

# 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, July 22, 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
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 6:10 P.M.

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

### THIRD ORDER OF BUSINESS

### Audience Comments

A Resident stated I submitted an issue on the website. How is that taken care of?

Mr. Moyer stated it is logged in by the office staff. No matter where you send your request, it ultimately ends up with Ms. Rosemary Tschinkel in the Celebration office. She logs it in and forwards that information to Mr. Smith. He and his field staff will address the issue in due course.

The Resident stated my email had to do with grass cutting around the pond, at least on Sweetspire where we live. The last couple times they have been using this huge tractor pulling two bush hogs behind it, but it does not adhere to the contour very well so we are

left with big areas that are scalped or dug up. Sometimes it will go under the water and dig up the dirt, and some areas it does not cut the grass at all. It seems like they were using smaller tractors when I first moved here, but this is huge and they go by in two swaths, but it does not seem appropriate to use such a large piece of equipment in this situation. Plus it left huge tire ruts in the park at the end of Brighton Lakes Boulevard where they pulled the truck in to unload the tractor. It was not this bad the last time it was cut, but this time they really messed up the grass.

Mr. Smith stated we also want to get the swale behind Chapala, so they brought this piece of equipment out to see if they could use it for some of the bush hogging they have to do. They use it for other nearby projects and they wanted to see if it would work here, but obviously it does not do what we want it to accomplish. It works fine to bush hog a field or some of the buffer areas as well as the swale where it is flat, but not behind the ponds.

**FOURTH ORDER OF BUSINESS**

**Approval of Minutes of the May 20, 2010,  
Regular Meeting**

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

On MOTION Mr. Mihalic, seconded by Mr. McGrath, with all in favor, approval was given to the May 20, 2010, meeting.
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**FIFTH ORDER OF BUSINESS**

**Vendor/Contractor/Third-Party Items**

Mr. Hirschfelder stated I distributed a report of our activities for the past month. This month's irrigation inspections started at the beginning of the week. We did have problems with some of the controllers for the front pump and we are still having problems with the back pump. Mr. Russ Simmons helped us out with the front one and he switched over the water supply from the pump to the City's water. When we use the City's water, we have a lot less pressure. Mr. Simmons is working on the back pump today, so tomorrow our staff will be out here to finish the irrigation inspection, so hopefully that back pump will be operational.

Ms. Palmer asked did you get the front pump switched back out?

Mr. Smith stated yes, he does that temporarily until he gets the pump repaired, so you will see some usage on the next KUA bill because of that. Those pumps do run a lot and Mr. Simmons will get them repaired and back online as soon as he can.

Mr. Hirschfelder stated for the irrigation on the first half of Brighton Lakes Boulevard, we do our inspections. Then Mr. Smith will call Mr. Simmons to let him know how many heads are broken or not working, and Mr. Simmons will direct the repairs to be done. What we have experienced on some heads that are leaking, they are still turning and shooting water, so we have been letting those go. Lately we have had temperatures in the upper 90s and we have had no rain in the past six days. We are barely getting enough coverage because of the low pressure, so it is creating a problem with some of the turf areas drying out that you can see. We have had some chinch bugs in there but we are spraying to take care of them. Hopefully tomorrow Mr. Smith and Mr. Simmons will direct us in what irrigation heads have to be replaced. There needs to be some turf replacement at the front of the property, and we are going to absorb all of the costs associated with that because it is our fault, regardless of the irrigation issues. We should have spotted it sooner which would have prevented the chinch bugs. Mr. Frawley suggested that we might want to wait until the cooler fall months to replace that turf. If we replace that sod and the pump goes down and there is no rain for a couple days, the turf will die, but we can warranty that installation because we have control over it. I will leave that to Mr. Smith and Mr. Frawley to discuss when we do that work. The chinch bugs are gone, so the next thing we need to concentrate on is the irrigation. We definitely will not do anything until we know the pumps are working. The way the irrigation is setup on Brighton Lakes Boulevard is not a good situation. We have rotors that spray across the sidewalk but they really should be spraying head to head. But it is what it is, and once we get the heads replaced, we will not have a problem with coverage. I definitely suggest waiting until the cooler months to replace the turf in case we have a problem similar to the conditions we have had over the past 10 days.

