

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, March 18, 2010, at 6:00 P.M. at the Brighton Lakes Clubhouse, 4250 Brighton Lakes Boulevard, Kissimmee, Florida.

Present were:

Michelle Incandela	Chairman
Tom Mihalic	Vice Chairman
John McGrath	Supervisor
Jennifer Palmer	Supervisor
Dolores Pieters	Supervisor

Also present were:

Gary Moyer	District Manager
Brian Crumbaker (<i>by phone</i>)	District Attorney
Brenda Burgess	Moyer Management Group
Gerry Frawley	District Staff
Maria Fuentes	Severn Trent Services
Al Hirschfelder	Weber Environmental
Paul McCartan	Keep Safe Security
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

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.

THIRD ORDER OF BUSINESS

Submitted Resident Questions/Comments

There being none, the next order of business followed.

FOURTH ORDER OF BUSINESS

Approval of Minutes of the January 21, 2010 Regular Meeting

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

On MOTION Mr. McGrath, seconded by Mr. Mihalic, with all in favor, approval was given to the January 21, 2010 meeting.
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FIFTH ORDER OF BUSINESS

Vendor/Contractor/Third-Party Items

Mr. Hirschfelder stated we continue with regular mowing and detailing services pursuant to our schedule. We performed turf weed control on St. Augustine and Bahia in February and did spot treatment throughout the property in March. Turf fertilization is scheduled for application in March, as well as shrub fertilization. Since the last meeting, we completed trimming the Oak trees along Brighton Lakes Boulevard so that emergency vehicles can travel through the property without sustaining any damage to the trees, mulched the property with pine bark and pine straw, completed the palm trimming, booted up the Washingtonian palms, trimmed all of the crepe myrtles, cleaned the north side fence line, installed knockout roses at the clubhouse. We working on cleaning the drain swale on the east side of the property abutting the homes in that area and are about 50% finished in the ditch area. It will be completed when we do the wetland perimeter bush hogging in April. We started material hard pruning from the hard freeze damage and it appears much of that material may need to be replaced. We are doing spot application for ant control any time we are on-site performing our normal duties. We did some sod installation at the entrance berms to decrease the size of the beds and perform weekly trash pickup. We are trimming the Oleanders and will apply blanket ant control of the property in April. For noise control from Lowe's, we installed Red Cedar trees on the west berm. We plan to replace the Oak tree that was run over, will continue weed control throughout the property, mowing the east retention pond area and remove the tree braces left from the Palm tree installation.

Mr. McGrath asked is the cold weather good or bad for ants?

Mr. Hirschfelder stated cold weather has helped keep them down, which is why we postponed the blanket treatment until April because it would not have been beneficial. Heavier activity occurs in the spring and we will be ahead of that. We will see some pop ups occasionally and will spray any we see when we are on-site.

Ms. Incandela asked do you expect within two months we will know how much frost material we will lose?

Mr. Hirschfelder stated yes. The Oleanders were not damaged. Most of the material that had freeze damage has been trimmed back some and there is a little left to do. I have not seen any bud activity in the front so I believe most of that will need to be replaced.

This year was bad and took out a lot of material. If it is not coming back within the next two months, it will not come back.

McCartan stated since your last meeting, we implemented the new flow system. There does not seem to be any major issues and we received few complaints about the queue. It seems to flow through fine. We did a site visit with Mr. Smith and we are looking at new signage to help reinforce it. There does not seem to be a lot of negative comments from residents.

Ms. Incandela asked are you noticing an increase in the use of stickers?

Mr. McCartan stated initially many people did not use them. The officers were made aware that many people did not use them right away. The only continuing issue is for people who do not come forward to stop. I observed residents waving their swipe cards at the officer instead of applying their sticker to the windshield. There is not a lot of vocalization toward the guards.

Ms. Palmer stated the guards are stopping people without it because I did not put mine on purposely. They know me, but I wanted to see what they were doing and they make me stop.

Ms. Incandela stated they are making everyone come to a stop. I have mine on the windshield, but it is just not as long because he is not recording the license plate.

Mr. Mihalic asked what is the guard supposed to do when a car comes up and where are they supposed to be?

Mr. McCartan stated they should be in the doorway.

Mr. Mihalic stated between midnight and 1:30 A.M., one guard sits behind the window. He does not get up and just waves and flips the switch. It has been that way for a of couple weeks. It is not any particular day because my work schedule is erratic. I told Mr. Frawley that the guard who does this drives a black SUV.

Mr. Frawley stated Jim works Monday through Friday and he always comes to the doorway. It is more weekends when it happens.

