

MINUTES OF MEETING

BRIGHTON LAKES COMMUNITY DEVELOPMENT DISTRICT

The regular meeting of the Board of Supervisors of the Brighton Lakes Community Development District was held Thursday, January 7, 2016, at 6:00 p.m. at the Brighton Lakes Recreation Center, 4250 Brighton Lakes Boulevard, Kissimmee, Florida.

Present and constituting a quorum were:

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| Michelle Incandela | Chairman |
| John Mastromarino | Vice Chairman |
| Jennifer Palmer | Assistant Secretary |
| John McGrath | Assistant Secretary |
| Dolores Pieters | Assistant Secretary |

Also present were:

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| Gary L. Moyer | District Manager |
| Tucker Mackie (<i>via telephone</i>) | Attorney |
| Paul McCartan | Keep Safe Security |
| Tom Murphy | Girard Environmental |
| Brian Smith | Severn Trent Services |
| Residents and members of the public | |

This represents the context and summary of the meeting.

FIRST ORDER OF BUSINESS

Pledge of Allegiance

Mr. McGrath led the *Pledge of Allegiance*.

SECOND ORDER OF BUSINESS

Roll Call

Mr. Moyer called the meeting to order at 6:00 p.m.

Mr. Moyer called the roll, indicating a quorum was present for the meeting.

THIRD ORDER OF BUSINESS

Approval of the Minutes of the November 5, 2015, Meeting

Mr. Moyer reviewed the minutes and requested corrections, additions, or deletions.

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| On MOTION by Mr. Mastromarino, seconded by Mr. McGrath, with all in favor, unanimous approval was given to the minutes of the November 5, 2015, meeting. |
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Mr. McGrath asked will we receive a copy of the December 15, 2015, minutes?

Mr. Moyer responded yes.

FOURTH ORDER OF BUSINESS

Audience Comments

Mr. Gerry Frawley stated on the corner of Chapala Drive and Brighton Lakes Boulevard, there is a hole in the grass. Your guys covered it. I am worried that someone

will get hurt. It took six weeks to get it done. My issue is, if we do something like that in the future, considering that it was over two feet deep, could we stake it out and put some caution tape on it? I just do not want someone to get hurt. It appears that your guys replaced shrubs on Brighton Lakes Boulevard. If you replace shrubs, how can they do that without standing there and looking at it to tell which ones they replaced? It looks good, though. Yesterday, they were not here. Now they are here and I cannot even tell that they were planted. This time of year, we end up with full garbage cans. An example is the one in front of the park on Chapala Drive. It was so full that the lid could not be placed on it. It has been like that for weeks. I did not look at it today to see if it was emptied. I am assuming that your guys were here to get it done. I am hoping, at some point, that you address the issue of somebody replying through emails from the community. They do not get answered. One other thing, I just want to make sure that the shrubs in back of the community get addressed.

Mr. Mastromarino asked emails to whom?

Mr. Frawley responded mostly, they were sent to the District office about the gate damage. I attached pictures. In the email, I am asking for someone to look at the cameras and tell me if we identified who it was. Not one email has ever been answered. The District office said that they would pass it on to get it fixed, but the issue is if anyone has ever looked at the cameras and identified who is doing the damage.

Mr. Smith stated you are not the only one sending emails. We had one other gentleman. I knew we got back to him, but I am not sure what happened to your emails.

Mr. McGrath stated the office typically sends an email back acknowledging receipt of the email. Are you saying that you are not getting any acknowledgement?

Mr. Frawley responded they acknowledge it.

Mr. McGrath asked is that new, that you are not receiving a response?

Mr. Frawley responded yes.

Mr. Moyer stated here is something that the Board is going to have to address. As you are aware, we have very limited staff. Frankly, to sit there and watch hours of video on a camera, cannot happen with the staff we have. We just need to be real about that and recognize that if the Board wants to increase the level of service, we need to budget for it. We need to hire a Brighton Lakes person that we can budget that for payroll and assign all of the emails for Brighton Lakes to that person to respond, to look at cameras, and be more responsive.

Mr. Frawley stated you called on a Saturday. We had Ms. Diana Alvez-Martins go back and looked at it and spent some time looking at it. She did find that it happened on New Year's Eve. At 6:00 p.m., the gate closed and then opened up by itself and floated backwards. The amount of time that she spent looking at the video to find it took a long time.

Mr. McGrath stated so the access to the video is only through your office.

Mr. Smith stated correct.

Mr. McGrath stated it seems to me at one time we had the ability to look at the videos at the guardhouse and the guard, in many cases, is waiting for a vehicle and cannot handle an incident.

Mr. Smith stated he can look into it but there was an issue with the DVR.

Mr. McCartan stated there is a new system that was installed in Mr. Smith's office that Ms. Alvez-Martins has access to. There was discussion at crime watch meetings about how the guards do not have communication. The problem is with the bandwidth.

Mr. Smith stated that will change because we have a temporary method but it depends on the bandwidth. If 20 guys get on there, we lose bandwidth. We have ACT coming to our office tomorrow to figure out what is going on with the bandwidth. There is either something wrong with our computers or the system itself. For him to look at it, it pulls us away from something else.

Mr. Mastromarino asked simultaneously or at different times?

Mr. Smith responded if they are looking at it and they do not switch it back, then we do not have communication with the guards. We are trying to figure that out. It is convoluted if we have them looking at it versus our folks in the office looking at it. Regarding Mr. Frawley's concerns, Mr. Russ Simmons came out here and found that the pin was sheared. We talked about that at the December meeting. He tried to fix it and then called ACT out. It was just a camera problem. We are seeing that more often because it is old. On New Year's Eve, the gate locked back by itself.

Mr. Frawley stated someone was out there repairing it yesterday. I spent 20 minutes with him. He said that there was no way that the arm could break. He showed me the pin. He thinks someone lifted the gate arm.

Mr. Smith stated I did not meet with him, Mr. Simmons did. Mr. Simmons knows probably more than ACT does. My issue is with ACT. I have been battling with them

forever with these cameras. I have one field guy telling me one thing, and the next guy is an expert on something else. They are telling me the wrong stuff. It gets very difficult.

Mr. Moyer asked are there other systems out there?

Mr. Smith responded yes, but they are not any better. I have similar problems in Vista Lakes.

Mr. Mastromarino asked are there newer type equipment or systems?