Ms. Incandela stated I think that sounds the most reasonable.

Mr. Mihalic stated I agree.

Mr. Smith stated I will meet with Mr. Simmons. He is out here reviewing the system, and Mr. Hirschfelder is correct that the original system that was installed is not correct. Some heads spray into the roadways, and it is getting worse. We have had some really hot days and the turf absorbed all the water in a very short period of time, so we did lose some turf. I will meet with Mr. Simmons and discuss this system and whether or not now is the right time to change it. We do not like the way it looks. If we install sod, we will need to stay on top of it to make sure it gets plenty of water to get established.

Mr. Mihalic stated my concern is if we use the City's water, because that will greatly increase our expenses. We have such a tight budget.

Ms. Palmer stated whether or not the new sod is installed, we will still have to use the City's water right now anyway.

Mr. Mihalic stated we would have to water new sod more often.

Mr. Smith stated Mr. Simmons knows this irrigation system very well and he is out here twice a week to make sure everything is working. Normally he would not be out here that often, but if there is new turf, he will be out here often. We have installed a lot of new turf recently, which is why he is out here more often.

Mr. McGrath stated our community is going to be here for a long time, so maybe a sensible approach would be to use these next three months and spend the money to get the irrigation system the way it should be, in order to optimize what we are doing.

Mr. Smith stated that will be very expensive.

Mr. McGrath stated then we need another option because I do not want to spend a significant amount of money.

Mr. Smith stated I think what is happening has taken a lot of the contractors by surprise because we have had a long dry spell. I am seeing irrigation issues in most of the projects that I manage. If Mr. Simmons recommends waiting another three months until cooler weather, then I suggest we wait.

Mr. McGrath stated while I think it is nice to have new sod, the rest of the community looks very nice. Could we implement an incremental change toward an optimized irrigation system?

Mr. Smith stated we are working on that constantly as needed, such as changing out clocks and the pump panels. Every time Mr. Simmons changes something, he improves it. When you go from rotors to spray heads, you are changing the pipes in the ground and other things, in addition to the number of heads.

Mr. Hirschfelder stated we will be applying pest control and fertilizer next Wednesday. When we go through these dry periods, the turf gets weak, which leads to chinch bugs and weeds. There is a new product on the market that we used on our last application, but we are seeing that it is not killing the broad-leaf weeds. On the next application, we will be applying a granular product in addition to this new product, hoping to get a better result with the weeds. Other than that, we spray every 28 days with a herbicide until October, at which time we will apply Atrazine, which is a selective

herbicide, the best we can get. That product can only be used between October 15 and April 15. If you use it when the temperatures get above 85° or 87°, then you start killing turf. It will take us about two days next week to cover the entire community. Mowing of the retention ponds needs to be done about every week now. There may be a situation where we could not get to a particular pond because we were doing other things elsewhere in the community and could not get to it, but with the bigger equipment, we can get to more areas and complete them faster. The resident who spoke earlier is absolutely correct; the bigger equipment is not suitable for all of the ponds but it will work at some of them. We had a different piece of equipment here this week, which will mow the grass a little smoother. We may try using that one more time and I will see if they can raise the deck one-half inch to see if that will stop the divots. If we still get divots, I will go to a lawn mower, which is very time consuming since it only covers 72 inches while the bigger equipment covers 8' 6". I do not want a situation for anyone by causing an unaesthetically pleasing backyard that is full of divots. Regarding the removal of trash around the ponds, we try to be as efficient as we can. We did get away from that for about two weeks, and Mr. Smith had one of his staff members out here last week who took care of three ponds. That was a tremendous help to us. We started trimming the viburnum hedges along Brighton Lakes Boulevard about two weeks ago and it is an ongoing work effort. It should be finished this week. We were interrupted by an email from Mr. Frawley on behalf of a resident regarding some trees that were too low.

Ms. Palmer stated that is great you took care of those trees because they are too low for people who are walking on that sidewalk.

Mr. Hirschfelder stated we have been trimming the branches that our crews can reach from the ground without getting a ladder, and that is what we had to do this past week. We have been using a new product in the beds for weed control and it has helped immensely. We are finished with the front half of the property. There was a proposal to add knock-down roses to the wall between the plumbago at the entrance, and that work was completed today. We mixed the colors up and went with some light pinks and dark pinks and some reds. In a couple months, they should start having some nice blooms on them to add more color up front.