Mr. McCartan stated I agree with you. Once it is dark and you stand in the doorway, sometimes you have to look for the decal. I reiterated it again to staff on Sunday, so I will come on-site on the weekend and observe. They all have been informed what to do and it should not be difficult to implement.

Mr. Mihalic stated last night the guard was standing in the doorway when I came in.

Mr. McCartan stated the Board's direction to us was to make everyone stop so we can capture the license plate and we will work within those guidelines.

Mr. Mihalic stated I come to a stop, but I thought he was supposed to be standing in the doorway.

Mr. McCartan stated I do not think you can reasonably see the decal from inside the office when it is dark outside.

Mr. McGrath stated we are not paying someone to sit at their desk because their job is to be visual.

Mr. McCartan stated I agree 100%.

Ms. Incandela stated we do not have a problem if there is a long time span between cars for them to sit, but they need to stand in the doorway when a car pulls up.

Mr. McGrath stated I think it is great that everyone who comes in is on camera. I think where we had a problem was with non-residents being on the wrong side and we solved that problem. Why even have that lane open?

Mr. Mihalic stated we get a lot of big trucks coming in during the day.

Mr. Smith asked has the additional lighting made any effect?

Mr. Mihalic stated it is brighter.

Mr. McGrath stated I think we have enough cones and that is great.

Mr. Smith stated I want to nail down many of those cones so they do not disappear. Some of them we will be able to move back and forth.

Ms. Palmer stated there is not a problem with traffic backing up, even during rush hour. It does not take an extended period of time to get through.

Mr. Moyer stated I received one email from a gentleman who was upset that he was the 10th car in line and that we changed protocol because some people were not following the rules.

Mr. Mihalic stated that is a good percentage for our 751 homes.

SIXTH ORDER OF BUSINESS

District Manager's Report

A. Financial Statements

Mr. Moyer reviewed the financial statements, which were included in the agenda package and available in the District Office for public review during normal business hours.

Mr. Moyer stated we are 88% collected on our maintenance assessments as of March, 2010. The expectation is that we will receive everything, but some will not pay and they

will go through the tax certificate sale process. Last year we collected all of our assessments with a few going through the tax certificate sale process.

B. Check Register

Mr. Moyer reviewed the check register, which was included in the agenda package and available at the District Office for public review during normal business hours.

Mr. McGrath stated we have an invoice from ACT for \$192 for labor and travel for computer services for business. Do they charge for their travel time to and from the project and is that normal?

Ms. Fuentes stated yes.

Ms. Palmer stated there is an invoice from the Osceola Health Department for a reinspection. Did we fail an inspection or is this an annual fee?

Mr. Smith stated that is for the annual license.

Mr. Mihalic asked on ACT's repairs, do we receive a warranty for their work?

Mr. Smith stated yes, all of their equipment is warranted and if something they installed recently breaks, they will not charge us mobilization costs. They come out here a lot.

Mr. McGrath stated I was excited to see a credit of \$137 from ACT.

Ms. Pieters asked on the invoice list from the Florida Department of Revenue, why do we list the full social security numbers?

Mr. Moyer stated that does not make a lot of sense. I do not like to see that information in here, either.

Ms. Pieters stated they should cross off those numbers before copying these pages in our packages, perhaps leaving just the last four.

Ms. Burgess stated they should not even leave those numbers. None of that should be included in the public record.

On MOTION by Mr. Mihalic, seconded by Mr. McGrath, with all in favor, approval was given to the check register.

C. Discussion of Action Item List

Mr. Moyer reviewed the Action Item List, which was included in the agenda package and available at the District Office for public review during normal business hours.

Mr. Moyer stated on the CDARs, as it relates to the operating account, we held back three months of operating cash and laddered the rest of the investments so they mature sequentially. The operating money is earning slightly more interest. These are for the

operating funds we have control over. The Trustee still has not taken action to invest our bond monies. We are still working on that and it is not just this District. They are not doing that at all. I asked one of the Attorneys for another CDD client to meet with the Trustee to start discussing about their fiduciary responsibility.

D. Acceptance of Audit for Fiscal Year Ended September 30, 2009

Mr. Moyer reviewed the audited financial statements for fiscal year 2009, which was included in the agenda package and available at the District Office for public review during normal business hours.