Mr. Smith responded the only one that I know right now that is actually working is in VillaSol, but that is very expensive. They are already \$16,000 over budget and are barely three months into the year because of all the damages to it. The best thing for us, right now, is for Mr. Frawley to call ACT and we will try to nail down the problems. Unfortunately, this happened over a holiday.

Mr. Mastromarino stated I understand. Our normal practice is somewhat under control. When Ms. Alvez-Martins receives emails from you, it is not that we do not respond. You will see them working.

Mr. Frawley stated my concern is that within a handful of days, that information is gone.

Mr. Smith stated not necessarily, not with the new system.

Mr. Frawley asked how long do you think it will hold?

Mr. Smith responded it depends upon how much the gate is used. I would guess seven days.

Mr. Frawley stated my point is, if I send an email, I do not ever ask if anyone looked at the video. My observation is that no one is doing a thing. I do not know of any way to communicate other than sending an email asking to tell me what the results are. They do not answer that email. The gate is damaged almost weekly. If I do not receive an answer, I have to wait two months until the Board has a meeting, only to hear that the issue is with the operation of the gate.

Ms. Incandela stated I want to streamline the emails that come in. I want the responses to come back to the Board. Then we can do a summary for you at the meetings, rather than having you emailing constantly back and forth. Whatever emails come in have to go to one person, whether it is Mr. Smith or Ms. Alvez-Martins, I do not care.

Mr. Smith stated it is Ms. Alvez-Martins.

Ms. Incandela stated you will do whatever you need to do as a result. From those emails, come back to the Board at the meeting with a printout of what is being done and when. This way it is not back and forth, and it is something that you can take care of. I also do not want staff spending the time responding to emails. I want the work to be done.

Mr. Smith stated right.

Ms. Incandela stated I do not want someone sitting in the office trying to track who they spoke to and when. I want the work done. I do not want to pull them away from their other work, either. The point is that Mr. Frawley wants to make sure that someone responds.

Mr. Smith stated in talking with Ms. Alvez-Martins, from now on, she will send an email saying thanks for your email. We can refer all emails to Ms. Alvez-Martins, and once we fix it and find out who caused the damage, she can respond to Mr. Frawley's emails. She just came back from vacation, and once I get her back in the groove, you guys can email back and forth all day.

Mr. Mastromarino stated she always responded to me the same day.

Mr. Smith stated it is the Board's call. I can email the results back to Mr. Frawley. Then we will get it done in real time. We are doing the work, but she is not getting back to you.

Ms. Incandela stated we just want a system that is going to be easy and quick.

Mr. Smith stated she is sitting at her desk and sending zillions of emails.

Mr. Frawley stated when she replies back to me, she should copy the Board. Then everybody will know. I want to make sure that it is not just me.

Mr. Smith stated when you send your email, copy the Board, copy me, and send it to Ms. Alvez-Martins. She will immediately respond to you that she received your email and we are looking into it. Once we have a result, we will email you back, and the Board will receive a copy of her email.

Mr. Frawley stated she should just reply to all. My second concern is there are 750 homes here, and any one of these people could be sending those emails. I would expect them to get an answer.

Mr. McGrath stated what has been decided is, anyone who sends an email will receive an acknowledgement that we received the email. That is all. I think short of hiring someone else to take care of emails, that will have to do.

Mr. Smith stated she is constantly emailing home owners with questions and renting facilities. When you get a volume of 200 emails, one is bound to get unanswered.

Mr. McGrath stated she just needs to send an acknowledgement that she received it. We can live with that.

Mr. Mastromarino stated I also think that there has to be some priority. If you have something that can wait a month versus a safety issue that has to be addressed, certainly the safety issue must be handled first. Is there some assurance or do we need to specify urgent on the email? The cameras would be one thing where if it happens on a Friday and she is not in the office until Monday, the clock has already started ticking as soon as the gate is damaged.

Mr. Smith stated Mr. Frawley calls me and you call me. I am responding to phone calls, and Mr. Mastromarino emails me. I try to respond to those immediately. If you have an emergency, email me.

Mr. Mastromarino stated I have called you when there was an emergency, and it was immediately addressed. I appreciate that. Getting back to the gate, we had another incident around Christmas Eve.

Mr. Smith stated Ms. Maria Fuentes got with ACT, and they came out immediately.

Mr. Mastromarino asked were we able to identify the cause?

Mr. Smith responded no. She looked and looked and did not see anything. Once again, the cameras did not pick up what happened. During the day, it is really hard to see anything. We are working on that, as well.

Mr. McGrath stated it is only after dark that the gates are used.

Mr. Frawley asked do we have the capability to go to a website and look at the cameras like we did with the old ones?

Mr. Smith responded we are working on that. There is a bandwidth issue with CenturyLink. When one person is on it, no one else can use it, for some reason. That is the problem we have, short of CenturyLink providing more fiber. That may be the issue that we have.

Mr. Moyer stated if we get the cameras on a website and you want to look at it, we can arrange it.

Mr. Frawley stated there were only two times that we ever identified someone with the cameras.

Mr. Moyer stated I think that is a great idea.

Mr. Mastromarino stated as a community, we are here to work together and help reduce costs the best we can. We can work together. If I did not have access, I would have to call Mr. Smith. I do not want to call him on New Year's Eve.

Mr. Frawley stated with that capability, I can capture it, print it, or download it and provide to Ms. Alvez-Martins. I can tell an exact time on the recording that she can look at.

Mr. Smith stated if you have a specific time, we will go to the recording and investigate it.

Mr. Frawley stated if you think that it is in the last two days, maybe split the time. It does not take long to view the video to see if the gate is still open and if the arm is in the correct position. It is not hard to find.

Ms. Incandela asked how long does it take someone to review the video, if you had to narrow it down to an eight-hour period?

Mr. Smith responded she will spot check it. The problem is that she is looking at the cameras, and then if she has someone in front, she needs to take care of them or answer a phone call. She will do it, but it will take time. A lot of times, you do not have the free time to sit there for a long duration, even if it is half an hour or forty-five minutes.

Ms. Incandela stated so we need something that will allow a user to log in and view the information.

Mr. Smith stated that was the idea when we got the system, but we are still having these technical issues that we are working on. Bandwidth seems to be our biggest culprit, which we are trying to figure out now. We will go through and look at it and give the Board an update.

A Resident asked what time do the gates start working?

Mr. McGrath responded at 6:00 p.m.