Mr. Smith stated some of the plumbago was getting leggy and died off, but some came back after the freeze, so we used the knock-down roses to fill the holes.

Mr. Hirschfelder stated the original proposal was for 272 plants and we only installed about 50 plants. On the berm behind Patrician, we had some wax myrtles that died from the freeze. We submitted a proposal to Mr. Smith to install 10- to 25-gallon cedars at a price of \$2,500. There are some holes in that area and you can see the warehouse.

Mr. Smith stated I am planning to bring that proposal to the Board to consider, whether you want to spend the money on that or not.

Mr. McGrath stated one of the home owners who lives there commented on that, and our response was that we will fill the holes, but not all at one time.

Mr. Smith stated I want to wait until next year's budget to do that work. We have replaced trees along the whole length of the berm. We moved two wax myrtles and I do not think I will install another 10. I am thinking of installing four behind this gentleman's house, which will probably be all for now. We will lose some plant material on that berm occasionally because it is really dry, and that is a sand berm.

The Resident stated that area used to be watered twice a week.

Mr. Smith stated I will talk with Mr. Simmons and I will meet with Mr. Hirschfelder to review that because we are permitted to water twice a week unless we are watering in new sod.

Mr. Hirschfelder stated we have been spraying weeds in the curbs and on the sidewalks. We sprayed for weeds on the berm last week, and now they are all dead, which should resolve that problem. Mr. Smith asked me to fertilize some places along Brighton Lakes Boulevard where the turf started to thin out, just to encourage those areas to grow back in, which we did. When we perform the turf replacement, we will review those areas again. There are still some ant mounds which gives the impression that ants are still there, but 90% of them are dead. We will address those mounds.

Ms. Palmer asked what about the tree in the middle of Brighton Lakes Boulevard?

Mr. Hirschfelder stated it was removed today.

Mr. Smith stated we are not going to replace that tree since it is right next to a light pole and we have a line of sight issue there.

A Resident stated when you come to Sweetspire on the right, a lot of plant material is dying there.

Mr. Hirschfelder stated we cut some of them back. We started up front and then we got away from it for a short period of time. We are not seeing any new growth. Those were subtropical plants and they were hit very hard during the freeze. We can either pull

them and replace them with the ones that do not have annual growth, or we can cut them down to the ground so they go away in order not to be an eye sore.

The Resident stated even having nothing there would look better than having dead plants.

Mr. Smith stated we lost a lot of the oleanders, and we are trying to spend money as wisely as we can in all the areas throughout the community.

Mr. Paul McCartan stated we had the guardhouse sprayed for pests, and the installation of the screen door has made it a lot more comfortable for the guards. I was not aware of the leak on the air conditioning unit.

Mr. Smith stated it needs to be cleaned occasionally and some of the guards know that and some do not. The guard who was there today pulled out the filter and cleaned it and then put it back in. It is just a maintenance issue. They are supposed to list that on their daily fax. If we run into that again, we will ask one of the guards take care of it since it is very easy to do. There was no water damage to the guardhouse.

Ms. Palmer stated I saw something about painting the guardhouse just to freshen it up a little. I would stay away from such a bright color this time.

Mr. Smith stated that is correct. I would also suggest changing the color. I have someone on my staff who does a lot of painting, but he is on another project right now. As soon as that is complete, I will bring him here for a week or so. The fence behind Chapala needs to be pressure washed again, and there are a lot of little things that need to be cleaned and painted, which I want to complete before school starts. So he will be out here for a couple weeks doing all those projects.

Ms. Palmer stated I see a lot of emails going back and forth, and I do not know how the rest of the Board feels, but I feel like the security company is doing a decent job. With the screen door, the point is to have it closed. I do not expect them to open that screen door at night because every time they open it, the lights will attract bugs inside the guardhouse. I come through at different times at night, and I see them acknowledging people. I know we can never please everyone all the time, but since I have seen these emails, I wanted to be sure the rest of the Board is fine with them not always opening the screen door. I personally am fine with it. I suggested we put the screen door at the guardhouse because I do not like to be outside at night due to all the bugs. I know some people complain that they did not come out quickly enough or they did not do this or that, but overall, they are doing fine.

