

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 17, 2013, at 6:00 p.m. at the Brighton Lakes Recreation Center, 4250 Brighton Lakes Boulevard, Kissimmee, Florida.

Present were:

Michelle Incandela	Chairman
John McGrath	Supervisor
Jennifer Palmer	Supervisor
Dolores Pieters	Supervisor

Also present were:

Gary Moyer	District Manager
Tucker Mackie (<i>by phone</i>)	Attorney
Troy Abbott	Austin Outdoor
Andrew Adkins	Austin Outdoor
Dain Charbonneau	Austin Outdoor
Paul McCartan	Keep Safe Security
Brian Smith	Field Manager
Residents and members of the public	

This represents the context and summary of the meeting.

FIRST ORDER OF BUSINESS

Call to Order and 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.

SECOND ORDER OF BUSINESS

Pledge of Allegiance

Mr. McGrath led the *Pledge of Allegiance*.

THIRD ORDER OF BUSINESS

Administrative Matters

A. Oath of Office for Newly Elected Supervisor in the 2012 General Election

Mr. Moyer stated I need to administer the oath of office to Mr. McGrath, who ran for Seat 4 in the General Election in 2012. For the record, I am a Notary of the State of Florida, and as such, I can administer oaths of office.

Mr. Moyer administered the oath of office to Mr. McGrath.

B. Appointment of Supervisor to Fill the Unexpired Terms of Office for Seats 2 and 5

Mr. Moyer stated Ms. Palmer had held Seat 4, so she is no longer a Board member but we maintain a quorum with the remaining three Supervisors. There are currently two vacancies. Mr. Tom Mihalic held Seat 2, which comes up for election in 2014. No one

qualified for Seat 5, and that term of office expires in 2016. It would be appropriate for the Board to consider filling those vacancies by appointment. I will entertain nominations for Seat 5.

Ms. Incandela stated I nominate Ms. Palmer.

On MOTION by Ms. Incandela, seconded by Ms. Pieters, with all in favor, unanimous approval was given to appoint Ms. Jennifer Palmer to Seat 5.

Mr. Moyer stated I will entertain nominations for Seat 2.

Ms. Palmer asked has anyone contacted the District office?

Mr. Moyer stated no.

Ms. Slack asked you cannot have family on both the CDD Board and the HOA Board?

Mr. Moyer stated there is no prohibition to that.

Mr. McGrath stated perhaps Ms. Slack can speak with her husband, Mr. Jeff Slack about his interest.

Ms. Slack stated we thought that since he is on the HOA Board, that he would not be able to be involved with the CDD.

Mr. Moyer stated no, that is not a conflict.

Ms. Palmer stated if the two of you were on the CDD Board, you would have to be very, very careful not to talk about the community whatsoever.

C. Oath of Office for Newly Appointed Supervisor

Mr. Moyer administered the oath of office to Ms. Palmer.

D. Consideration of Resolution 2013-02, Election of Officers

Mr. Moyer read Resolution 2013-02 into the record by title.

Mr. Moyer stated Chapter 190, Florida Statutes, provides that after a General Election, that the Board will organize by electing a Chairman, Secretary and Treasurer. You are also permitted to elect a Vice Chairman, Assistant Secretaries and Assistant Treasurers. Currently, Ms. Incandela serves as Chairman. We do not have a Vice Chairman. We can keep the same organizational structure, or if you want to address having a Vice Chairman, we can consider each office individually if you want to make any changes.

On MOTION by Mr. McGrath, seconded by Ms. Pieters, with all in favor, unanimous approval was given to Resolution 2013-02 electing officers, with Ms. Incandela serving as Chairman, Ms. Palmer serving as Vice Chairman, Ms. Pieters and Mr. McGrath serving as Assistant Secretaries, Mr. Moyer serving as Secretary, Mr. Robert Koncar serving as Treasurer, and Mr. Stephen Bloom serving as Assistant Treasurer.

FOURTH ORDER OF BUSINESS

Approval of the Minutes of the November 15, 2012, Regular Meeting

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

On MOTION by Ms. Palmer, seconded by Ms. Pieters, with all in favor, unanimous approval was given to the minutes of the November 15, 2012, meeting.

FIFTH ORDER OF BUSINESS

Audience Comments

Ms. Brenda Jennings stated I am a member of the HOA Board. There have been several residents who have come to me regarding lights, particularly in certain areas where it is very dark. I know you have discussed this previously, but these residents are wondering if there is anything the CDD can do about putting up street lights like the ones you have toward the front entry. It really does not matter what kind of lights as long as there is some additional lighting because there is absolutely no lighting in their areas. Ms. Palmer stated there are multiple areas in the community that are dark. Part of the problem is that the lights that are there are not very bright. It is a softer wattage, so they do not illuminate very much and are decorative more than anything else. Can we request KUA do a survey of the area and look at it?

Mr. Smith stated I imagine if we want to pay them, they will put in additional lighting. We would have to pay them to run the circuit and for the pole, and it will just be one more pole for them to bill us.

Ms. Palmer asked is there a certain amount of wattage that is supposed to be illuminated from these lights?

Mr. Smith asked where are the locations you are requesting?

Ms. Jennings stated it is almost all the way to the end. If you ride in that area in the evening, it is very dark. I have thought about going for walks but it is too dark.

Ms. Palmer stated if one of those lights goes out, because of how they are placed, it is dark and it does take them a long time to repair it. I called for a year on the light in front of my home.

Mr. Gerry Frawley stated you can make a request on KUA's website to report a street light outage. You need the street light number and the address of the house that is immediately adjacent to the pole. You can provide additional details, whether it is on and off intermittently or whatever the case is, and they will come here within two or three days. I have done this a lot over the years, at least 100 lights. They are usually done within two or three days.

Mr. McGrath asked does the home owner next to the light pole not call or contact them?

Ms. Palmer stated we call them.

Mr. Frawley stated if you make the request on their website, it immediately sends you an email confirming receipt of the request.

Ms. Donna Slack stated my husband goes up around Sweetspire every day and he works in the morning before the sun comes up and writes down the numbers of the poles. Many times, he will send in the information in the morning and by the next morning, the lights are back on. Someone does need to report the one on the bridge, the first one on the right side as you are leaving the neighborhood, toward Baykal. Where the three lights are together, it is the very first light when you first go onto the bridge and it is the center light, the tallest light on the right side.

Mr. Frawley stated there is a resident on Patrician Circle who works for KUA. I am not sure if he does the lights, but he works in that department. I imagine that is why we have been getting them repaired quickly.

Ms. Palmer stated we should still call about the wattage on these lights. Maybe there is supposed to be a certain wattage from each light. I would think there would be a liability risk for KUA if there is supposed to be a certain amount of wattage. I would like their opinion. They will come out and do energy audits, so maybe they will come out and do a lighting audit for us and we can consider it at that point.

Ms. Slack stated sometimes, they need to clean the bugs out of them because they get so full of bugs. They replaced ours after we moved in and it was unbelievable.

Mr. McGrath stated I know someone at KUA so I will start by asking him.

Mr. Smith stated I will also contact them about the additional lighting. Depending on the response we receive, I will contact Ms. Jennings. What may be better is if the home owner contacts them to let them know there is a safety problem with it being so dark.

Ms. Jennings stated I know a resident came to a CDD meeting before regarding this issue.

Mr. Smith asked did she contact KUA?

Ms. Jennings stated no.

Mr. Smith stated I will definitely call them, but she should also contact them and let them know there is a safety issue in front of her house and there needs to be additional lighting. A lot of times, they respond better when the home owner calls in than if a public entity calls. I will see what the costs are associated with another light. Then we put it back on KUA and tell them their plan was bad as far as the lighting.

Ms. Palmer stated I agree.