The Resident stated right now, no one is there. From 6:00 p.m. until what time?

Mr. McCartan responded until 5:00 a.m. If you are looking at the cameras on real time, it takes an hour to watch the video. You can fast forward. They are motion detected and the screen is frozen until something happens. From my experience, for every hour of footage, it will take two hours to watch it. With the bandwidth problem, it will not record while you are looking at the footage.

Mr. Mastromarino stated the point I am making is that the cameras are more useful at night when the gates are down. If that is the case, we just cannot view the previous footage from 6:00 p.m. until 5:00 a.m.

Mr. McGrath stated a couple of months ago, I asked that we get some information as to how to access the gates. Right now, we have a sign that says who to call if there is a problem getting in. I am going to assume that works if it is at 2:00 a.m.

Mr. Smith stated we put little signs on the keypad saying how to operate the gate.

Mr. McGrath asked are they on there now?

Mr. Smith responded yes.

Ms. Incandela stated we talked about that at the last meeting.

Mr. McGrath asked can I open the gate by following those instructions, or is there something else that I have to know?

Mr. Smith responded you can scroll down and find the home owner. I saw the signs that they sent over, but I did not quite get what I wanted. I will put another sign on there saying the gatehouse hours are 6:00 p.m. to 6:00 a.m. with the number at the gatehouse. Then they can call over there.

Mr. McGrath stated exactly. It seems to me that people are not going to say they are going to damage the gate tonight. If the gate opened, they can go in, and that is what they expect. If it does not open, they are going to open it. If we can do that successfully, we may end up saving some money.

Ms. Incandela stated we had a home owner who said that he was not sure that the slow down sign was working and the guards were going to retest it.

Mr. Smith stated we asked them to retest it to be sure that it was working, and it worked. The only thing that we do not have is a good updated phone list.

Ms. Incandela stated on that scroll down bottom, we have a double listing with the address.

Mr. Smith stated typically we have names.

Mr. McGrath stated if a guest comes in, it is the name he is going to be after and not a number.

Ms. Incandela asked from this point forward, how can we ensure that the correct information is in there?

Mr. Smith responded once again, we need to check to see if we have updated information from current home owners. We will get with Ms. Alba Sanchez.

Ms. Incandela stated we need to make sure that Ms. Sanchez updates the list on a regular basis.

Mr. Smith stated what I am finding is every time we have one of these meetings, we start micromanaging the gate systems. It gets more confusing. I need to make this a Ford truck versus a Bowling 747. We have all of these little things going everywhere, and it is getting out of control.

Ms. Incandela asked what do you suggest?

Mr. Smith responded once I get CenturyLink and ACT working to get it simplified, I will get the signs there so when people come in, they know exactly what they are doing. I think that will help tremendously. Then we can handle Mr. Frawley's issues. We just need to simplify this down and once we do that, I think that we will be in good shape.

Mr. McGrath stated good. It is a work in progress.

FIFTH ORDER OF BUSINESS

Vendor/Contractor/Third-Party Items

A. Landscape Maintenance – Girard Environmental

Mr. Murphy stated I think you noticed the oleanders were trimmed. I expect that the only oleanders that did not get trimmed were in the clubhouse area. They were doing the back half of the property this week and should be finished by the end of January. The encroachment that was half done along the path, I already discussed with the gentleman doing the cutbacks. They will be done next week. The following week, we will be coming out here and doing our yearly bush hog. I will have the bush hog operator cut that area a little lower down so the regular mowers can maintain it going forward, so we do not ever have that issue again.

Mr. Mastromarino stated good.

Mr. McGrath asked are there any other areas that we typically bush hog that we missed in the past? Are you guys on the same page?

Mr. Smith responded yes.

Mr. McGrath stated good.

Mr. Smith stated Mr. Murphy was here before with a previous company so he knows.

Mr. McGrath stated thank you.

Mr. Murphy stated I was also a previous resident at one time. The oak tree that was replaced a few months ago, I gave it every chance it could. I have a replacement order for that. I removed one already. I am hoping in the next couple of weeks to have the oak tree replaced.

Mr. McGrath asked is this a good time to replace live oaks?

Mr. Murphy responded they typically do not lay dormant. As long as there is a consistent water supply to it, we will be in good shape.

Mr. Frawley asked is that the one that is cut off and knee high?

Mr. Murphy responded yes. I can grab onto it and pull the root ball out. I do have a weed and feed schedule again for this month. We had a pretty good kill of the weeds after the last application in October. Some of the grasses in those areas are starting to respond well also, so I think we are on the right track with that. I know that we had identified some other areas. Do you want to wait until after the March meeting to revisit those areas? I am available at your discretion. We already looked at some areas and made one or two changes.

Ms. Palmer asked what do you suggest in front of the community? Sod does not do well there. There is some small shrubbery and taller shrubbery. Even if you cut all of the shrubbery down to one level, most of it will grow back into it. There is such a beautiful presence when you pull into the neighborhood, but when go back farther, it is lacking.

Mr. Murphy stated Mr. Smith has been trying to build some of those oleander areas in the front by thickening the hedge up better. I will look at that area.

Mr. Smith stated we can cut the oleanders down and fill them in. Once those oleanders come back, then it will start filling in that whole area.

Mr. Murphy stated the ones we cut back last year, unfortunately, got infested with caterpillars. That will be part of what we are doing now. As soon as we get done with the oleanders on Brighton Lakes Boulevard, we will do the cart path in front. I will check with our technician to make sure that area is getting the same attention as Brighton Lakes Boulevard. Sometimes he does not know all of the boundaries. We completed two rounds of anthill annihilations. I have another one scheduled for next week. We are close to getting them pushed back again to prevent from getting an outburst like we did last year. I counted another dozen hills that have popped up over the past couple of days. We are progressing.

Mr. Mastromarino asked is mulch application annual or semi-annual?

Mr. Murphy responded once a year.

Mr. Mastromarino stated I noticed in the agenda that it was done in May or June of last year. I do not know if that is something that we need to think about. Are you recommending twice a year to keep its appearance?

Mr. Murphy responded you can do a full application once a year. This is what we call a dress-up application of high-profile areas, which is half of what we use originally.

Mr. Mastromarino stated it is just a top off.

Mr. Murphy stated it is a top dress of high-profile areas.

Mr. Mastromarino stated as much as I think that is a good idea and maybe something that we should look at, my concern is that the bark is so big that it does not decompose as fast. I do not know if there is any way around it. At some point, you would have to remove the old bark and replace it with new bark, which is not something that we typically do here.