Mr. Moyer stated I want to enter a couple reports into the public record. The first is the report of the Independent Auditor where the Auditor states that *“In our opinion, the basic financial statements referred to above present fairly in all material respects, the respective financial position of the governmental activities in each major fund of the Brighton Lakes Community Development District as of September 30, 2009.”* This is referred to as a clean audit opinion, which means the Auditors are saying that the financial statements the District provided to them by the accounting staff at STS, fairly represented our financial position as of September 30, 2009. In the report on internal control over financial reporting and other matters based on an audit of financial statements performed in accordance with Government Auditing Standards, the Auditor states *“We did not identify any deficiencies in internal control over financial reporting that we consider to be material weaknesses as defined above”*. In the report on compliance and other matters, which deals with compliance with laws, rules, contracts, bond covenants, and things of that nature, the Auditor stated *“The results of our test disclose no instances of non-compliance or other matters that are required to be reported under Government Auditing Standards.”* The final report is the Management Letter where the Auditor General of the State of Florida, along with various Florida Statutes, requires that the Auditor look at certain items and opine on them in this Management Letter. One significant item to point out is that the Brighton Lakes CDD has not met one or more conditions described in Section 218.503(1), Florida Statutes, and is not in a state of financial emergency. We are in good standing with the State. Mr. McGrath asked me a question that I want to explain to the Board under interest earnings. We had negative interest earnings and the reason is due to the State Board of Administration (SBA) where we invested funds with the SBA. Some of the monies were bundled in the sub-prime mortgage investments and those are valued by the Auditor. We still have money in the

SBA because they did not permit us to withdraw money from the B Fund, and that is how we earn negative interest. I will ask the Board to accept the Audit and authorize it to be filed with the appropriate agencies.

On MOTION by Mr. Mihalic, seconded by Ms. Pieters, with all in favor, approval was given to accept the audited financial statements for fiscal year 2009 and to authorize its filing with the appropriate agencies.

Mr. McGrath stated we paid \$9,325 for this Audit. Berger Toombs out of Ft. Pierce has been our Auditor for 10 years and I would like to go through the exercise of getting other proposals to see if we are paying the right amount. It is a lot of money for our Audit.

Mr. Mihalic stated I agree.

Mr. Moyer stated it is a process, which we will do it based upon a Request for Proposals where firms will give you their qualifications, client list, and experience. We will also ask for price, unlike when we hire Engineers. You balance their professional qualifications against the price and make a selection. We have plenty of time to start that process for this fiscal year's Audit.

Ms. Incandela stated the firms that we will be requesting for a proposal specialize in this sort of audit, not just any auditing firm.

Mr. Moyer stated it will be a general open solicitation and I can tell you from experience that six firms will respond who are familiar with CDD Audits. Other firms could respond, but most of them understand if they do not have experience with CDDs, they will not be selected.

Mr. McGrath stated everything else being equal, we might find someone local.

Mr. Mihalic asked can we get responses by the next meeting?

Mr. Moyer stated yes.

SEVENTH ORDER OF BUSINESS

Staff Reports

A. Attorney

Mr. McGrath asked have we arrived at any conclusions about the unused 11-acre property? Should we just forget about it or we do not have to worry about it? I think we were billed for some Attorney activities, but it was probably for the original search.

Mr. Moyer stated there is no other activity that Mr. Crumbaker is involved in, other than finding out when the foreclosure was filed.

B. Engineer

Mr. Smith stated we ordered and received the speed humps and are ready to install them. The City of Kissimmee puts up reader boards letting people know in advance of the speed hump installation and I think we want to do that. I will see how much it will cost to rent a reader board or put up signs that they will be installed on a certain date and put them on either side of the designated location on Brighton Lakes Boulevard.

Mr. Mihalic asked what was the final cost of the speed humps?

Mr. Smith stated it was a little over \$7,000 all the way across the roadway, but only in one location at the bus stop.

Ms. Palmer stated we definitely need one in that location.

Mr. McGrath stated I understood one was to be 100 yards from Chapala, according to the action list.

Mr. Smith stated it is 150 feet from Huron, right near the school bus stop.

Mr. McGrath stated on the action list, there is an item to submit a request for speed humps on Brighton Lakes Boulevard before Huron and 100 feet before Chapala. That is not correct.

Mr. Smith stated that is the location for the second hump. Since there is a stop sign there, we did not feel it was necessary.

Mr. McGrath stated Mr. Frawley and I are on the community watch. If we need a second speed hump, I recommend farther down the other side near Maggiore. We sat there in the middle and were amazed by the number of people who were speeding by us.

Mr. Smith stated we will install them and see how it works and then we will identify a second location.

C. Field Operations

i. Monthly Highlight Report

Mr. Smith reviewed the Monthly Highlight Report, which was included in the agenda package and available at the District Office for public review during normal business hours.