Mr. Mihalic stated I sent a lot of those emails to Mr. Frawley. When I drive through at 1:00 or 2:00 a.m., many times the gate simply goes up and they do not make an effort to move from their seat. As far as I am concerned, we had been told they would be coming to the door, and I report it when they are not. I want them to be aware of that.

Ms. Palmer stated I do not have a problem with them just coming to the door. This is what happens sometimes. Issues are brought up and emailed to the Board. I do not know who they come from, and I really do not care as long as the issues are being addressed. Then when Mr. McCartan gives his report and no one says anything, I am going to bring up the issues so we can discuss them in this meeting.

Ms. Incandela stated I like to be aware of things. Many times if there is an issue, I will see one or two emails in the course of an entire month. If I see 10 or 20 repeated emails of people complaining and others saying there is a problem, then I like to get them so that I know how many and what the issues are. Then I can decide if this is a problem or the start of a problem, or if it is just working through the normal course and we might need to tweak the process rather than making a major policy change or firing someone. We can acknowledge that something happened a couple times and we want to make sure we stay on top of it. Regardless of what you do, no one is going to be 100% compliant but we should keep on top of it as much as possible. I would be concerned if the numbers started to rise to 10 or 20, but not at one or two.

Mr. McCartan stated no matter what time of day, I try to provide a response to the situation. I am the same way; I would rather be aware of any problem than to miss anything. We are not going to please everyone, but we are doing what the Board requested, especially when people swipe cards and do not have a bar code. They do not know if they are working or if the gate is working. I appreciate the screen being there especially this time of year with all the bugs at night, but the guards are supposed to stand at the door behind the screen to acknowledge vehicles coming through the gate. If people are happy with that process, then I would expect that the need for the guard to open the screen door every single car is now gone. But I still think they should be there near the street to acknowledge every vehicle.

Ms. Palmer stated I agree.

Mr. Mihalic stated it worries me, though, when I come through and they are sitting at the computer and I have to sit and wait at the gate. I time it the other night and it took 15 seconds for him to get up. Is he doing something at the computer that he is not supposed

to be doing? There is not much going on at that hour in the morning for him not to get up and open the gate. When something is not normal, that is when I send Mr. Frawley an email.

Ms. Incandela asked do you come in about that time every night?

Mr. Mihalic stated I come in five nights a week but it is a different time every night. It is always after 11:00 p.m.

Ms. Incandela asked is it once a month or two to four times in the course of a month?

Mr. Mihalic stated it seems to be two or three times a week. However, I do not send a note to Mr. Frawley every day.

Ms. Incandela stated I came in overnight twice last month, once at 3:30 a.m. and once at 2:30 a.m., both on weekends. The guard got up both times, looked at my vehicle, and pushed the button for the gate. I did not wait long, but I did see the guard both times.

Mr. Mihalic stated there is one guard that is so friendly and comes to the door and greets me, and I do not know what the other guard looks like because I never really see him at the door. My wife brought up a concern. The last couple mornings at 3:45, there have been two cars at the guardhouse. Is that normal?

Mr. McCartan stated no.

Mr. Mihalic stated if there is only one guard, there should be only one car. Is he having friends in or what is going on? That is an odd time.

Mr. McCartan stated I will address that with the guard.

Mr. Smith stated if you see that, we need to know that the next day.

Mr. Mihalic stated many times, my wife and I are crossing each other with our schedules so I may not always know the next day.

Mr. Smith stated the sooner we know that, the better. Or you can email us what night it was at what time, so we know who was working and we can address it.

A Resident stated I come in the gate between midnight and 4:00 a.m., and every time the guard gets up, comes to the door, waves at me and says hello. If it happens two or three times a week and it is the same individual, it may not work out.

Mr. McGrath stated we are spending almost \$80,000 a year for the guards, and many home owners have voiced the question about why we even need them. I think somehow we need to have a guard who we are paying to be there to be visible. We are sensible and it is fine if he is behind the screen door.

Mr. Mihalic stated that is fine.

Mr. McGrath stated if he is not visible, then we have to do something. People are paying for this service, and I think it is a reasonable thing to say they need to acknowledge every vehicle.