Ms. Jennings stated I also have a question on the replacement of patio furniture. Last year, we had a wonderful time enjoying the facilities here with the pool, but the tables clearly needed to be replaced because they kept breaking. I wonder what the process is for hopefully getting new furniture.

Ms. Palmer stated normally, Mr. Frawley looks at Disney when they are selling off their surplus to associates. When he finds something good like that, we have given him the authority to be able to get more furniture. The chairs that we have right now cost about \$200 or \$300 each, but we can get them for \$5 to \$15 each. We can certainly look at that before the summer season. Right now, the pool is not used very much. If we cannot find anything in the next three or four months, then as we get closer to summer, we can look at purchasing more furniture.

Mr. McGrath stated we had discussed building tables.

Mr. Smith stated we built one but it was not going to work. It looked very out of place having a big wooden table.

Ms. Palmer stated we did decide against umbrellas because they were getting destroyed very easily and they were only out there for a short period of time.

Mr. Smith stated once we get new tables, we will get some umbrellas.

Ms. Jennings stated I noticed we had some at the Christmas party.

Mr. Smith stated people request them from the attendant while they are here and then bring them back when they leave.

Ms. Jennings stated I would like to see if it can be arranged to just bring them back in the evening.

Mr. Frawley stated I suspect that tables in general do not hold up well, which is probably why Disney does not have them available very often. The lounge chairs all came from a Disney surplus sale.

Ms. Jennings asked how often are they cleaned?

Mr. Smith stated he is cleaning them constantly, but they are getting old. They get stained and you can only pressure wash them so many times and clean them so many times. There are a lot of things like that which need to be freshened up. We just painted the front entrance and pressure washed all the curbs coming into the project. I am starting in the front and I want to do a rehab all the way back through the project. We will discuss that somewhat later on the agenda, to give the whole place a facelift.

Ms. Slack asked did they finally pressure wash the front stone?

Mr. Smith stated that was done before Christmas, and then we put up the Christmas decorations. After we took down the decorations, the painters came out and painted the whole front entrance.

Ms. Slack stated I noticed that the stone needed to be cleaned, and I mentioned something a couple times.

Ms. Palmer stated it looks pretty good right now.

Mr. McGrath stated I thought the Christmas decorations looked really great this year.

Ms. Palmer stated the poinsettias looked very nice and classy during that season. I thought it was good. When does the new company start?

Mr. Smith stated they already started. They have the desire to do a good job.

Ms. Slack stated the playground at the end of Maracaibo, one of the play sets is leaning because of the roots going up. We saw that it looked like they replaced some of the boards on it.

Mr. Smith stated all of the tot lot equipment is getting to the place where it needs to be replaced or taken down. If we take it down, we can put up a swing set or something inexpensive for now. It is time to spend some money and replace them all rather than making repairs and replacements piecemeal.

Mr. McGrath stated it is not like we are not going to still be here next year.

Ms. Slack asked are the play sets actually used?

Ms. Palmer stated the one up front is used all the time. There are always kids on it.

Ms. Slack stated when we do a patrol, there are certain ones where we have never seen a single person.

Ms. Palmer stated the one to eliminate is the one at the end of Biel Court. I live on Huron Circle, and that would be a great one for kids. But I do not want my daughter down there playing because it backs up to the woods, it is at the end of a cul-de-sac, and if there is any place where someone bad was going to do something, it would be there. It is a haven for teenagers to hang out and do things they should not be doing. There are some empty houses down there in foreclosure, so no one is in that area checking on them.

Mr. Smith stated the one at the end of Biel Court and at Maracaibo are the least used playgrounds.

Ms. Incandela asked have we ever done an audit with OUC in years past?

Mr. Smith stated not for street lighting.

Mr. McGrath stated we had an energy audit.

A Resident stated I noticed new staff cutting the grass. I do not know why, but once or twice, I have seen them going to different properties instead of going down Brighton Lakes Boulevard and going around. I do not know if it was a shortcut or just made it easier for the individuals, but they were going through one or two pieces of private property.

Mr. McGrath stated that is not the correct way to proceed. Mr. Smith should talk with them.

The Resident stated at the time, I did not know who they were. I do not want anyone to get in trouble.

Ms. Palmer stated it will be good to address that right away.

Ms. Incandela stated I almost ran into one of the new landscape crew members. I drive really slowly. There was a truck parked in the left lane, and he was on a cart and pulled right out in front of me. If it had been someone who was driving the speed limit, he would have been hit.

Ms. Palmer stated I did appreciate today that they had cones out, not just in front but a good length away.

Mr. McGrath stated it looked like they also had brand new vests.

Ms. Incandela stated we need to tell them to be really careful, especially on Brighton Lakes Boulevard.

A Resident asked in the near future, will the community do anything about putting another speed hump down on Brighton Lakes Boulevard? About 10:00 or 11:00 p.m., there are usually two guys racing down that road. I know it costs \$8,000, but it might alleviate some speeding issues. Once they come out of the turn, it is a straightaway.

Ms. Incandela asked was that one of the potential locations we discussed initially?

Ms. Palmer stated we wanted to do the first ones to see how they worked. It certainly helps in the school bus area. I do not even know if having a speed hump will have the impact that you want.

Mr. McGrath stated we certainly can spend the money, but where does it end? It does not end. The next location will be just as needy. I think we have a reasonable idea at the recreation center with the basketball court and the kids getting on and off the school bus. Those situations almost mandated us spending the money. If we put in another one, I think people who live on a different street have a good point to say they need one, too. I do not know where it ends.

Ms. Incandela asked is this happening at the same time?

The Resident stated usually between 9:00 and 11:00 p.m. and it is usually two cars.

Ms. Incandela asked is that something we can request from the sheriff's department?

Mr. Frawley stated at the last crime watch meeting, the deputy said that they have initiated some new programs. Seven days a week on every shift, they have designated deputies with computers to target in real time what the issues are and where they can see trends. These deputies will not respond to normal calls but will go to these targeted areas and stay there. As another big issue comes up, they will move to another location. Deputy Angel Beltran begged us to send them emails about our issues. I included his email address on the minutes for the crime watch meeting. This is exactly the thing he is requesting, of something that is occurring with a trend. Just give him the information and he will start targeting it.

Ms. Incandela stated if we post something like that on a web page or a bulletin board, it is almost like saying if you see a problem to call the sheriff's office. Most people will not do that. If there is any way you can draft an email that summarizes that this is a new sheriff program, I would like to receive that. I do not remember seeing anything about this program previously.

Mr. Frawley stated there was a paragraph included in the minutes specifically about that program.

Ms. Incandela stated I would ask Mr. Frawley to highlight that paragraph and indicate that if enough people call with similar complaints, we will be a target zone for these issues, which will entitle us to having the sheriff out here more often. Perhaps you can send that information in a separate email to people.

Ms. Palmer stated the people who are on the website Nextdoor Brighton Lakes are the people who are going to read it.

Ms. Incandela asked is the information posted on that website or sent as an email message? I do not remember seeing anything.

Mr. Frawley stated the website includes tabs at the top, and I included one specifically for crime watch. Anything on any of those tabs shows up on the general main page.

Ms. Palmer stated it sends out an email because I receive emails all the time.

Mr. Frawley stated it sends an email and posts the information on the main page. As it goes off the page, you cannot see it anymore unless you click on the bottom. You can click on the Crime tab, and anything having to do with crime shows up on that page, as well as anyone trying to sell something. It will show up on the main page but keep falling off the page as new things are posted. But it will stay on the Crime page.

Ms. Incandela stated I do not remember seeing a post about that, and I saw a lot of new people joined this month. A couple people were selling things, but I did not receive a message about the crime watch program. If it is posted on a general board, then you have to login and look for it. But if it comes to your email inbox as a message, then you can open it.

Mr. Frawley stated there are 750 homes here and only 47 people who are registered, so not everyone has signed up for this website.