Mr. McGrath asked did both fax machines die?

Mr. Smith stated they are both in bad shape.

Ms. Fuentes stated they cost about \$80 and were on sale.

Mr. McGrath asked what is the item about fixing computer noises at the guardhouse?

Ms. Fuentes stated we were not sure if it was the computer or the DVR. The video was making a very loud noise. I was not sure what to do so we checked the computer and the wires, pulled out the DVR and the noise stopped.

Mr. McGrath asked is the roof cleaning complete?

Mr. Smith stated no, that is a pending item but we did purchase the cleaning materials. I need to bring my lift out here once it is repaired. We are using it at Mr. Frawley's suggestion to see how it works.

ii. Employee Manual Policies and Procedures

Mr. Smith reviewed the Employee Manual policies and procedures, which were included in the agenda package and available at the District Office for public review during normal business hours. Mr. Mihalic as it relates to tardies, there are six steps shown. For tardiness, I think after the first two, that should be enough. Six times is a bit ridiculous. I know of no other company that has such a lenient policy.

Ms. Palmer stated my company is fairly large and there is an entire program related to absences and tardies. Everything is worth points and you have to get 15 points to get terminated. For every 30 days you go without any deductions, you earn a point back. This is a lot stricter than our policy.

Mr. Smith stated the first notice is a verbal warning and a quest to find out what is going on.

Mr. Mihalic stated that is fine and proper. Why do we continue to put up with it?

Ms. Incandela asked to whom does this policy apply?

Mr. Smith stated the attendants at the pool: Joey, Geinor, and Marlon.

Ms. Incandela stated I like the employee plans and the detail when you have a large number of employees, but I am concerned that we are locking ourselves into this for a small number of employees. It is almost too strict for what we need. I prefer to take an approach where we take a couple points from this and direct the Management Company that if they are late more than three times, you bring this to our attention because we would like to find out what the reason is. I think we have the benefit of being a little more flexible with a smaller number of employees in not having to commit to this sort of manual. I am afraid we will be creating more problems by this than just dealing with it in a reasonable manner. There are so few people to manage.

Mr. Mihalic stated this policy indicates something will happen six times before it gets to the Board and that is too much.

Ms. Incandela stated management should have the judgment to know that if there is a problem with an employee's tardiness, then bring it to our attention. I do not want to start bringing people to the Board if you know there is an impending death in the family or a mother going through chemotherapy. I do not want them to come to me to explain why they were late three times when this person is usually never late.

Ms. Palmer stated what happened in the past is an employee that never had a problem before, had some extenuating circumstances and my understanding is that situation has gotten better.

Mr. Smith stated that is correct.

Ms. Palmer stated I do not want to take a good associate who has something bad happen to them temporarily and yet we fire them.

Mr. Mihalic stated the tardiness occurred because they left the house late.

Ms. Palmer asked how do you determine if they left late or if they have a problem?

Mr. Mihalic stated when this happens, management is going to talk to them and if something is going on, they will say something about it. Then you can be somewhat lenient and you can take into account what the tardiness was for.

Mr. McGrath stated if they are not there, they are not there.

Ms. Palmer stated perhaps it can say two unexcused absences or tardies. Right now it applies to excused and unexcused tardies.

Ms. Incandela stated I suggest if they are having a problem where an employee is arriving late more than three times without a good reason, let us know so we can get to the bottom of it. The management staff will know if something is going on and you can manage it. I trust you to manage the staff. I do not want to complicate the Manager's job when I think you can handle it just fine.

Ms. Palmer stated I agree.

Mr. Smith stated we will start a log for tardies accompanied by a reason, as well as absences with a reason. If it is a problem, then we can think about disciplinary action. The log will let you get a feel for where the problem is and how often it is occurring. We will try to get that from the time cards. I had that conversation with Joey and reiterated to him to punch in as soon as he arrives, but he says he forgets. We will start a log and let you see the log.

Ms. Fuentes stated we have made it clear that we pay for the time he works, not for his full shift.

Mr. McGrath stated that is as it should be.

Ms. Fuentes stated he forgot to punch in and out on February 28, so we did not pay him for that day because it was not documented. Later on to prove to us that he was at work, he sent a fax. I looked at the fax log and confirmed he was there part of that day.

Mr. McGrath stated that is the problem when he is here and you are in another office. He is the only one here so how do we know if he is here or not?

Ms. Palmer stated if he faxed reports that day, you should make him go through some process in order to get paid for that day and if he did not punch in. But if he faxed reports, we need to take that into consideration.