Mr. Murphy stated no, that is not typical, but we do renew the mulch around the base of plants. We have a company that comes in and blows the mulch, which seems to be efficient. I direct them to stay away from the base of the plant material and just mulch the outside perimeters. The only thing that we cannot do is run mulch around trees. They stay away from the base of trees. You use 380 cubic yards of mulch out here. I believe that our nursery charges \$50 per yard. There will be an additional charge to do a top dress. Typically, we do a full mulching in the spring and a top dress in October, right before the holidays of your higher profile areas.

Mr. Mastromarino stated I would like to investigate this.

Mr. McGrath stated I would, too. One of the things that residents will ask when they come in and go out is why we are paying this much for mulch in fall when things are not popping and everything looks gray. It would be a good idea to spend the money for a top dress and then determine afterward if it is something that we want to continue doing.

Ms. Palmer stated we could ask them to move up the regular mulching earlier than May and June and then budget for next year to do a dress up in October. That way you are not messing with the budget.

Mr. Smith asked do you want a proposal for next year's budget? We start discussing our budget in May.

Ms. Palmer responded yes.

Mr. McGrath stated that is a good idea.

Mr. Smith stated we will obtain a proposal.

Ms. Incandela asked for the dress up, are we just talking about Brighton Lakes Boulevard?

Mr. Murphy responded I would say Brighton Lakes Boulevard and clubhouse areas.

Mr. McGrath stated or maybe just Brighton Lakes Boulevard to start with.

Mr. Mastromarino stated I agree because everyone drives down Brighton Lakes Boulevard, and it would be noticeable. That is another reason why I brought it up. This time of year, it looks dull out there, and it would help to brighten it up.

Mr. Murphy stated we can do tree rings and hedge lines.

Mr. Smith stated we normally have two mulchings. Most of my specifications allow for two mulchings. If you recall when we prepared the budget, we said that we were going to reduce it down to once a year in order to bring those costs down. We will see what we can do on prices.

Mr. Mastromarino stated I think that Ms. Palmer's point is to move the mulching to March and bring us into October with the dress up. I am not going to hold Mr. Murphy to these numbers, but it was roughly \$7,500 for a top dressing.

Mr. Murphy stated I can get a better number for Mr. Smith.

Mr. Mastromarino stated good. Thank you.

Mr. Murphy asked when does your fiscal year start?

Mr. Moyer responded in October.

Mr. Smith stated we start budgeting in May.

Mr. Murphy stated I will have the numbers tomorrow.

B. Security – Keep Safe Security

Mr. McCartan stated I have no major issues to report. One of the guards challenged a resident who was carrying a pocket knife. He was not displaying it, but he had the weapon with him. Nothing is posted about weapons. The guard felt that it was not necessary for someone using the facilities to have a pocket knife. I know that residents use a pocket knife for fishing. The guard felt that the resident was on the younger end and did not feel that it was appropriate, so he took custody of the knife and told the resident that he would keep it in the office, and once the resident left the facility, he could have it back. The resident was not happy with that so we asked if they could leave it at home and come back. The resident was not happy with that. There was a little bit of a standoff, and eventually the resident relinquished the knife. It is in the report. I brought it up in the open forum to see if the Board wants to adopt a policy. Obviously, anyone could be bringing anything in a backpack, and we could search them. There is no accusation that he was threatening anyone with it. It was a four-inch bladed knife.

Mr. McGrath asked was it on his belt?

Mr. McCartan responded no.

Mr. McGrath asked was it in his pocket?

Mr. McCartan responded it was in his pocket, but it was obvious that he was carrying a pocket knife. We never dealt with an issue like that before.

Mr. Smith stated what you are looking for is whether or not we want to put it in our rules.

Mr. McCartan stated yes. We want the guard to be able to say in the situation that there is a policy.

Mr. Smith stated we can put it on the pool policy.

Mr. McCartan stated there is nothing posted.

Mr. Mastromarino asked is it something that we can add to just one sign outside?

Mr. Smith responded we can post a small sign.

Ms. Palmer stated we need to determine what constitutes a weapon. A lady coming in to use the gym at night can have pepper spray on them. Pepper spray constitutes a weapon.

Mr. Mastromarino stated they have tasers now.

Ms. Palmer stated we need to know the legalities. I understand the scrutiny, but someone walking at night may feel the need to have something. I do not know.

Mr. Smith stated it should be at the discretion of the security officer.

Ms. Incandela stated our policy is general. What is the wording?

Mr. Smith responded we do not have anything in our rules.

Ms. Incandela asked do we need to address weapons in the community center?

Mr. Smith responded no. There really was not an incident. We can just tell Mr. McCartan at his discretion to tell his guards to make that decision for the overall safety of the community and facility. He has licensed security guards, and it should be part of their certification.

Mr. McCartan stated we never came across this before. Anyone could bring anything in. We do not search anyone.

Mr. Smith stated people out here grilling have knives.

Mr. McGrath stated I would be against a broad statement because in my mind, I see a metal detector and people passing through and getting frisked. We would support your folks when there is a basis for a concern to act exactly that way. I think that is reasonable.

Ms. Palmer stated it has to be consistent. It cannot just be for young people in the community.

Mr. McGrath stated exactly. What happened this time is the security guard became aware of someone carrying a knife in their pocket. If I am carrying a knife in my pocket and the guard was not aware of it, I do not think there is an issue as long as they stay consistent. Any time the guard sees something or they have a hunch that kind of action is appropriate, I think we should back them up as a Board.

Ms. Incandela stated we do not have a *no weapons* policy whatsoever. I do not see that it is in his discretion to ask someone to leave because he has a knife.

Mr. Smith stated we hired the security guard and we hired the security company to keep us safe, so if he sees something that is a potential safety hazard, then he needs to take action. That is why we hired them.

Ms. Palmer asked do you have a copy of the rules?

Mr. Smith responded not with me. I will look at them.

Ms. Palmer stated I agree with Ms. Incandela's point. I know that the rules say something about behavior.

Ms. Incandela stated this does not sound to me like an incident of a behavior. The security guard noticed that particular item and said that he was not comfortable with the item. We do not have anything that prohibits weapons. They can bring in anything that they want, unless there is a behavior to accompany it. He cannot look at it and say that constitutes a hazard.