Ms. Palmer stated those are the 47 people who will call if there is a problem. The other 700 are not going to do anything most of the time. They want someone else to do it.

Mr. Richard Jennings asked what it is you do specifically as the Community Development District?

Ms. Palmer stated this is the CDD Board. There are two Boards in the community: the CDD Board and the HOA Board. The CDD Board has everything to do with common areas: roads, recreation center, ponds, security, landscaping, anything that is not on someone's individual private property.

Mr. Jennings stated I thought the roads were City roads.

Ms. Palmer stated they are public roads. Because they were built with tax-exempt bonds, they have to be public and they are our responsibility to maintain.

Ms. Incandela stated they are public roads and we pay for their maintenance.

Ms. Palmer stated they have to be public because they were built with tax-exempt money. The bonds are tax-exempt, and because of that, the roads have to be open to the public.

Ms. Incandela stated there were years of litigation and years of issues regarding the roads because originally, the home owners who bought homes here thought they were private roads. We understood that we would have to pay for them, but we also thought that we could govern them and say who could come into the community. As it turns out, that is not the case because of the bonds.

Ms. Palmer stated the only way that would change is if the community paid back all the tax-exempt money, which we are not going to do. None of us can afford that. The tax-exempt bonds were used to build the infrastructure in the community, including the roads, which means they are open to the public and the CDD maintains the roads.

Mr. McGrath stated I believe Mr. Jennings is familiar with the HOA, and their responsibility is to keep every home owner to have their property in good maintenance since we all benefit from that. If someone next to me does not maintain their property or they put a tree house in the front yard, that will obviously be detrimental to my property and my neighbor. Those issues are the responsibility of the HOA.

Ms. Palmer stated the HOA deals with private matters, and the CDD deals with public matters.

Mr. McGrath stated as the CDD, we will never discuss someone's house needs painting or they did not mow their grass because we do not have any authority in that area.

Ms. Slack stated residents come to every HOA meeting and say there is a problem with the doggie pots or the sidewalk, and we tell them to come to the CDD.

Ms. Palmer stated sometimes it is difficult for us to say that we cannot do anything about a particular matter. We are not trying to blow off the issue, but we truly have no authority over what happens on someone's private property. We only have control over what happens on the public areas.

Mr. Moyer stated the District has a website, www.BrightonLakesCDD.org, and part of that website goes into detail about what the District is.

Mr. Jennings stated when you refer to “District,” I think we are part of Kissimmee and Poinciana.

Mr. Moyer stated we are a government.

Ms. Palmer stated being a government, that means we have to follow the same rules as County Commissioners. We have to hold public meetings. We cannot talk about District business among ourselves outside of a meeting. We cannot leave this meeting and start talking about various issues because that is a violation of the Florida Sunshine Law. If we are going to have a meeting, we have to publicly advertise it within a certain time period and have it in a location that is accessible for the public.

Ms. Incandela stated we also have a very active crime watch in our community, and they do a really good job of providing information as well as actively participating in controls and working with the sheriff’s office. We are always open to comments and questions. You do not need to wait for a meeting to ask a question. You can communicate with us through the website since our email addresses are posted. You can also contact the District office. If there is something you need from any of us, feel free to contact us. We also like to have participation at our meetings as much as possible.

SIXTH ORDER OF BUSINESS

Vendor/Contractor/Third-Party Items

A. Security Highlight Report – Keep Safe Security

Mr. McCartan provided an update on security services and responded to questions and comments from the Board.

Mr. McCartan stated we moved the guard’s times over the past few months to accommodate various situations. There was an issue with the access cards between 9:00 and 5:00 due to paperwork and the computer system so we relaunched the computer system. You cannot always help everyone. There were some minor issues on the basketball court. I will be working with Mr. Smith to put together some signage regarding behavior at the pool as well as the basketball court.

Mr. McGrath stated I noticed we switched some guards.

Mr. McCartan stated Gary is still here and so is Collin. John is also technically here but he had some jaw surgery so we hired a temporary while he is out. Two of the guards are brothers and one is very experienced who just moved nearer to the area. They are all reliable and have not generated any complaints.

A Resident asked how do you hire your guards?

Mr. McCartan stated we sometimes go by referrals, but we have a 20-page application for interested people. We run background checks and they have to be licensed by the State of Florida, so we verify that online. I look at different sources, including younger people, older people, veterans, and so forth. I have some veterans from the Korean War working for me as well as Afghanistan veterans. I try to find the right person for the community where we are working.

Ms. Palmer stated I like who is working here now.

Mr. McGrath stated I would like to ask that the new person park his motorcycle outside the building. I have driven by a couple times at midnight, and it appears that the motorcycle is actually inside the guardhouse. He was not on it, but the bike was inside.

Mr. McCartan stated I will address that with him.

Mr. Frawley stated Steve comes to the crime watch meetings. He sees a lot of things that go on and communicates that at the meeting, and he learns things from us residents.

Mr. McCartan stated we are open to learning things from the residents and what is happening in the community. We would be remiss if we did not listen to what people were saying. When the weather gets warmer, we will probably change the security guard's schedule to a later time for longer pool hours. We try to be fluid with what is happening at the moment. We addressed the issue with the swipe cards and are addressing the basketball courts. These are the only issues that have been raised with me. We want to provide you with the maximum service that you are paying for.

Ms. Slack stated I think he has been great. We are here pretty often. Yesterday we did a patrol and he was here. My husband was telling him about a day when our daughter was playing tennis and someone jumped the fence on a day when the guard was not here. My husband described the person, and the guard knew who it was, so he will have a talk with him again. There are certain people walking down the street that he will monitor because he is concerned. I think he takes more interest in the neighborhood than other people who live here. That is not something you can normally find.

Mr. McCartan stated that is very kind of you to say and I will pass on your comments to him. The basketball court was an issue when we started last year in August by introducing someone here. When the recreation center is closed, the basketball court is still open. He was concerned about someone recently and called someone at the sheriff's department to find out there was a warrant out for a particular person who came here on the basketball court. They are not from Brighton Lakes, although some people who live

here still do not have respect for other people's property. If they are not from here, they are less respectful.

Ms. Slack stated I think he is a perfect match for us.

Mr. McCartan stated he used to work at Disney and Typhoon Lagoon, so he was used to the pool scenario and had good experience. We were conscious of what you wanted for this community.

B. Landscaping Highlight Report – Austin Outdoor

Mr. Charbonneau stated we have not gone through a full irrigation check. Mr. Andrew Adkins is your account manager and I am the branch manager. Mr. Smith has our contact information. There were a couple main line breaks that have been repaired. We are focusing on getting some of the palms trimmed and getting the dead lantana out. You will soon see our irrigation department on site for three or four days next week, and you will also see our chemical department on site Wednesday through Friday. Then our biggest concern will be turf, so that is what we will be focusing on, trying to get it weed free. We will put down pre-emergents. It has been an extremely strange winter so far, and I have chinch bugs in some of my properties which are unusual in January. We are gearing up for spring. Things are definitely nutrient deficient everywhere. We need to remove dead plant material and then focus on getting the turf in better condition. I will have more to report after our irrigation review. We got mowers stuck in St. Augustine and Bahia today, and there has not been that much rain in order to get that to happen. We have a crew of five mowing and we are complete in two days. It will probably take us a little longer and have a sixth person during the summer because it will take more time with turf growing more during the summer. We are fine tuning some things.

Ms. Palmer asked are there proposals for the enhancements you mentioned?

Mr. Charbonneau stated we can provide proposals. It depends on your preference. We are trying to increase the dead spacing on some of our plants and install less mature plants. You might have a two-month growing time with smaller plants, but you get more for your money and save 50% on the plant material. We do not want to stack a lot of material in there so that when it is full grown, it looks cluttered and we are constantly trimming it. Mr. Smith signed off on a couple proposals and we will get started on that work next week.