Ms. Fuentes stated he did get paid but it was a lesson to him that he needs to punch in and not to forget.

Mr. McGrath stated as often as we have had a situation where he did not punch in or he left early or came in late, we lose our flexibility to say that if he does not punch in, he does not get paid. That is fair.

Ms. Palmer stated we need to check the legalities of that. If you have proof he was here, you can dock him for not punching in, which can eventually be a terminable offense, but he needs to prove it.

Ms. Incandela stated I do not think that happens very often where they completely forget to punch in and out.

Mr. McGrath stated in that case, you pay him from the time he sent the fax, not from the time the shift started.

Ms. Palmer stated he sends the fax at the end of the shift, so that will not work. I think you can dock him for a certain amount of time.

Mr. Mihalic stated “forgetting” to punch in and out might be a cover up for arriving late or leaving early. That is why they need to understand that they must punch in and out.

Ms. Palmer stated perhaps there is a point system for punching in and out. We have one at my company where you get a point for not clocking in or out. If you do not clock in, come in late or call in absent, it is one point and various thresholds dictate certain actions. At 6 points, you get a verbal warning but it covers all of those things: not punching in, calling out, or coming in late.

Mr. Smith stated this is a rather rigid scale. However, we have the logs and you can review them as part of the agenda package or we can email them to you monthly. After your review if you see a problem, the Board can address it.

Ms. Incandela stated I am comfortable if you keep this log and if he does not punch in a few times, deal with it. If it becomes a problem and you tried to deal with this and it is not getting better, make them come to us and explain it.

Mr. Mihalic stated we do not want to micromanage your management.

Mr. McGrath stated we have a Management Company who manages the staff. Would you be comfortable telling them if an employee has reached your limit and you think they should be terminated or take an administrative leave?

Ms. Palmer stated I think you have to bring them to this Board before terminating them for the safety of the community. Then we cannot be held liable for a termination we are responsible for.

Mr. Smith stated we are docking his pay and I gave him a very stern verbal warning.

Ms. Fuentes stated we met with him to address the issues.

Mr. Smith stated he is aware of the issues. He has been going through some bad times which is an acceptable excuse for a period of time, but at some point, you have to deal with your personal issues or we have to part ways. I think it is under control and it is not a huge problem. It is getting better.

Mr. Moyer stated for the Board's consideration, there is some benefit to having a personnel policy.

Ms. Palmer stated what is in this packet is pretty standard.

Mr. McGrath stated I suggest we review this for the next meeting.

Mr. Smith stated we distributed a more refined version tonight for your review and we will discuss it next month.

Ms. Fuentes stated we also sent a copy to Mr. Crumbaker for his review.

D. Update from Gerry Frawley

Mr. Frawley reviewed his monthly report, which was included in the agenda package and available at the District Office for public review during normal business hours.

Mr. Frawley stated if we are going to keep the resident lane blocked when the guardhouse is manned, we have an opportunity to use another camera by the keypad. We might need to change the mount, but you could swing the camera to the other lane when the guard arrives at night and moves the cones. You want it during the daytime when

vehicles drive through that lane, but it is worthless at night and we are getting no use out of it other than during the daytime.

Ms. Palmer stated my only concern is moving it back and forth.

Mr. McGrath stated you could get a bracket with two holes and a bolt that attaches it.

Mr. Smith stated we can look at it. We already have a picture of the car. I would rather take the pinhole camera and move it to the guardhouse so we get a picture of their face when they pull up.

Mr. McGrath stated that might be a better use.

Mr. Mihalic stated if we turn the camera around, you will get the front of the car without a license plate. We are still better having it face the other way when you can get a license plate.

Ms. Palmer stated we can look at it and see what the best utilization is.

Ms. Incandela stated if you do not need it for anything, perhaps we take it out of commission and use it when another one breaks.

Ms. Palmer stated Mr. Frawley is right to suggest getting some use out of it during the day.

Mr. Frawley stated we will not get a plate number but if something bad happened, we can get a description and look at the time on the camera. All of our cameras record all day and never go off.

Ms. Incandela asked why did we switch the lanes to block off the lane next to the guardhouse during the daytime?

Mr. Smith stated to eliminate high-speed traffic during the day going through the under hang and avoid two cars going through at the same time.

Mr. Mihalic stated people do slow down with all those cones, more than they used to.

Mr. Frawley stated I have some things from the last meeting that were not answered. I thought we were going to be putting up a sign to be clear about ages.

