms. Warren answered her comment.

On Motion by Mr. Thomka, seconded by Mr. Jones, with all in favor, the Board closed the Public Hearing.

Ms. Gaarlandt requested a motion from the Board to adopt resolution 2017-17.

On Motion by Mr. Jones, seconded by Ms. Brown, with all in favor, the Board approved Resolution 2017-17, Adopting Revised Amenity Policies.

TENTH ORDER OF BUSINESS

Consideration of Construction Funding Agreement (Phase 4 & 5)

Ms. Warren explained that this is an Advanced Funding Agreement. There are a couple of additional phases to be built out in the community and to start the planning process for the Master Infrastructure in those phases the District was approached and asked to put in place an Advanced Funding Agreement, whereby the Developer will advance funding of things like the Engineering costs, Planning and Surveying Design costs. Under the terms of the Agreement those costs are reimbursable through Bond proceeds. The District Engineer must approve all the expenses. At the time the Bonds are issued, all the expenses subject to reimbursement also must be reviewed by the Trustee of the Bond Funds as well as the District Engineer again. Bond Counsel and the Trustee sometimes consult about funds that were advanced to verify they do not have any implication on the tax-exempt status of the Bonds and if so, those costs are sometimes disallowed. A resident asked if there is a procedure to inspect roadways, sewer covers, curbing, and culverts prior to being accepted by the District. Ms. Warren said there is and explained the process.

On Motion by Mr. Thomka, seconded by Mr. Jones, with all in favor, the Board approved Construction Funding Agreement (Phase 4 & 5).

ELEVENTH ORDER OF BUSINESS

Consideration of proposals for Well Replacement

Ms. Gaarlandt noted that this item has already been addressed under the Common Area Landscape Discussion.

TWELFTH ORDER OF BUSINESS

Ratification of Agreement with Pinch A Penny

Ms. Gaarlandt explained that the Board authorized District staff to prepare a contract with Pinch A Penny and this is a standard agreement.

On Motion by Mr. Thomka, seconded by Mr. Jones, with 4 in favor and 1 opposed, the Board approved ratification of the Agreement with Pinch A Penny.

Mr. Jones withdrew his second to hear from Ms. Brown what the problem may be. Ms. Brown said that she does not want to lock into a contract with them. She has had a couple of discussions with the owner and they are not seeing eye to eye on some things. She has certain expectations and requirements regarding getting the status reports. Ms. Warren explained that there is a 30-day termination clause and often times, once the District provides a notice of termination, they will tell the company when the District wants them to stop providing services. The District can terminate for any reason. Ms. Brown said that the technicians are doing their job, but communication needs to be improved. Ms. Brown indicated that when she asked Pinch A Penny for a status report she was met with attitude. She wants someone to talk to her before they leave even if it is a verbal report.

On Motion by Mr. Thomka, seconded by Mr. Jones, with 4 in favor and 1 opposed, the Board Ratified the Agreement with Pinch A Penny.

THIRTEENTH ORDER OF BUSINESS

Consideration of Proposals for Gym Equipment

Mr. Thomka noted that he monitors the cameras every day including the gym and he is shocked residents are saying the gym equipment is not working. A resident said that the elliptical makes screeching noises when being used. Mr. Thomka asked if the equipment is rented and Ms. Brown responded that the gym equipment is a lease to purchase. The District pays monthly until it is paid off. Ms. Gaarlandt noted that the elliptical is part of the original equipment, the District owns them outright, and they were not replaced when the District got the new treadmills. Mr. Jones asked if leasing was the only the option or buying it outright and asked if there was a rental option. Ms. Warren stated that most of

Gaarlandt explained the Sunshine Law to the newly appointed Board Members. Mr. Franklin asked if he could discuss the non-executive session items with the residents of the community as long as there are no other Board Members present. Ms. Warren said yes and as long as whoever he is speaking with is not being used as a conduit for communication with another Board Member. Ms. Warren said that she is happy to have a phone call with each of the new Board Members to go over the District operations and guidelines in more detail. She said if they have questions they can reach out to her or the District Manager.

District Engineer – Not Present

District Manager – Ms. Gaarlandt will send the phone list to the new Board members and information with the official website email address. Ms. Gaarlandt presented the Project Status Report to the Board. Ms. Brown explained that Valley Fence is coming out to do the fence around the pool equipment on October 9, 2017. Ms. Brown noted that the gentleman from Pinch A Penny indicated that the District might need some additional equipment such as life rings and poles. Ms. Gaarlandt noted that it should be under their scope of work to make sure the District is up to code with the required safety equipment. Ms. Brown said that the marble at the 672 entrance was repaired on September 15, 2017. Mr. Thomka asked why there was an invoice for the District if it was covered under insurance. Ms. Gaarlandt noted that the District received a check from the Insurance Company before they had to pay for the repair. The message board at the 301 entrance broke and was replaced. She used the company that installed it and wants to find someone more local in the future. Ms. Brown received quotes to get gym equipment fixed and sent it to Fishkind and it was approved and she is waiting for them to come in to service the machines in the gym. Ms. Brown had a Meet & Greet last Friday and it was a good turn out with 50 people. She is planning a Halloween trick or treat at the Amenity Center and ask residents to donate wrapped candy. Ms. Brown noted that there was a gentleman that came in asking to do a hip hop dance class. He is proposing a class on Wednesday night from 6:45 p.m. - 7:45 p.m. He has over 25 years' experience in dance. He has taught at Fred Astaire Dance Studios. Ms. Brown would like him to come in and give a presentation to the Board. Ms. Brown mentioned the access cards and noted that she has 900 homeowners entered into and is looking for mid-October for Brandon Lock to come out and install the access system, however, they cannot put the new system in without taking the old system out first. She noted that there were a couple of requests for

Clubhouse rental fee reimbursement that needed to be approved by the Board because one person delivered early and could not hold her baby shower and another was a family emergency. Ms. Gaarlandt asked if they were rescheduled or cancelled and Ms. Brown said they were complete cancellations as per the paperwork.