Ms. Palmer stated we are excited to have you here. I think it is a good time of year for you to get started before the growing season.

Mr. Frawley stated I have seen some people who have started to expand their property with their own plants and their own gardens. I do not think the previous landscape company really dealt with this issue. As the maintenance crews go around, especially since you work behind a lot of people's houses that are against wetlands doing annual trimming and maintenance, if you find that people are encroaching on the rest of the community property, that is a concern to me. My question to the attorney is if there is an issue we need to be concerned about with someone who is squatting on property, some for many years.

Ms. Mackie stated typically what we have done is find out which particular parcel is doing it and send them a letter from Mr. Moyer's office or from our office. We ask them to remove the plantings out of the conservation area if it is on District property. We give them the opportunity to remove it at their cost. If they choose not to do so, then we will remove it. We give them some time to do it themselves, but it is advisable to have the plantings removed, especially if it is a conservation area.

Mr. McGrath stated we have done things like that in the past, but I think part of the problem might be the trees and shrubs that were originally the conservation area has been removed. It is not necessarily that they put in a garden as much as extending the sod.

Mr. Smith stated we have written letters to home owners, but they do expand their territory by clearing some of the vegetation. Depending on the vegetation, some is noxious anyway and we do not want it there, so that is not a problem. They leave the good trees usually. We do have problems with people going back there now where they are planting gardens. At the end of January or the first part of February, we are going to start the bush hogging process. We will make a list of homes that are encroaching and send them letters. Some people planted things that are not really that bad to have back there, for example, native magnolia or something small like that. The problem is when they start putting exotic plants. It is in the buffer, not in the conservation area that they are impacting. We will prepare a list and send letters.

Ms. Palmer stated I think the first letter comes from the CDD and we give them a certain time period to remove it. If you do not see any change after that time, then the letter has to come from the attorney. I think some people will take care of it after the first letter, but some will need the second letter.

Mr. Frawley stated there is one on Sweetspire that backs up to the pond behind Stargrass that has planted trees and more and more are coming down the berm, so much

so that they actually have conduit in the ground with lights. It is not just a plant in the ground but they planted permanent things in the ground.

Mr. Smith asked do home owners have to go through any type of architectural review to plant anything?

Ms. Slack stated yes.

Mr. Smith stated that is usually our first recourse. As soon as they start any planting, the architectural review committee needs to address it. In many of the communities I manage, by the time they get to my area, the HOA is already addressing the planting before I have a chance to. There are some that are planted next to our property that are close to us. They may have a bed on CDD property but there are a lot that have also installed plants on CDD property, as well.

Ms. Slack asked is it the second or third house?

Mr. Frawley stated yes.

Ms. Slack stated I know who it is.

Mr. Frawley stated they are being planted down the berm.

Ms. Palmer stated we should address that with them immediately and perhaps the letter comes directly from the attorney for that property.

Ms. Incandela asked has the HOA already addressed this with them?

Ms. Slack stated I do not know.

Mr. McGrath stated it is not likely.

Mr. Smith stated if you give me the address, I will get with the HOA and ask them to write a letter, too.

Mr. Frawley stated my concern is them not doing anything.

Mr. Smith stated it does not matter. We can still make them move the plant material.

Mr. Frawley asked they cannot claim squatting on that property?

Mr. Moyer stated no. Ms. Tucker can address this further, but I recall adverse possession is 27 years.

Ms. Tucker stated if it has been there for so long, then they can claim rights to that land by virtue of their improvements being on there. Since this is the District's property, that takes a significant amount of time to claim by adverse possession. Regardless, it is in a buffer area which is not supposed to be improved. I think the District is well within its rights to send out these letters, despite the fact that some time has passed.

Mr. Smith stated what you are talking about is on the banks of the ponds, and we have the obligation for the proper operation of those ponds because they are for retention and drainage. If we need to mow that bank, then we mow the bank. If there is something on that bank, it gets mowed.

Ms. Palmer stated I suggest Mr. Frawley and Mr. Smith meet in the field to discuss this further. If the HOA sees things that are apparently wrong, report them to Mr. Smith so we can mail the proper letters and so we can make sure we are adhering to what SFWMD requires and other regulations.

Mr. Charbonneau stated if they are encroaching on conservation areas, the State will levy fines, which are extreme. If you do not reach any resolution with the letters, you can report them to SFWMD.

Mr. Smith stated we can threaten them with that in our letters. They need to know it not only affects the CDD.

Mr. Charbonneau stated we are not going to be spraying a lot of chemicals, but we will be using some right in the beginning because the property needs it. We will have a very aggressive approach to it and we will stay that way. With some of the proposed enhancements, you will see some immediate change. Getting the overall property back to your standards will take us about a year to 18 months. Hopefully we have a good growing season and do not have a very hard winter. It is almost a catch 22. We do not want to be hit too hard with the tropical climate, but we do not want it to stay as cold as it is, either. Otherwise, we will battle bugs all year long.

Ms. Palmer stated it is a big problem from last winter because we did not have a cold enough winter last year. We look forward to having you provide our landscape services. We are excited to have you here. We had a good discussion at our last meeting, we are excited to see the changes, and we are happy to have you on board.

Mr. Charbonneau stated we are happy to be here.

Ms. Palmer stated thank you for coming and talking with us. it is nice to have someone attend our meetings. You all may certainly come, but we would like at least one of you to attend.

Mr. Charbonneau stated we wanted to introduce the Mr. Adkins to you since he is the project manager. Mr. Abbot is the branch manager, and I am the business development manager. Mr. Smith has all our contact information.

Ms. Slack asked when you are doing enhancements, are you also going to do the back of the neighborhood, not just the front?

Ms. Palmer stated that is up to us as the Board.

Ms. Slack stated he mentioned doing some enhancements as part of their plan, and I am hoping they will do something in the back because we seem to get left out. I did notice that they removed the tree, which is an improvement. But it looks like the plant material is all original and it is looking pretty ratty.

Mr. Adkins stated I ride the property with Mr. Smith at least once a week. If anyone has any questions or concerns, please send them to Mr. Smith and we will take care of them right away. We want to be proactive rather than reactive.

SEVENTH 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 we levied \$761,000 in non-ad valorem assessments, and we have collected \$645,000, which is about 85%, through December 31, 2012. That is not unusual because people usually pay their real estate taxes as early as they can to take the discount. In terms of expenditures, we are right in line with where we need to be on administrative expenses. We are over budget on assessment collection costs because we have collected so much of our assessment revenue. That is a fairly straight-line proration, so that is not unexpected.

Mr. McGrath stated page 1 of the balance sheet shows we have \$684,000 in the checking account. Would it be possible to take some of that and open up a money market account?

Mr. Moyer stated there is a report included that shows what is invested in various places, on page 42. The reason for that high amount is because that was the balance at the end of December when we received a significant amount of our revenues. Mr. Bloom does a pretty good job of layering our investments.

Mr. McGrath stated indeed, through the years, we have received more money working for us, so that is great news. On page 35, Communication-Telephone shows we pay \$266 per month. Does that include internet? Or is that just telephone? I do not remember seeing anything separate for internet.

Ms. Palmer stated since it is BrightHouse, it should include everything.

B. Check Register

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. McGrath stated we paid \$193 bi-monthly to Exercise Systems. Mr. Smith and I met in the fitness room before the meeting. Are they doing the job as good as anyone else would in coming out and making repairs?

Mr. Smith stated they respond well. They have said the treadmill was down and needed to be replaced. I sent one of my staff members to look at it, and he was able to unplug it, reset it and get it working. The treadmill does need to be replaced at some point, but Exercise Systems responds. Our equipment is getting so old that their answer every time they come here is that it needs to be replaced because they cannot get parts for it and they cannot repair it. We have two new treadmills and the old one has to be replaced. The elliptical machine was removed. Some of the other equipment is getting old, including the benches.