Ms. Palmer stated my concern with that is we have gone so crazy with signs that people do not read them and they ignore it. The people who let their kids in there know the rules and ignore them. The people who read the signs and would follow them are not doing it to begin with. The information is in the rules that they receive and acknowledge.

Mr. Smith stated the ages are in the policy.

Ms. Incandela stated we decided to do a sign, but in larger letters and I thought we did that.

Mr. Smith stated we did.

Ms. Incandela stated we discussed having it on a sign to point violators to.

Mr. McGrath asked were we successful in returning the mirror?

Mr. Smith stated no, it was going to arrive the following day for installation.

Mr. Moyer stated so he does not have to keep raising the sign issue, we will mark that as complete on Mr. Frawley's list and the Board is happy with how the situation was handled.

Mr. Frawley stated we talked about creating a policy about who is allowed to review camera recordings and how a resident could access them. I think it is something you should put in writing.

Ms. Incandela stated I think it only happens when an incident occurs, and they will have to contact the Board or the Manager to make a request. At that point, we can make the determination. The purpose of the camera system is for the Board and law enforcement. I do not think it should be open to the residents without our permission.

Mr. Frawley stated I suggest you put that in writing to provide to the security guards when they receive requests.

Mr. Smith stated they have already been instructed to tell the resident to call our office and we will meet with them. If we need to duplicate a recording, we can provide it to them, but they should call us first. We will talk with Mr. Moyer and Mr. Crumbaker if needed.

Mr. Mihalic stated otherwise that takes the guard away from watching traffic.

Ms. Palmer stated if you put it in writing, then you open yourself up if something goes wrong with the cameras, saying that we have this available and it is available for residents' use. I agree. I do not think residents should arbitrarily be able to review it. The requests are to go directly through the Management Company. The policy does not need to be in writing but we let the guards know what to say when they receive a request.

Mr. Moyer stated they have already been told to contact our office.

Mr. McGrath stated it could be as simple as any time the police are involved, they can make an appointment to view it, but not if they just want to see the tape.

Mr. Smith stated they need to have a good reason, and that system has worked fine.

Ms. Palmer stated Mr. Frawley wants us to respond to the HOA documents. The HOA website and the CDD websites are linked to each other, so I do not see the issue.

Mr. Frawley stated I wanted to look up something that was CDD related, and it was not on the CDD website. I found it on the HOA website in the deeds and restrictions.

Ms. Palmer stated rather than putting the document on our website and have it in two places, just put something on the CDD website to refer to the HOA website.

Ms. Burgess stated that is exactly what we did. That is an HOA document and it refers to the CDD, but it is nothing that the CDD had any input into and cannot verify the accuracy of that document. We were not going to put it on our website since it is not our document.

Mr. Mihalic stated that is a good point.

Ms. Palmer asked do we have language on our website to refer people to the HOA website?

Ms. Burgess stated yes, the first item on the Related Links page is the HOA website and it refers them to that website for various items.

Ms. Palmer asked does it specifically state that the deeds and restrictions are there?

Mr. Mihalic stated we do not want to start putting HOA documents on our website.

Ms. Palmer stated Mr. Frawley's concern is that people might be looking for documents pertaining to the CDD on the CDD's website and I think it is fine to refer people to the HOA website. I do not think it needs to be in both places.

Ms. Burgess stated the language on the website is *"Brighton Lakes HOA: For all your homeowner needs related to the Homeowner's Association, please visit the Brighton Lakes HOA website. Here you will find information related to the Association, the crime watch program, covenant violations, member dues, important contact phone numbers, and several other categories related to the Brighton Lakes community. Please take note that some of the HOA documents refer to the Brighton Lakes CDD, but the District has had no input or control of those documents. Therefore, the District does not vouch for their accuracy (as they relate to the District or otherwise)."*

Mr. Mihalic stated that is beautiful.

Ms. Palmer stated I think it is perfect.

Ms. Burgess stated Mr. Crumbaker provided some excellent guidance.

Mr. McGrath asked should we discuss having a document that covers the issues for the homeowners or are we satisfied to leave things as they are?

Ms. Palmer stated the only thing we need a document for is as it pertains to our property, which is the clubhouse and our facilities and common area.

Mr. Moyer stated we are reluctant to post HOA documents on our website because it is confusing enough as it is. If people start thinking we enforce the covenants, that will create a problem.

Mr. Mihalic stated if you put one document in two places, it will lead to more confusion.

Ms. Palmer stated then we will have to again start answering HOA questions at CDD meetings and CDD questions at an HOA meeting.