Mr. Smith stated what we pay him to do is to see if something is unsafe and then respond. The policies and procedures for the facility are on the website. I suggest that you take a look at them and see what you think, and we will discuss this matter next month.

Ms. Incandela stated what I would like to know is whether or not it is in the policy. I do not know if we want to add a *no weapons* policy in there because we do not have the ability to actually enforce it but it does not give them the discretion. If it is not in there, then they do not have the discretion to ask somebody to leave when they see something that is concerning to them.

Mr. Smith stated we read in their agreement that we can authorize them, if they have an unsafe situation, to address that situation.

Ms. Incandela asked before the next meeting, can we get some clarification on what the current rules are and if there was to be a change, what potential issues that would lead us to? I want to find a way to make a balance where the security guards do have some discretion, maybe even more than they have now, in the instance there was something that was more serious than the incident that happened, but not something that gives us a problem where we cannot enforce it or we do not want to enforce it because of what that would involve.

Ms. Mackie stated I do not know if that question was directed at me. I am currently looking at the rules for the community center. It allows for a lot of latitude in terms of management having the ability to refuse anyone from entering the clubhouse without having a reason to refuse them. Maybe we can have a weapons list. They have the latitude in the event that they think that there is threatening behavior or cause for concern.

Mr. McGrath stated good. That gives them the green light.

Mr. Frawley stated the real issue is not that he had a weapon but that the weapon was in plain view. I do not see the ability to stop them from legally carrying a weapon, whether a knife or a gun.

Mr. McCartan stated this is the first time in five years that this issue has arisen. He was aware of it because of the interaction with the young man. The guard felt somewhat uneasy about the behavior of this person coming to the community center. It was the man's behavior coupled with the fact that he had a pocket knife.

Mr. Mastromarino stated he drew attention to himself.

Mr. McCartan stated he drew attention to himself and to the knife.

Ms. Incandela stated so it was a combination of that plus some behavioral issues. Let us just leave things as they are.

Mr. McCartan stated absolutely.

Ms. Incandela stated I read something in the minutes that Mr. McCartan wanted some guidance from the Board on how to handle some particular residents who were giving the guard some issues, like giving their cards to other people.

Mr. McCartan stated we talked about that last time. Certain residents are coming in and then passing their cards to others. We are trying to find out who the habitual offenders are. Initially, I wanted to know if the Board had any issues with that.

Ms. Palmer stated I think that is good. If we discover that someone is continually passing their cards, we need to remind them that if the behavior continues, their card can be revoked.

Mr. Smith stated we did that.

A Resident stated I brought this issue to Ms. Sanchez. I sit in my backyard and see 16 and 17 year olds cut across my property to jump the fence to the clubhouse. This has been happening the last three years. Can you guys do something about that?

Mr. McGrath asked would a fence the entire length of our property solve the problem?

The Resident responded it would help somewhat. The problem is that the people in the house before mine are not home, and people can freely walk.

Mr. McGrath asked between us and Pineridge?

The Resident responded correct.

Ms. Palmer asked is the issue that they are walking along there, or that they are coming to the recreation center?

The Resident responded they look at me. I see them coming and going. They do not cross the house next to me.

Mr. McGrath asked is there an existing six-foot fence?

Mr. Smith responded there is a six-foot, chain-link fence.

The Resident stated they use my area like it is a trail.

Ms. Palmer asked whose property is the fence on?

Mr. Smith responded it is CDD property. Behind his house is CDD common area. There is a planted berm. The berm goes down into a swale and goes back up the other side to the fence. One side of the swale is ours, and the other side is theirs. They walk down the back side of our berm, which is part of his property, basically.

Ms. Palmer stated other than the tracks, there is no damage to CDD property or the home owner's property. As far as we know, they are coming to meet up with people who are in the community. I am not sure what we would be able to do to address that other than spending \$1,000 to put a fence up.

Mr. Smith stated we can put up signs like we did for the fishing issue when people were walking behind people's houses to fish. We can put up the signs at the edge of our property and see if that stops them. This will encourage them not to come onto CDD property.

Ms. Incandela stated we can try the signs, but realistically, if nobody is there, they are going to walk wherever they want to walk. The question is, do we want to spend more money on trying to get them to not walk there. If we invested thousands of dollars in a new fence, it is not going to deter them. I do not think it is cost effective to spend \$3,000 to prevent them from crossing CDD property. If there is damage to the property or trespassing issues, that is one thing, but if they are basically just walking on CDD property and not damaging anything and they have a right to be here, there is nothing we can do.

The Resident asked so they can just come and do whatever they want?

Ms. Incandela responded our community is a public community. So they can enter the community freely. It is the way that they are entering that we have an issue with, in this particular case.

The Resident stated they are walking on my property, which is private.

Ms. Incandela stated they should not be on private property. If they are walking on your private property, that is one thing, but you are telling me that when you are there, you do not see them.

The Resident stated I see them walking during the day.

Ms. Incandela stated we have the ability, as a CDD, to control certain limited areas of CDD property. We can try the signs and see if the signs will discourage them, but if that does not work, the other option is investing a few thousand dollars in additional fencing to see if we can make them go down farther, which is no guarantee. I am not so sure that is an option.

Ms. Palmer stated a fence is already there, and it is not a chain-link fence.

Ms. Incandela stated the problem is that he cannot call the police because they do not do it when he is there.

Mr. Frawley stated they came up and challenged your wife when she said something.

The Resident stated yes.

Mr. Frawley stated when you see them, call the sheriff. We had this issue happen with other home owners. We addressed it at home owner meetings.

Ms. Palmer stated call the sheriff, not Ms. Sanchez.

Mr. Frawley stated if you are observing them coming onto other people's property and get a description of them, call the sheriff.

Mr. Smith stated I am not exactly sure what the situation is until we go out there. If there is something that we can do to help him, we will help him.

Mr. McGrath stated good.

Ms. Palmer stated if you are in your house and you see it, get them on video and show the video to the sheriff.

Mr. Smith stated in situations like that, if they are walking on private property and adjacent property owners are concerned about it, we encourage them to put up a fence. People throughout the community are putting up their own private fences. We will keep an eye on them.

Mr. McGrath stated please do this discretely.

SIXTH ORDER OF BUSINESS

District Manager's Report

A. Financial Statements

Mr. Moyer reviewed the financial statements as contained in the agenda package, which are available for public review at the District office during normal business hours.