Mr. McGrath stated it is used very often. A couple years ago, I suggested that we ought to have termite protection. Terminix charges us an annual plan renewal as well as a monthly fee. They charged us almost \$1,000 for a plan renewal. Is that the full termite bond?

Mr. Smith stated I believe it is but I will confirm. They perform a termite inspection and they guarantee their inspection.

Ms. Incandela stated I understand the bond, and usually there is an inspection annually when you renew the bond. What is the monthly charge for?

Mr. Smith stated that is their insect protection.

Mr. McGrath stated it includes more than just termites. I thought we ought to have termite protection, but at \$1,000 annually for the recreation center and the guardhouse is a lot of money. I pay \$250 for my house. Perhaps we could look at getting proposals.

Mr. Smith stated we priced it last year and they came in lower. We can do it again if you would like.

Mr. Moyer stated we will take a look at it.

<p>On MOTION by Ms. Palmer, seconded by Ms. Incandela, with all in favor, unanimous approval was given to the check register, as presented.</p>

C. Website Statistics

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

EIGHTH ORDER OF BUSINESS

Staff Reports

A. Attorney

Ms. Mackie stated the 2013 legislative session is underway and this is the time when Bills are being proposed. We are not quite sure what will ultimately be brought to the floor, but we are monitoring it and will provide updates to the Board on any legislation that will affect CDDs.

B. Engineer

There being nothing to report, the next item followed.

C. Field Operations

i. Field Management Report

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

Mr. McGrath stated the holiday decorations and lights looked really good. We spent a little more money for some energy-efficient lights. I suggest for next year that we use the lights we have already purchased instead of adding to it.

Mr. Smith stated we will not always need to purchase all new lights but will be able to use some that have already been purchased. Every year, we will need to buy a little.

Mr. McGrath stated when we first put them up, someone with a shotgun came and shot out the bulbs.

Mr. Smith stated I cannot believe that was the case.

Mr. McGrath stated it is listed on this report. At least we know they were not using too much power and they popped the breaker, so that is progress.

ii. Aquatic Weed Control Report

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

iii. Action Item List

Mr. Smith reviewed the action item list contained in the agenda package, which is available for public review at the District office during normal business hours.

iv. Discussion of Sidewalk Project

Mr. Smith stated we performed a sidewalk review and created a map showing the locations. I obtained a proposal from a contractor that I use very often for this type of work. It is \$14,000 just for the sidewalk removal and replacement and for the asphalt

repairs. One of my staff will do the grinding, so you will realize a savings on that work effort. This contractor does a lot of work for me, and I told him that I needed his best pricing for this work.

Ms. Palmer stated I saw the map and I think this is decent pricing for what is on that map for what needs to be done. I thought it would be a lot more than this.

Mr. McGrath stated the issue had been raised that all it takes is someone getting hurt or injured.

Ms. Palmer stated I think we use some money from reserves if we do not have enough in the general fund. I think this will be \$14,000 well spent. There are a lot of locations that need to be repaired.

Mr. McGrath stated I agree. It sounds like in Mr. Smith's experience that we do not really need a bid since this contractor does good work, he has used them before and the price is right.

Mr. Smith stated Mr. Russ Simmons performed the review, and he thought the price proposal was impressive for the work to be done.

Ms. Palmer stated I thought it would be a lot more money. I did some work at the hotel recently and it was expensive.

Mr. Frawley stated there are a lot of areas on Huron. What do you think that is from?

Ms. Palmer stated I think it is from two things. One, it is older. Two, they had to go back and dig up that whole area to install the underdrain. I think that is part of the problem.

Ms. Incandela asked what about the driveway pads that are cracked and the cracks between the sidewalk and the driveway pads that are busting up the pads?

Mr. Smith stated we do not normally do driveways between the sidewalk and the curb. We leave that to the home owner. It might be something the HOA and the ARC can address.

Ms. Palmer stated I think we need to worry about the sidewalks.

Ms. Slack asked are the home owners responsible for the holes that are forming between the road and the sidewalk, like where drainage is and there are big holes?

Mr. Smith stated the drainage area along the curb line is in the street, and that is the responsibility of the CDD.

Ms. Slack asked what about once you pass on the back side where the street starts and the sidewalk ends?

Mr. Smith stated when you have a curb inlet there, what is happening is you are getting infiltration into that drain. The CDD needs to fix that, and I have a lot of them on my list. We will start working on those in February. We will start identifying and repairing those. Those repairs will not be cheap.

Ms. Palmer stated we need to start somewhere, and I think this is a good place to start. We have had one of these situations already on Huron that happened with a sidewalk situation. It was a lawsuit for a long time. I do not think we want to go through that again.

On MOTION by Ms. Palmer, seconded by Ms. Incandela, with all in favor, approval was given to accept the proposal from William Stone to perform sidewalk and asphalt repairs in the amount of \$14,074, to be funded from the reserve account.

v. Doggie Pots

Ms. Palmer stated I am glad to see people using doggie pots and not just taking bags for no reason.

Mr. Frawley stated I came out and the pots seemed to be full. Are the bags being changed often enough?

Mr. Smith stated I have not checked over the past couple days when I have been out, but I am sure they are.

Ms. Incandela asked are they all being used or are there some that are not?

Mr. Smith stated yes, they all seem to be used.

Ms. Slack stated a neighbor told me that they appreciated the fact that you put them in. They do not even walk down that way, but they noticed it when they returned from being out of town. They wanted me to relay that message to the Board.

Ms. Palmer stated I just do not want to see people taking bags for no reason.

Mr. Frawley stated you never know when your dog will go, so as you walk by one, you grab a bag and then deposit it in that can or go to the next one.

Ms. Palmer stated I am fine with that.

Mr. Smith stated you may see people taking several bags because their house might be a ways from a doggie pot, so they keep the extra ones at the house. I know some people who do that.

Ms. Palmer stated but at least they are using the bags for the right reasons. My concern was the kids at the basketball court removing all the bags.

Mr. Smith stated I did stop one lady who was pulling a lot of bags out of the station. She had an explanation about how the timing worked for her dog.

Ms. Slack stated they can buy their own bags or bring their own from home.

Mr. Frawley stated I noticed that the bags in the cans were not all the dark-colored bags, so some people are using their own bags.

Ms. Pieters stated I know we have doggie pots along the main roads. But what about the side streets? Dogs are going on people's lawns, so we should consider having them in the neighborhoods.

Ms. Palmer asked how much do the doggie pots cost?

Mr. Smith stated we purchased them for about \$250.

Ms. Palmer stated I think it would be great to have them everywhere. How many miles of road do we have here?

Ms. Slack stated 11 miles.

Ms. Palmer stated to be able to put them throughout the community effectively, that is a lot of doggie pots.

Ms. Pieters stated we could put one in the middle of Chapala Drive.

Mr. Smith stated the problem when you do that in a residential area is no one wants it in front of their house.

Ms. Slack stated put them in a park or a common area.

Mr. McGrath stated there really is no limit to how many we could or should have. We just installed some so let them mature a little while and see what problems and issues come up with them.

Ms. Palmer asked how many new ones did we install?

Mr. Smith stated four.

Ms. Palmer asked are they all at this end of the community?

Mr. Smith stated no, they are along Brighton Lakes Boulevard.

Ms. Slack stated having one around Sweetspire might be nice, too, in the common area there.

Mr. Smith stated we put them along Brighton Lakes Boulevard that we noticed were the worst places. People coming out of Volta Circle and Kariba Court can use them, as well as people coming off the bridge. We placed them pretty well. We received one

complaint that it was too close to a house, so we had to move one right down here at the corner.

Ms. Slack stated I suggest one at Sweetspire because people do walk the whole loop when they walk their dogs.