Mr. McGrath asked are we satisfied with the comment on the website and leave it as it is?

Ms. Palmer stated I think it covers it.

Mr. Mihalic stated I agree.

Mr. Frawley stated I think you received my original email. I went through the document page by page and cited every instance where it referred to the CDD.

Ms. Palmer stated I understand, but you need to understand that the CDD did not write those policies, even though it may pertain to us. We cannot vouch for them and if we put them on our website, we take ownership. If we take ownership of something we did not write, that makes us liable.

Mr. Frawley stated I did not think about it from that point of view. We discussed a written process of going through the gates. Is that a dead issue or do we have something to give to the security guards when people question the process?

Ms. Incandela stated it was included in the letter that was issued with the stickers, that we changed the procedure a little. We basically wanted to convey the new procedure, provide the stickers, and call the District Office with questions. I think the letter effectively did that.

Ms. Palmer stated they did call with questions.

Mr. Frawley stated I think a lot of people just threw it away. I do not want the guard to have to stand there and explain the process without being able to give them a copy so they can read the new process.

Ms. Palmer stated at this point, I think they answered most of those questions, but we can give them a few copies to hand out to residents.

Mr. Smith stated the guards are only authorized to answer certain questions, and beyond that, they give the number for our office.

Mr. McGrath stated that is much cleaner because they will always get the same answer from your office, whereas they may not from the guards. I think that is the only instruction to the guard to refer them to the District Office.

Ms. Fuentes stated we provided a copy of the letter to the guards explaining what we are doing. It is the same letter as we sent to the residents.

Ms. Incandela stated I think it is a good idea if they have some extra copies of that letter. Sometimes people are happier if you give them something.

Ms. Palmer stated I do not think you will have many anymore because most of them who were upset have already taken care of their stickers.

Mr. Frawley stated the guard does get confronted from time to time and has a debate with residents, so I think copies of the letter will be helpful and get the guard out of that confrontation. This is HOA related, but a resident who was just here asked me to say that he is concerned about people's dogs doing their business on other people's yards. I have been hearing this from a lot of residents about this item and letting their dogs run loose and many people have been challenging that rule.

Mr. McGrath stated that is not a CDD issue. The only thing they can do is call the police. It is a great idea to have doggie pots and bags, which we have discussed, but people will just take them for other uses and the responsible dog owners usually bring their own.

Ms. Palmer stated the CDD cannot do anything about dog-related issues, but I recommend calling animal control or the dog catcher.

EIGHTH ORDER OF BUSINESS

Audience Comments

Mr. Martin Madduck stated I wrote you a letter February 26, 2010, and I never received an answer. I am more miffed about that than the issue of the email. I made some comments and had some questions about the new gate procedure. I asked for an additional two stickers for my children who drive. We have four vehicles and I only received two stickers. I do not understand and do not know who I should forward this to. I emailed this to the right place, but I never received a response. The instructions indicate that I attach the sticker to my windshield to expedite passage through the south lane, which will alert guards that you are a resident. When I first moved here five years ago, I was given a swipe card and I had to buy two more for my children. This proves that I am a resident, as well as the bar codes that were issued a few years ago. If this decal is proving I am a resident and the swipe card and bar codes do the same thing, how is this

any different? People can duplicate this decal easily. Just put my information on the swipe card with my name and address so it registers who goes through the gate since it is electronic access. That would be more expeditious than being stopped at the gate. The Security manager said himself that the guards have a hard time seeing this decal on the windshields at night. It is not a matter of them taking up to much of my time. It does not make sense that the decals are any better than the other two.

Ms. Palmer stated Ms. Fuentes and I discussed this and I apologize for you not receiving a response. You would not be able to get an official response from the Board until we met and were able to discuss this issue, because we cannot discuss this outside of a publicly noticed meeting. I can talk with staff but the Board members cannot talk to each other. I told Ms. Fuentes that if people bought additional swipe cards or bar codes, if they turned ones in that they purchased on their own to prove their purchase, it is appropriate to give them an additional two stickers. I do not think there are many people who purchased additional stickers who are complaining. If that is an issue, I think that would be appropriate if they showed us all four cards.

Mr. Mihalic stated they cannot receive more than the number of swipe cards they purchased.