Mr. Moyer stated revenues through November 30, 2015, were \$64,427. The revenues at the end of December were \$1,060,367. We received 80% of our non-ad valorem assessments. On the expenditure side, we are under budget on all major categories. In total, we are \$13,967 under budget through the first two months of our fiscal year.

Mr. Mastromarino stated we have a couple of CDs that are due to expire. One expires on February 18, 2016, and the other on March 9, 2016. I am sure that your staff will do their due diligence in renewing them. Does it make sense to merge these two CDs or renew the one in February?

Ms. Palmer asked is it nice to have them that close?

Mr. Mastromarino stated I wonder if we can get a better rate. The one that expires now is for 18 months and the one that expires in March is for 12 months. You may get a better rate with the longer term one.

Mr. Moyer stated yes, we can take a look at it.

B. Check Register and Invoices

Mr. Moyer reviewed the check register as contained in the agenda package, which is available for public review at the District office during normal business hours.

Mr. Mastromarino asked do we pay a monthly expense of \$625 for the fountains? This is page 49 of the agenda. It is from R&M Pools.

Mr. Smith stated that should be for the monthly pool service, not the fountains.

Mr. McGrath stated please have that corrected.

Mr. Mastromarino stated when I looked at the CenturyLink invoice and totaled those numbers, it was \$2,200. I know we talked about CenturyLink before and that we were not happy with the service. Did you look at what Bright House is charging?

Mr. Smith responded there is not much of a difference in price. Bright House can give you a price to get you in the door and then increase their prices to what CenturyLink charges.

Mr. Moyer asked did I give you any leverage with CenturyLink in terms of what you are trying to do with the gates?

Mr. Smith responded yes.

Ms. Palmer asked did you get something from Bright House?

Mr. Smith responded we got a price from Bright House for the gatehouse, and Bright House was much more expensive.

Ms. Palmer stated I think we do what Mr. Moyer is suggesting and go to CenturyLink and ask if we switch right now, what are we going to get because we do not want to switch.

Mr. Smith stated I spoke with the technician out there and said I am looking at what Bright House costs, and I asked if there was anything he can do.

Ms. Palmer asked what did they say?

Mr. Smith responded they said that they would see what they could do. They also told me that the gate problem is ACT's problem. If I have to go to Bright House, I will do that.

Mr. Mastromarino stated they knocked down 95% of my bill from one month to the next. I called them and told them that other options are out there.

Mr. McGrath stated these issues have been a thorn. It never goes away. In the past, we obtained prices because the Board requested it, and we have been going around and around. At one point I said we should get out of that business. I do not know if we have the money. It still does provide the sense of security that I think our home owners appreciate.

Mr. Smith stated I will obtain a proposal from Bright House this week.

Mr. Frawley asked does the fountain only run a few hours a day?

Mr. Smith responded yes. I will look at it. It was off the other day.

Mr. Mastromarino stated there was an itemized bill from Vortex Heating & Air. They came in and had to blow out some of the drainage lines for the air conditioning. They are suggesting monthly maintenance by using one cup of white vinegar followed by one gallon of hot water. Is that something we can do?

Ms. Palmer responded they say to use vinegar to clean out a drain line.

Mr. Mastromarino asked is that something that we can do here?

Mr. Smith responded I can ask the attendant to do it. I am still going to have them come in periodically.

Mr. Mastromarino stated I understand, but not to have them come once a month to pour vinegar into a drain line.

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| On MOTION by Ms. Palmer, seconded by Mr. McGrath, with all in favor, unanimous approval was given to the check register and invoices, as presented. |
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C. Discussion of Bond Refinancing

Mr. Moyer stated I provided the material that Ms. Mackie sent to us relating to what we want to put on our website. I know that Mr. McGrath had some suggestions.

Mr. McGrath stated if I may, the suggestion that Ms. Mackie gave us is to put the following onto the website: “For the second time, the Brighton Lakes Community Development District, by action of its elected Board of Supervisors, has taken the opportunity to refinance the second of its eligible bond issues. The refunding bonds have generated considerable savings for its residents.” I believe that all of you read it. I would propose something like, “Happy New Year, Brighton Lakes homeowners. We are writing to inform you that the 333 homes that were last built in Brighton Lakes will benefit from refinancing your bond, which will result in a reduction of over \$125 per year. Owners of homes built earlier have been enjoying similar reductions for several years. This is due to the efforts of Mr. Gary Moyer, our District manager; Ms. Tucker Mackie, our attorney; our staff; and your Brighton Lakes Board of Supervisors. This will result in a savings of \$1,927,000.” If anyone has an opinion, please let me know. This is just a suggestion.

Ms. Incandela stated I like the first paragraph that Ms. Mackie has and adding on to your paragraph, up until the \$1,927,000 and then adding, “The Board is thankful to the efforts of Mr. Gary Moyer, our District manager; Ms. Tucker Mackie, our attorney; and our staff.”

Ms. Palmer stated I disagree. I think we understand what is happening, but I do not think that the average home owner does. I think that Mr. McGrath said that people who were last built and people who have already been enjoying it. We are not talking about one getting more than the other. We are just saying that some people already received this and the rest did not. People will not get the other stuff, even though you and I get it, as well as everyone sitting here. My fear is that people will ask why they are getting this and I am not.

Ms. Incandela stated I think that Mr. McGrath's language will start those questions of who is getting what. That is why I like Ms. Mackie's language better than his. I do not particularly care if you want to blend the language together.

Mr. McGrath stated I have no dog in the game. It was just a suggestion. If we are making a mountain out of a molehill, I think what Ms. Mackie wrote is accurate, professional, and correct.

Ms. Incandela asked who wanted it on the website?

Mr. McGrath responded it was something that we decided that we wanted to use to communicate to residents.

Ms. Incandela stated I do not care about the language, but it depends on how many people view the website. I am okay with you blending the language. I do like what Mr. McGrath brings to the table in making sure that we acknowledge that this was not just the Board. I really appreciate that being in there. Does anyone want to meet with Ms. Mackie to make sure that it is worded with language that you are comfortable with, so she can get that done?

Mr. Moyer responded it is not difficult to blend the language. I think the only issue is if we are specific about the amount of savings or leave it vague.

Ms. Palmer stated I think that is all we need, if we say that there are savings without putting in the amount or percentages. We can wish everyone a happy new year, thank Ms. Mackie and everybody, say that we were able to refinance the bonds and people who were in the properties last built are enjoying these savings now, similar to the savings that we were able to secure with staff a few years ago for the first series of bonds.