Mr. Frawley stated you could put it near where the school bus stops in that common area.

Ms. Palmer stated I would not put it by a school bus stop because that is when you have kids messing with the bags.

Mr. Frawley stated you can put it farther down but in that area.

Ms. Incandela asked what did we budget for them? I think we thought originally that they were going to be more expensive.

Mr. Smith stated it was about \$1,000 to \$1,200, and we purchased four.

Mr. McGrath stated we originally thought they would cost \$350 and we thought we wanted six based on our conversation at the last meeting.

Ms. Palmer stated since we originally contemplated getting six at \$350 but they do not cost that much, we should consider getting three more.

Mr. Smith stated I do not remember the dollar amount that was approved. I think we used the budget amount to purchase the ones we got, as well as the bags.

Ms. Incandela stated we should get two more and put one near Sweetspire.

Mr. McGrath asked where does Ms. Pieters think the second one should go?

Ms. Pieters stated on Chapala.

On MOTION by Ms. Palmer, seconded by Ms. Pieters, with all in favor, approval was given to purchase two doggie pots to be located on Sweetspire and Chapala.

vi. Drainage and Other Repairs

Mr. Smith stated we need to start considering some additional repairs. We will start with the drainage issues. Once we start investigating, which we discussed at the last meeting, we will figure out what the problems are. These repairs could be up to \$25,000 for all of them. We need to consider that expenditure.

Ms. Palmer stated I think we will need to get a couple proposals for the drainage repairs. The drainage needs to be taken care of. That is a significant amount of money, but this is exactly why we levied the extra \$100 in assessments a few years ago because we knew these issues would be coming up. Roadwork is not just going to be resurfacing

and milling the roads. We will have issues like this that come up. Our community is aging to the point where it is starting to settle in areas. That is why we have been putting this money aside because we knew we would have to deal with some of these issues.

Mr. McGrath asked are there three areas we are looking at now?

Mr. Smith stated yes. There are some minor sink holes behind the curb. Most of those we can repair and we have already completed a lot of them.

vii. Playground Equipment

Mr. Smith stated we have six play areas and we can reduce those to four. The cheapest equipment available is about \$10,000, so that would be \$40,000 for the four play areas. That does not include what we have at the recreation center.

Mr. McGrath stated we knew this was coming. Last year, Mr. Smith presented us with some pretty pictures for the professional play sets. Are you still sure that something from BJ's or Sam's Club will not hold up? We need commercial grade because it has to last?

Ms. Palmer stated if we are using something for commercial use from BJ's or Sam's Club that is designed for residential use, then we have liability issues. I think we need to get away from wood and start using plastic. They are a lot more durable and they come with great warranties so we will not be looking at major repairs in two or three years. We use plastic equipment at the hotel. One of the problems with it is we have to put it together and repair it, but they send out replacement parts if we need them. I think we need heavy-duty plastic. It is safer and more durable. The kids are part of the community. We took care of the older ones at the basketball court, and I think we owe it to the younger ones.

Mr. McGrath asked would we be wise to start and plan on buying one? Is there any price break that says we need to buy them all at once?

Mr. Smith stated you can buy them one at a time. My goal is to create a capital improvement budget and put all these things in that budget and designate dollar amounts to those items. We will bring those items to the Board and go through that budget as a separate part of the agenda package. We can start spending that money toward those things that need to be done.

Ms. Palmer stated I would like to see a capital improvement budget not only for this year but what you think we need for the next five years. This year and next year will have a much more detailed plan. But I think if we are going to look at a five-year capital plan,

then we will know what we need to do as far as assessments. Mr. Smith has worked enough in this community that he knows when things need to be done. For the next meeting, I would like to see a detailed plan for this year and next year, as well as a general five-year capital improvement plan.

Ms. Incandela asked do you want to wait on the playground equipment until next month?

Ms. Palmer stated I am ready to do this at the next meeting. I would like to see any equipment removed now that is unsafe. If anyone asks, let them know the Board is ready and will be making a decision at the next Board meeting. I would like to see proposals for what we need. I think we need more equipment here whereas on some of the smaller parks, we do less equipment. We talked about maybe having soccer nets or something on Chapala Drive. Maybe we look at that all together. I would like to do it all at once because I think we can get some discount pricing buying it all together versus doing it piecemeal.

Ms. Incandela asked can we schedule a workshop meeting so we can discuss all this? Then we can move it along a little faster. How long will it take to install the equipment after we order it?

Mr. Smith stated it is normally a three-week to six-week lead time to order and receive it. Once it arrives, it takes two weeks to get installed.

Ms. Palmer stated so we are looking at it being installed and ready in the spring months.

Ms. Incandela stated if it gets too late, then we are already in summer and the kids are out of school.

Ms. Palmer asked can we provide a not-to-exceed dollar amount and have a Board member meet with Mr. Smith to select equipment based upon the not-to-exceed amount and furnish all the play areas in the interim? I am not going to make a decision tonight without any of the Board members having seen any equipment.

Mr. McGrath stated I agree.

Ms. Palmer stated if we do not want a workshop, then someone needs to meet with Mr. Smith.

Mr. McGrath stated if we get the big picture on the wish list, I think it will make it easier where the first money needs to be applied.

Mr. Smith stated we provided similar information previously.

Ms. Mackie stated you can certainly designate a certain Supervisor to work with staff and the Board can approve a not-to-exceed amount in terms of purchasing equipment prior to the next meeting in March if you do not want to have another meeting in the interim.

Ms. Palmer stated I would like to do that and also meet with this company and two others. We need to let them know the number of play areas we have, their sizes, and our budget, and then ask how they suggest we allocate our budget in the best way to utilize the money and cover all four parks.

Mr. Smith stated I would definitely bring in the companies to discuss what we want with them, have each of them give us a plan, and whoever provides the best budget is the company we will choose.

Ms. Palmer stated I will provide the company we use at the hotel as another option. I am fine with one of the Board members meeting with Mr. Smith and the companies. I do not mind which member it is. Someone just needs to meet with the companies and make a decision on how they best allocate that money and what they think will work best. They work with this equipment every day and they know best. For us to piecemeal this and try to come up with the number we are looking for is not efficient because we do not know. We need to ask them what works and what is popular, and then give them our budget.

Ms. Incandela stated one thing I want to be careful of is the play sets with covered areas to shield kids from the sun. Those are the more expensive ones. I want to be careful that if we have play areas facing Brighton Lakes Boulevard, you need to be able to see into it. I do not like the play sets that are enclosed because teenagers might congregate there at night.

Mr. McGrath stated I agree.

Ms. Palmer stated one of these companies can probably provide a less expensive piece of equipment but have a canopy that goes over the equipment that is wind and hurricane resistant. It adds a decorative flair to the equipment. Those are not as expensive at some places, so we might be able to get more equipment on the ground and have it partially covered.

Mr. McGrath stated I think Mr. Smith understands that anything we have now in wood, if you see something that is beyond being safe, just remove it.

Mr. Smith stated yes.

Ms. Palmer stated we know we have \$54,000 in this reserve account. We will consider \$6,000 or \$7,000 in proposals for fitness room equipment. For the playground equipment, we should consider this company and at least another one. We should show them our play areas and have one Board member meet with Mr. Smith and these companies to review the plans and make a decision, not to exceed \$40,000, on the purchase of playground equipment.

Ms. Incandela stated we do not need to necessarily have the same equipment in all the play areas.

Ms. Palmer stated that is correct. We can do smaller pieces at some of the satellite parks, and this area is where we will focus more money. The play area up front gets used a lot, and maybe we spend more money there, whereas the smaller ones in the back are not used as much. This play area and the one up front are the main play areas that are used.

Ms. Incandela stated the ones that are not used as much are the ones that are open.

Mr. McGrath stated the one at Biel we decided to eliminate.