Ms. Palmer stated I agree and I do not have an issue with that. In a perfect world, it would be better to have just the swipe cards, but because we cannot restrict entry and because of where the gate is, we would have had to move the bar code reader back, which would have cost a good deal of money. We did not want to do that because of traffic flow. We cannot restrict entry into the community and people will come into the resident lane, sitting there wanting it open. They cannot back up if someone is sitting behind them and since we cannot disallow them entry, the guard simply opens the gate. Anyone who goes through the guest side, we were able to collect some data and we could see who was coming in and out of the community. That is a moot point. We ran a test and after many, many discussions, we decided to put everyone through the same lane to get everyone's license plate, whether they are a resident or not.

Mr. Madduck stated there are probably many more residents you are collecting data from. My children do not have stickers and you are collecting data on them every time they go through, even though they are residents. Many people here own three or four cars but you are providing only two stickers and the rest of the vehicles you are treating as if they are non-residents. So you still do not know who is a resident and who is not.

Ms. Palmer stated you were the exception to the rule. Most people do not use their bar codes and did not purchase extra bar codes or follow the rules. They simply sat in the resident lane and demanded the gate opened. If someone purchased extra bar codes, we will give them the extra stickers. For the most part, people have more than two cars but most of them do not use the bar code readers or even know where they are. They just came through any gate they chose and their friends followed in after them. It became a free for all and it can potentially affect security of the neighborhood. Before it got out of control any further, we had to look at the best possible solution. We do not know if the system we are trying now is perfect, but we believe it is far better than what we were doing before. For someone like yourself, we are more than happy to provide extra stickers for your cars. The majority of homeowners have not put the two stickers on their cars.

Mr. Madduck stated I am familiar with most of the guards and they know we have lived here for five years. But they have to stop everyone, whether or not I have this sticker.

Ms. Incandela stated that is correct; they are supposed to stop everyone, resident or not. The stickers provide a little extra assistance to our guards to identify residents, but what we are really relying on is the camera system to record the information and get a license plate. It should also have been in the letter a contact number for people to call if they need additional information.

Mr. Madduck stated I have the letter with me and that number was not provided.

Ms. Burgess stated there is a phone number in the letterhead heading.

Ms. Incandela asked did the letter not say that additional stickers could be purchased?

Mr. McGrath stated I think we discussed that but did not come to any conclusions.

Ms. Palmer stated Ms. Fuentes will provide two more stickers since he would not be here if he had not purchased additional bar codes.

Ms. Burgess stated we will have his paperwork from when he purchased those additional bar codes.

Mr. McGrath stated thank you very much for your comments. We rarely get feedback at our meetings and we appreciate it. We might not know when there is a problem unless residents let us know.

Ms. Incandela stated you can always call us individually if you have any questions because we cannot talk to each other because of the Sunshine Law.

Ms. Palmer stated I suggest a price of \$1.50 for additional stickers.

NINTH ORDER OF BUSINESS

Supervisor Requests and Comments

There being none, the next order of business followed.

TENTH ORDER OF BUSINESS

Other Business

Mr. Moyer stated we will have elections this year. Mr. Mihalic, Ms. Incandela and Ms. Pieters's seats are up for election. We will post this information. There are two ways to qualify to run—you can run by petition where you have 25 neighbors registered voters sign a petition and you pay \$.10 per signature, or \$2.50 to the Supervisor of Elections by about May 21, or you can qualify during the qualification period from noon, June 14 to noon, June 18 and pay a \$25 qualifying fee. You will subscribe to an oath of office, appoint a campaign treasurer, and anything else similar to running for County Commissioner. Our next meeting is fairly close to the first deadline.

Ms. Palmer asked do we want to send something out or put it on the boards?

Mr. Moyer stated we will post it on the bulletin boards.

Ms. Burgess stated it will also be on the website. I already have something posted on the website and encouraged people to contact the Supervisor of Elections soon because they have that early deadline. They are also very diligent about cutting it off promptly at noon on June 18. For the front entry board, you can simply put "*CDD General Elections, see CDD website.*"

Mr. McGrath stated I see there are some KUA invoices in the name of Engineered Homes.

Ms. Burgess stated I contacted Mr. Steve Hiss and he said he would send them a letter.

Mr. McGrath asked are our 2007 refunding bonds paid back over 30-years?

Mr. Moyer stated yes.

Mr. McGrath stated the homeowners started a newsletter and we want to continue to participate as a CDD. They originally said it would be at no cost, but now they said it is \$60 for four times a year. I would like us to consider paying \$125 or something toward that cost and we can discuss that next month.

ELEVENTH ORDER OF BUSINESS

Adjournment

On MOTION by Mr. Mihalic, seconded by Ms. Palmer,
with all in favor, the meeting adjourned at 7:30 P.M.

Gary L. Moyer, Secretary

Michelle Incandela, Chairman