Mr. Moyer asked does that work for everybody?

Mr. McGrath responded sure.

Mr. Mastromarino stated if they have any questions, they will show up at a meeting.

Mr. Frawley stated I suggest posting on the Brighton Lakes forum because the community needs to know this, and very few people even know that the website exists.

Ms. Incandela stated we can. Can you cut and paste from the website?

Mr. Frawley responded no. The last time I tried to copy from the website, the document was in PDF.

Mr. Mastromarino stated my concern is that it is not a forum for the Board to communicate on.

Mr. Frawley stated in your clarification, Mr. McGrath started out that we all know that we have bonds. I cannot tell you how many people I have told who had no idea that there is a bond and that we, as a community, have to pay for this building. They all thought that the builder gave us this for free and that all of their CDD assessments go to maintain this community. I cannot image that residents spent this much money to come here and do not even know that they still owe money. I would like one sentence that says "In case you are not aware, we have bonds here."

Mr. McGrath stated I have a question about sidewalks. Our HOA requires the sidewalks to be nice and clean as well as the driveways of people's homes. We had a discussion, and I would like to know if the CDD is responsible for the portion of sidewalks that are not affronting the driveway.

Ms. Mackie responded I believe that home owners are responsible for maintaining their portion of sidewalks and driveways and cracks in sidewalks that may come up from time to time.

Mr. McGrath stated the HOA sent residents a letter. I think we need to be good neighbors. The home owners cannot send us a letter, but I propose that we start a program, on an ongoing basis, of cleaning the sidewalks.

Mr. Smith stated we already do.

Ms. Palmer asked do we pressure wash the residential sidewalks?

Mr. Smith responded no, only sidewalks in front of homes. Home owners are responsible for pressure washing the sidewalk and curb in front of their driveways.

Mr. Frawley stated I have a survey of my property. My property ends at the beginning of the sidewalk. That sidewalk is not my responsibility.

Ms. Palmer stated you are responsible for mowing the grass on the other side.

Mr. Frawley stated I am not responsible for the grass either. I do not have to power wash the windows at your house.

Mr. McGrath stated what I am trying to do is to get a legal opinion, if Ms. Mackie tells me that the CDD is responsible for the sidewalks, other than in front of driveways.

Mr. Smith stated I would be very surprised if the deed restrictions did not call out that the home owner is responsible for cleaning the sidewalk and curb in front of their houses.

Mr. McGrath stated that is my question to Ms. Mackie. Is it our responsibility for cleaning and maintaining the portion of the sidewalk that is our responsibility?

Ms. Mackie responded you are responsible for replacing cracks in the sidewalk and pressure washing them on a regular basis. Do they need cleaning at this point?

Mr. Mastromarino responded yes.

Ms. Incandela stated they have not been cleaned in 15 years.

Mr. Mastromarino stated for aesthetic purposes, they should be power washed twice a year, and most home owners do that. I think Mr. McGrath's question is if the home owners are responsible for that or is the CDD responsible?

Ms. Mackie responded it depends on whether or not there are covenants placed on home owners for keeping the property they own between sidewalks and curbs in a neat and orderly condition. The District does own and maintain those portions of the sidewalk not owned by home owners.

Mr. McGrath stated if the HOA correctly requires home owners to keep those areas clean, then that would take precedence over the CDD having to do it.

Ms. Mackie stated I would have to look at the covenants.

Mr. Moyer asked Mr. Frawley, can you send me a copy of your covenants?

Mr. Frawley responded yes.

Ms. Pieters stated I think it is petty to require home owners to take care of their sidewalk.

Ms. Palmer stated I agree.

Mr. Frawley stated I agree, totally. My brother-in-law lives next door to me. I power wash his sidewalk, my sidewalk, his apron, and my apron. I even do the little swale between the blacktop and the grass. If I chose not to do that, the HOA has the idea that they will send you a letter saying that it needs to be done and will fine you for not doing it. I do not own that land. If it is in front of my house, I am going to take care of it, but if I choose not to, I do not own that land. I am not responsible for it. I am no more responsible for going to Mr. McGrath's house and mowing his lawn or going to Ms. Palmer's house and washing her windows. I do not own those houses.

Mr. Moyer stated correct.

Mr. Frawley stated there is not one word in our covenants that says that I am required to do that.

Mr. Moyer stated let us take a look at it. Again, it goes back to what we were talking about before. It is this Board's decision. If you want us to power wash every sidewalk out here, we will do that, but we are going to budget for it and have full-time employees doing that and you are going to sit here and have your residents go crazy when they receive a letter.

Ms. Palmer stated that is a full-time job.

Ms. Incandela stated to be honest with you, I have seen people power wash improperly and damage the surface. I do not particularly want anyone washing my concrete, but I understand where the question is coming from. Is the HOA sending out notices to get people to do it?

Mr. McGrath responded yes. I will plan on getting with Ms. Sanchez at the HOA and see if this is a requirement in their covenants.

Ms. Palmer stated I would not raise the issue with them until we know where we stand.

Ms. Incandela asked did the HOA raise the issue?

Mr. McGrath responded yes. A home owner at yesterday's meeting, which was a crime watch meeting, said that they received a letter and they have to clean the sidewalk. He said that he had a corner house and asked if he was responsible for the sidewalk on Brighton Lakes Boulevard. Mr. Frawley said that the home owner was not responsible to do anything. That is why I brought it up.

Ms. Palmer stated I believe the letter said the driveway only.

Mr. Mastromarino stated it may have been in your case, but I know home owners who received a letter for the sidewalk as well.

Mr. McGrath asked what are we going to wait for?

Ms. Palmer responded I am just saying that before we say something to Ms. Sanchez, we look at the deeds because we can open up a huge can of worms. Right now, this Board and this District are not able to take on the HOA. Ms. Sanchez's interest is to the home owners. The HOA is not going to care about this Board or this District. Do you agree?

Mr. McGrath responded yes.

Mr. Mastromarino stated if you open up that can of worms for the sidewalk, you are also opening up the can of worms for the grass between the sidewalk and the street and the trees on the property.

Mr. Moyer stated I would be very surprised if your covenants did not pass that responsibility on to the home owners. It does not make any logical sense to have the CDD do that work. Let us take a look at it.