Ms. Palmer stated that is correct, and we also decided to eliminate the one at Maracaibo.

On MOTION by Ms. Palmer, seconded by Mr. McGrath, with all in favor except Ms. Pieters, approval was given to (1) eliminate the play areas on Biel Court and on Maracaibo Drive (2) appoint Ms. Palmer to meet with Mr. Smith and a minimum of two playground companies to discuss a comprehensive plan on playground equipment for the four remaining park areas, and (3) authorize not to exceed \$40,000 to purchase playground equipment for the four remaining park areas.

Ms. Pieters stated my concern from the beginning was that these things are for a specific age group, probably up to 12 years old. We have teenagers who also use these parks.

Ms. Palmer stated for older kids, there are tennis courts and basketball courts. They can also go on the swings. I am not looking to buy playground equipment like slides and seesaws for teenagers. I am looking to purchase equipment for kids aged 12 and under. I think that is where we need to focus.

Ms. Incandela stated that is the age this equipment is geared toward. Another suggestion I have is, I have seen parks that just have a swing set with six or eight swings. Perhaps Chapala Drive might be a good location for something like that. Swings are big enough for adults, so families can come to the swings if they want.

Mr. McGrath stated they are also heavy duty so they will last longer.

Ms. Incandela stated teenagers want to hang out with other teenagers, so they are going to hang out somewhere in the community. We should have some open areas with good equipment that they can use that will not break when they are hanging all over it. To a certain extent, we will not be able to stop that activity. We have a lot of young families here, and I see parents with young children are using the play areas when older kids are in school.

Ms. Palmer stated there are a lot of babies and I see people walking them all the time.

Ms. Incandela stated we have a whole new generation growing up.

Ms. Palmer stated I would like to look into soccer fields at the big park on Chapala Drive and perhaps we can do something with swings also. How are the metal swings at the recreation center?

Mr. Smith stated we repaired them and put in all new posts, so they are fine right now.

Ms. Palmer stated perhaps we keep those swings but replace the playground equipment in the play areas.

Ms. Incandela stated none of these proposals included swing sets.

Mr. Smith stated no, but swing sets are fairly inexpensive.

Ms. Incandela stated instead of having four separate play sets in the parks, perhaps we can make one just with swing sets.

Mr. Smith stated we can look at doing that. We did that in another community that had a playhouse and a tot lot, which we removed and installed swing sets. They are used all the time, so we definitely want to have one park with just swings.

Mr. McGrath stated while this will be expensive, it will increase the value of the community.

Ms. Incandela stated I would suggest some with extra wide seats to accommodate adults.

Ms. Slack stated I work in the school system, and I suggest staying away from anything having to do with monkey bars. That is where kids get hurt at school, even when

they are using them properly. They will lose their grip and fall, and when they try to stop themselves, they break their arms. If they are not being watched, they will try to be on top of the monkey bars, and if they fall of there, they will get hurt.

Ms. Palmer stated kids play on top of this equipment, too.

Ms. Slack stated if you are looking at safety, you might not want to have monkey bars. It eliminates the temptation.

viii. Landscape Enhancements

Mr. Smith stated we need about \$20,000 to \$30,000 for landscape improvements. One of the beds that they wanted to do is \$2,300, which is for one small bed. You can see that we have a lot more than one bed to address. I will try to reduce the size of some of the beds because some of them are big and do not need to be that big. We will sod the extra area and make the beds look better.

Ms. Palmer stated some plant material is also less expensive to use. The taller grasses are very hardy during winter and drought tolerant during the summer. We should consider those types of plant materials.

Mr. Smith stated we do look for drought-tolerant plants, including flax lily, which are doing well in the types of soils we have here. We will choose plants that last and will not get freeze burn. We just need to look at putting dollar amounts toward those items.

Ms. Palmer stated this can also be included in your capital improvement plan.

Mr. Smith stated it will all be included.

ix. Fitness Equipment

Mr. Smith stated this will also be included in the capital improvement plan, and we need to do something about the fitness equipment pretty quickly.

Ms. Palmer asked can Mr. Smith put this plan together in the next two or three weeks so that we have time to review it before our next meeting in two months?

Mr. Smith stated yes.

Ms. Palmer stated then we can come prepared to the next meeting and discuss what we want to do.

Mr. Smith stated I would like approval to replace the treadmill and the elliptical machine. The treadmills are used a lot. I brought a proposal for a new treadmill.

Ms. Incandela asked besides the treadmill, how many machines need to be replaced? Are you looking at a complete overhaul or just specific equipment?

Mr. Smith stated some of the lifting equipment is fine. The push-up bench and the press bench are getting pretty bad. We have repaired them and I would like to replace

those, but those are not immediate needs. The treadmill and the elliptical are immediate needs.

Mr. Moyer stated we have \$54,000 in the reserves for that purpose.

Ms. Palmer stated we knew this was coming.

Mr. McGrath stated the carpeting also needs to be addressed.

Ms. Palmer stated I would suggest using the carpet square that you peel off the back and press down. My reason for that is if something happens to an area, we just replace a square instead of the whole carpet.

Ms. Incandela asked is the \$54,000 for the playground equipment and the fitness equipment?

Mr. Moyer stated it is in the recreation facilities category. We have a fair amount of unassigned fund balance, as well.

Mr. Smith stated I have a proposal for the treadmill that I would like the Board to consider.

Ms. Palmer stated it has a five-year commercial warranty, which is a good warranty.

Mr. Smith stated the proposal for the bike was supposed to be for the elliptical, but it is approximately the same price.

Mr. McGrath asked are these all machines that will be able to take a beating?

Mr. Smith stated yes. The treadmills in there now have been holding up pretty well.

Ms. Palmer asked is there a way we can get the same preferred-customer pricing discount on treadmill?

Mr. Smith stated yes.

Mr. McGrath stated I have been approached by someone who might be interested in making a donation toward it, and the quality of what we are discussing will be such that we do not have to worry about that part.

Mr. Smith stated that is correct.

<p>On MOTION by Ms. Palmer, seconded by Ms. Pieters, with all in favor, approval was given to the proposals for the elliptical machine and the treadmill for the fitness room, not to exceed the proposal amounts, receiving the preferred-customer discount on the treadmill.</p>

NINTH ORDER OF BUSINESS

Submitted Resident Questions and Audience Comments

A Resident stated I have been using the fitness equipment and it all needs to be replaced. The carpet was mentioned, but will that be replaced as well?

Ms. Palmer stated we talked about using squares for carpeting.

Mr. Smith stated I will provide proposals for carpeting at the next meeting. Once I receive approval from the Board, that can be installed pretty quickly.

The Resident stated I would also like to see access to water or some type of fountain.

Ms. Palmer stated there is one outside.

The Resident stated I would like to see one in the fitness room itself.

Ms. Palmer stated I do not think there are any water lines over there. If there are no water lines, that would be very difficult to install.

A Resident stated that would be very unsafe in the fitness room. If you want water, bring a water bottle. People have a tendency to get sweaty and equipment will fall out of their hands. If people walk through the water dropped from the water fountain, they track it all over the floor.

Ms. Palmer stated the water lines are all on this side of the building, so we would have to break up concrete to run water lines over there, and that would be cost prohibitive to do.

Mr. McGrath stated I appreciate the cold water fountain by the basketball courts. In a couple months, that will be a very popular place.

Mr. Frawley stated I am interested in how the pool lift is coming.

Mr. Smith stated the lifts are almost impossible to get at this point. It has been ordered.

Mr. Moyer stated I recall having to pay a deposit for it.

Ms. Palmer asked if we are inspected by the State for some reason and if we have the purchase order showing the deposit has been made and the order has been put in for the pool lift, will that cover us?