On Motion by Mr. Page, seconded by Mr. Jones, with all in favor, the Board approved Reimbursing the Rental Fee for the Bridal Shower and Baby Shower that was cancelled.

Ms. Brown will provide the District Manager the names of both parties needing reimbursement. Ms. Brown went out to get bids on holiday decorations because the community had asked for professional decorations. She received two proposals, one company mainly deals with the outside and the second deals with both the inside and outside. She provided the proposals to the Board and residents as well as samples of lights and explained further details. The Board reviewed the proposals for consideration at a later time, no action is required today. Ms. Brown noted that she met with Dragonfly, the cleaning service and asked Ms. Gilbert to change the AC filters monthly. Ms. Gilbert came in Thursday because she was going to be out until Sunday, but the District has no backup. Ms. Brown came in to make sure people renting the facility took out the trash and asked if there is a policy in place for notification in case the cleaning service is unavailable. Ms. Gaarlandt said that this is the first time in years that Ms. Gilbert has been away and it is a good idea to find a backup plan for her. Ms. Warren will pull the Dragonfly Agreement and noted that the agreement can be amended. Ms. Brown noted that Security has started on their Winter Schedule.

SEVENTEETH ORDER OF BUSINESS

Supervisor Requests and Audience Comments

Board Members asked if there was any vandalism. Ms. Brown said everything is going well and everyone has been nice. Ms. Brown put some coloring books and puzzles in the Clubhouse as well as a poker table to be used for fun by residents with no money involved. She received an email form the gentleman, who was working with Regina about providing financial consultation to the residents. Mr. Jones explained that he came in March and presented to the Board and that it was an educational presentation. Ms. Brown told the gentleman she would move ahead with what he had previously planned. She is working with the community answering questions and concerns.

Ms. Page stated that the front and back entrances have seasonal plants and asked if it would be more cost effective to do some perennials and then maybe add in some annuals.

Mr. Jones asked if the District is still pursuing the former pool company for the bad check. Mr. MacLaren said that as of Thursday they said they would send it again but they have not yet done so. Ms. Brown suggested sending a formal demand letter to the company.

On Motion by Mr. Thomka, seconded by Mr. Jones, with all in favor, the Board authorized District Staff to send a Formal Demand Letter to the Former Pool Company.

There were no additional comments from the Board Members

Ms. Gaarlandt opened the floor for public comments.

Ms. Estabrook asked if the District has received reimbursement from Fishkind & Associates for Mr. Viasalyers' expenses. Mr. MacLaren stated that it has not been reimbursed yet. He indicated that he is hoping to do the accounting at the end of the fiscal year and will bring the residents information at that time. Ms. Estabrook asked Mr. Franklin III how many CDD meetings he has attended here as a resident and he said none.

Ms. Ewing concurred with Ms. Brown's concerns about Pinch A Penny, who indicated that the pool would be ready in 10 days, and she said that since there was a deadline they need to be held accountable. She is skeptical of how well Pinch A Penny will perform if they were not able to keep their schedule and they had an inappropriate response to being asked about the progress reports. She asked about the cost between the two proposals for the holiday lights. Ms. Brown said that one proposal was from a gentleman, who does both inside and outside and the amount of his proposal was \$3,800.00. The other proposal was from a lady for outside lights and two pavilions in the amount of \$1,873.68, which includes the installation and removal. Ms. Ewing asked for confirmation of the weed being pulled and noted that she has seen no improvement.

Ms. Baxter asked for an update on the monument lighting for 2B and 3C. Ms. Gaarlandt noted that the District Engineer was working with TECO and the District is waiting to hear back from TECO. Ms. Warren stated that the conduit needs to be located and the District Engineer had a few people come out to try to locate it and they could not find it so he contacted TECO and is awaiting their reply.

Mr. Rezac asked how Mr. Franklin III and Mr. Thomka know each other outside of the Board and Mr. Thomka answered that he does not know him at all. He said that at the last

meeting Mr. Maclaren said that Fishkind would be paying back the District for Mr. Viasalyers' expenses this month. He asked if Mr. MacLaren will give the District the total figures of how much they are being paid back and Mr. Maclaren said that is correct. Mr. Rezac said that last month there were three payouts for Supervisor fees and only two meetings were actually held and he was told that Supervisors were paid for the cancelled meeting and wanted to know which law allowed that. Ms. Warren said that the Florida Statute allows the Board Members to be compensated even if a meeting is cancelled last minute. Ms. Warren said that there was a meeting that was opened and continued. Mr. Rezac said that the Board members were offered pay and accepted it, earning \$600 for the month.

Ms. Baxter noted that she loved the event with the live DJ. Ms. Brown took a lot of time out of her day to put it together and said that Ms. Brown is looking for individuals with skills and hobbies to come in and do demonstrations or crafts for kids. Mr. _____ asked how much the expenses were for that event and Ms. Brown said the expenses were \$200.00; she went over budget but that came from her.

There were no other questions or comments.

EIGHTEENTH ORDER OF BUSINESS

Adjournment

Ms. Gaarlandt requested a motion to adjourn.

On Motion by Ms. Blue, seconded by Mr. Thomka, with all in favor, the Wednesday August 23, 2017 Board of Supervisors Meeting was adjourned.

Secretary / Assistant Secretary

Chairman / Vice Chairman