Mr. Smith stated it does not specifically say sidewalks. It says you are responsible to maintain the public property adjacent to your property. The trees are the responsibility of the owner or the HOA.

Mr. Moyer stated we took care of the trees when we received the letter from the fire department saying that we had to cut every tree back when, in fact, it was the owner's responsibility.

Mr. Smith stated it just says adjacent property. The property between the sidewalk and the curb is beneficial use to that home owner.

Mr. Frawley stated I understand. How do you ever get to the point of where you say to somebody they do not own that land?

Mr. Moyer responded you know that if you live in a city, there is an eight-foot right-of-way when they build a 24-foot road. That means from the back of the curb, probably 15 feet that you think is your property, is public property. They may have an ordinance that says you will maintain that property to the curb. I would not be surprised if this was true for the county. Developers usually use the same deed restriction.

Ms. Palmer stated we will not know until we really look at it.

SEVENTH ORDER OF BUSINESS

Staff Reports

A. Attorney

Mr. Moyer stated you did a good job on the bond issue, Ms. Mackie.

Mr. McGrath stated I agree. Thank you and Happy New Year.

Mr. Mastromarino stated I believe that rates increased a day or two after we signed it.

B. Engineer

There being nothing to report, the next item followed.

C. Field Operations

i. Field Management Report – October 2015

ii. Field Management Report – December 2015

Mr. Smith reviewed the field management report as contained in the agenda package, which is available for public review at the District office during normal business hours.

Mr. Smith stated there are surveillance signs on the basketball court. I asked to have the HOA sign out front moved.

Mr. Mastromarino stated it is where it should be, but it should be angled better so you can see it. Take a look at it and you will see what I mean.

Mr. Smith stated the Chapala Drive roadway striping was completed. The light was fixed. The Christmas lights were taken down.

Ms. Palmer stated the lights on Pleasant Hill were the best of the entire community.

Mr. Mastromarino stated on October 30, the gate was struck by a delivery truck. Mr. McCartan must have identified it. Do we know who the culprit was, and were we compensated?

Mr. Smith responded I do not think that there was a cost associated with that, as there was no damage. I will follow up with Ms. Alvez-Martins.

Mr. McGrath stated I pointed out a tripping hazard on the sidewalk all the way by the entrance on the south side.

Mr. Smith stated I had my concrete guy come out and take a look at it. We are going to fix it. My guys have been busy because some employees are on vacation.

Mr. McGrath asked do you estimate it will be completed in two months?

Mr. Smith responded around two months.

Mr. McGrath stated perfect. I appreciate that. A home owner made a suggestion that we use car stickers for entry, which we had done in the past. I believe his idea was that anyone who did not have a sticker could be stopped and questioned. It is my understanding that is certainly something that we cannot do. Since I mentioned to him that I would bring it up, does the Board have any interest in going through the expense of having stickers for automobiles?

Ms. Incandela responded no.

Ms. Palmer responded no.

Mr. Frawley stated there are currently yellow ones. Can I get one?

Mr. McGrath responded if they are available, fine.

Ms. Palmer stated Ms. Fuentes would probably have them.

Mr. Frawley stated we could tell people wanting to have one to request one. I had people ask me for one.

EIGHTH ORDER OF BUSINESS

Submitted Resident Questions and Audience Comments

There being none, the next order of business followed.

NINTH ORDER OF BUSINESS

Supervisor Requests and Comments

Ms. Pieters stated at the special meeting that we had last month, there was nothing posted about the meeting. A couple of residents said that to me.

Mr. McGrath asked we did not post it before the meeting?

Ms. Pieters responded no. If we are going to post something, we have to post something that residents can see. Not something that they have to get out of their car to read. I sent an email to Ms. Brenda Burgess.

Mr. Smith stated we received it. One of the field staff put something over the existing sign, and it could not be seen. I told them to fix it and they came back and posted it much better but it was a day before the meeting.

Mr. Mastromarino stated at the November meeting, there was a motion for the District manager and District counsel to review utility bills. Do you have the status of that?

Mr. Moyer asked did the company wanting to review the utility bills send out the letter?

Mr. Mastromarino responded they did but I thought the discussion ended up being that was something that we can do ourselves and not hire an outside agency to do that.

Mr. McGrath stated we talked about reviewing energy costs. I think the accounting staff was going to review our utility costs and break them down.

Ms. Palmer stated I recall that they were supposed to take a percentage of the cost.

Mr. Mastromarino stated there was at no cost to us.

Mr. Moyer stated they share the recovery of whatever they get. I have their proposal on my desk and have not sent it back to them but I will.

Mr. Mastromarino asked should we consider having vendors speak first, as audience comments can get lengthy and take audience comments later? Today's audience comment section lasted 54 minutes.

Ms. Palmer responded we used to do that but residents wanted to address issues before items were discussed. That way if they had something for the landscaper, the landscaper could address it under their report. We decided to allow everyone to talk and then have them talk again at the end of the meeting.

Ms. Incandela stated we said that a home owner who had one question should not have to sit until the end of the meeting. We were trying to let home owners have the opportunity to address the Board.

Mr. McGrath stated due to the fact that we relatively have few residents attending, perhaps at the next meeting, we should try to have the contractors speak first so they can leave.

Mr. Mastromarino stated I agree with Ms. Palmer's point. Because there are so few audience members, we allow them to interject and comment on items.

Ms. Palmer stated this went back to when we had more audience members who addressed the same issue over and over again. It became out of control.

Mr. Frawley stated at least you can ask the audience at the beginning of the meeting for any comments, and then they can speak after the vendor reports and let them leave. Then you can take audience comments later.

Ms. Incandela stated I suggest that we leave the agenda as it is and take audience comments on a case-by-case basis.

Mr. Mastromarino stated today, there are only a couple of residents, but there could be ten people at the next meeting.

Ms. Pieters stated the problem tonight was that there was just one resident, but he took a long time talking about the same issue over and over. That is what made the comment section last 54 minutes.

Mr. Mastromarino stated the reason why I brought this up was because I knew it was an issue. We will take it on a case-by-case basis.

TENTH ORDER OF BUSINESS

Other Business

There being none, the next order of business followed.

ELEVENTH ORDER OF BUSINESS

Adjournment

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| On MOTION by Ms. Palmer, seconded by Mr. Mastromarino, with all in favor, the meeting adjourned at 8:00 p.m. |
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Gary L. Moyer, Secretary

Michelle Incandela, Chairman