Ms. Mackie stated I am sure it will. There is still a moratorium until May 31, 2013. We have not seen any additional guidance come out from the Department of Justice regarding pools and whether or not they will be extending the deadline. Last time, they extended the compliance deadline the night before, and we cannot be sure they will do that again. Certainly, you have your purchase order. I think this community and many others are running into difficulties because of the great demand for pool lifts.

A Resident stated you mentioned a five-year capital improvement budget earlier. Other than the home owners, who contributes money to this?

Mr. Moyer stated just the home owners.

The Resident stated I know from experience that some of this equipment will need to be replaced in five years.

Ms. Palmer stated some equipment will last a lot longer than five years.

Mr. Smith stated the metal commercial grade equipment will last 10 to 15 years, and we can also get warranties on it.

The Resident stated I have not seen that.

Mr. McGrath stated you are correct that people are hard on the equipment.

The Resident stated that means we need to build up this budget again in five to seven years.

Mr. Moyer stated every year, there is a line item in the budget for renewal and replacement of \$75,000, which is an ongoing line item. So every year, we will perform some renewal and replacement.

Ms. Palmer stated we also have a reserve that we put aside for roads and things like that, but we incorporate it into the budget every year when we consider the next year's budget. We incorporate amounts of money into the budget, knowing there is wear and tear in the community. We know there are things that will need to be replaced. Because the community is aging and we are seeing different things needing replacement, we are just asking Mr. Smith to put together a capital improvement plan. We allocate monies in the budget for items like this every year.

Ms. Incandela stated our budget meetings are also open to the public. You may attend those meetings and the budget workshop where we actually approve the figures.

Mr. McGrath stated you are 100% correct that whatever we do, it will wear out or be destroyed or damaged, and we will be replacing and improving it, which is ongoing.

The Resident asked is this information provided in a newsletter that home owners can see and read?

Ms. Palmer stated you may attend the meetings and the information is posted on the website. The agendas for meetings as well as minutes are also posted on the website.

Mr. Smith stated the budget is also posted on the website.

TENTH ORDER OF BUSINESS

Supervisor Requests and Comments

Ms. Palmer stated a resident raised this issue previously and we tabled it, but I would like to see if we can get a proposal to see what it would cost to put in parking across from the basketball court. Someone will get killed coming around Huron Circle. They park on both sides of the road all the way up that first part of Huron Circle. If you come around the corner and someone is coming from the other direction, it is a bad situation. It might be something we cannot afford to do, but I would at least like to know what we are saying we can or cannot do. We have the space right across from there. I would just like to see the costs. It might be something totally out of our budget, but at least we would know.

Mr. McGrath stated perhaps we can increase the parking here by going north, which ruins the landscaping. But instead of having people playing basketball across Brighton Lakes Boulevard, they are on this side and we finally have more parking on this side for the community center.

Ms. Incandela asked if we do a parking lot, does it have to be paved?

Mr. Smith stated we just did one at Florida Hospital, and the County wants something that drains. We could probably get by with doing a Bahia grass lawn.

Ms. Palmer asked can we check with any legal requirements we might have since it is near houses?

Mr. Moyer stated it is really a question for Hanson Walter.

Ms. Palmer stated I think we need to find that out because that might be the solution. They will walk across the street, but this way, it will get the cars out of the road and reduces the potential for accidents.

Mr. Frawley stated it will also help the bus stop.

Ms. Palmer stated that is correct because cars can park there waiting for kids.

Ms. Incandela asked is it a question that it backs up to a home owner's property? Can we do landscaping with trees or does it matter if the home owner sees the lawn?

Ms. Slack stated that house is in foreclosure in some stage. If it is something that is done soon, you will not have to worry about new home owners.

Mr. Smith stated we can install a viburnum shrub so they will not see it.

Ms. Slack stated that will also delineate where the parking lot ends.

Ms. Palmer stated that might be the solution if we do not have to pave the area. It is a big issue with cars in the morning at the bus stop, so it would alleviate that problem, and it will alleviate the parking at the basketball court.

Mr. Smith stated we can put handicapped ramps on either side and designate a crosswalk there and install crosswalk signs. That will help people to slow down.

Ms. Palmer stated I think that might be the most cost-effective solution.

Mr. McGrath stated on Brighton Lakes Boulevard near Patrician Circle on the east side, a lot of people walk. We think the irrigation goes on at the wrong time there because there are puddles when people are walking. I would like to see if we can change the time to go in the middle of the night when everyone is asleep. It might reduce having that water sitting there.

Ms. Pieters asked is litter and trash removal in the contract with Austin Outdoor?

Mr. Smith stated yes.

Ms. Pieters stated there is quite a lot in the community.

Mr. Smith stated in talking with them, they will be here more often during the week. I discussed some of these problems with them, so they will have a mow crew that is responsible for trash and then there will be a detail crew. They will not all be here on one day; they will spread out the crews, so hopefully that will help with trash removal. I can also send out my staff twice a month. Brighton Lakes Boulevard can be picked up one day and the next day, there is trash everywhere, which is unfortunate. I do not know if Do Not Litter signs would help or not.

Mr. McGrath stated people who would look at the signs will not obey them. Will Mr. Smith stay on the landscapers to make sure they understand the importance of removing trash?

Mr. Smith stated yes. If you see it building up and there is a bad day, give us a call. One of my staff members lives fairly close by so I break him out early and he will come by and remove the trash.

Ms. Palmer stated when Engineered Homes and Centerline Homes took over nine or ten years ago, they installed all the playground equipment. This is the first time we will have replaced any equipment since that original installation. We have done repairs, but this is all original equipment. As far as having to do a major replacement, this is the first one in ten years that we have had to do. We have gotten good life out of it. Mr. Smith and his staff do a great job of maintaining the equipment. We have really gotten our money's

worth out of it. We have certainly gotten the life expectancy and more out of the equipment. It is the same thing with the fitness center equipment. We have replaced pieces from time to time, but really since this recreation center was opened, we have not put any significant money into this facility. We built up our reserves, knowing it was coming. Other than replacing chairs for the pool, which we have gotten through Disney's overstock at magnificent prices, I think we have replaced only one piece of equipment in all these years. We pride ourselves in taking care of this equipment, and Mr. Smith's staff has done a great job for us in maintaining a lot of this equipment. I have lived in this community for 13 years, and we have only raised assessments once in those 13 years, which was by \$100 because we knew we needed to start putting money aside in order to have these reserves and get the budget built up. We have gone back and renegotiated contracts and looked at various components to save money, such as not doing annuals but installing perennials, so we do not have to levy any additional costs to the home owners. As a Board, we have taken very seriously how we spend every penny. It is our money, too, because we live here.

Ms. Pieters stated we received communication from Ms. Fuentes that there is a new employee.

Mr. Smith stated that is correct.

Ms. Pieters asked is he temporary or are we looking for a permanent replacement?

Mr. Smith stated we are using him as a fill-in for Mr. Geinor Real through a temporary agency where they have a higher quality of people, instead of having him be a CDD employee. We are looking to see how that works. He currently works in another community for their recreation center, but he will fill in here. We will see what the costs are and see how that works.

Ms. Palmer stated a temporary agency offers some good things. If you do not want that employee, you send him back. You are not paying worker's compensation insurance for them or unemployment. I am fine using an agency as long as they are doing the proper background checks. They can be a really good thing.

Mr. Smith stated we are getting a little higher quality base of employees. We will see how it works and what the costs associated with it are and how they compare.

ELEVENTH ORDER OF BUSINESS

Other Business

There being none, the next order of business followed.

TWELFTH ORDER OF BUSINESS

Adjournment

The next meeting will be Thursday, March 21, 2013, at 6:00 p.m.

On MOTION by Ms. Palmer, seconded by Ms. Pieters,
with all in favor, the meeting adjourned at 8:00 p.m.

Gary L. Moyer, Secretary

Michelle Incandela, Chairman