Ms. Incandela stated I do not want to get negative feedback that the guards are not getting up, when in reality, they are but people just cannot see them.

Mr. McGrath stated that should be the goal every time someone comes through the gate, whether a resident or a guest. There is a security guard there, they make eye contact with the driver, and that makes spending all that money almost worth it.

Ms. Incandela stated previously we said that they needed to come to the open door, and now we are saying just to come to the screen door, but the guards know they do not have to open the screen door.

Mr. McCartan stated the light inside the guardhouse is on a dimmer switch, and perhaps sometimes the light might be dim or might be lit fully. That will make a difference. Regarding the guard on the computer, he is not there to do school work but to provide security for the community. One of the guards is going to school and trying to better himself, but it seems to be interfering.

Ms. Incandela stated there are times when a long period of time goes by without any vehicles. I am fine with them reading or doing something, as long as they are doing what they are supposed to do when a vehicle comes to the gate. I do not think the Board has a problem with that.

Mr. McCartan stated I will speak with the guard.

Ms. Incandela stated in terms of the emails, I love getting them. If there is just one incident, I do not really think it is something we need to address. If it comes to where it is an issue, then we will address it.

A Resident asked what if a car does not have a sticker?

Ms. Palmer stated the guard will still not come outside because they cannot prevent anyone from entering. But they make sure the vehicle comes to a complete stop so the camera can take the license plate and then they will open the gate. That is the reason for everyone coming through that one gate.

A Resident asked how long does that information stay recorded?

Mr. Smith stated normally it is about three days.

The Resident stated we had a robbery in the back, and it was a couple days later that someone said they saw a particular kind of car but by then, it was too late to review the tapes. I wonder if there is a way to keep that information longer.

Mr. Smith stated it would mean a larger storage device, but even if we kept it for seven days and something happened six days ago, it would be hard to review the thousands of cars coming in to see which one it was.

The Resident stated in this case, they knew the specific model and color of the car.

Mr. McCartan stated there are hours of recordings, and it is not as easy as it sounds to locate a particular car when reviewing the tapes. The only way to increase the storage is to have a larger storage capacity. There are options but they cost \$2,500 or more.

The Resident stated I thought maybe you could just insert a new tape and continue recording on more tapes.

Mr. McCartan stated no, that is no how the system works.

Mr. Frawley stated I normally drive out of the community at about 5:00 a.m., and I always look at Volta and Kariba to see if the gates are up. The past couple weeks I was running late. On Sunday, it was 5:15 a.m. and the gates were down at both locations, both incoming and outgoing gates. It was that way last week, too. We changed the format of the checklist, and those gates need to be checked on the way in as well as at the end of their shift. The guard punched out at 5:00 a.m. so he was no longer here at 5:15 a.m. Did he report that to someone? I am concerned that with the gates down, if something fails, the residents in Volta cannot get in or out. When I came back during the day, the gates were finally up. I do not know if they are on a timer to go up. My concern is that one of the most important things he needs to do is check those gates.

Mr. Smith stated when you see that, make a note of the day and time and provide that information to Ms. Fuentes. The only other thing we have related to security is their contract expires October 1, 2010. I would like to know if the Board wants me to solicit for proposals. Because of the dollar amount of the contract, we are not required to do that because we are below the bidding threshold. Mr. McCartan is looking for a \$.25 hourly increase for his staff. We have been through a lot of security companies, so I will leave it with the Board to decide if you want to renew this contract for another year, or if you want proposals from the other security companies.

Ms. Palmer asked will the increase be going directly to the staff? I know there are a lot of businesses who are not giving increases to their associates. I think they are doing a

decent job. If the increase is going to them and not to the company, I might think about it differently.

Mr. McCartan stated two of the guards are due a pay increase and I want to increase their hourly rate from \$15.75 to \$16.00.

Mr. Smith stated that is a very small increase.

Ms. Palmer stated I just want to make sure part of it goes to the guards.

Mr. McCartan stated as with most companies, our insurance and other costs have gone up, but it is a very low percentage increase that we are requesting.

Mr. McGrath stated we have another meeting before the contract expires and we can think about it in the meantime.

Mr. Smith stated I will receive a proposal from Mr. McCartan and I will email it to the Board to consider for the September meeting. If you think you want to get proposals at that point, then you can extend this contract for another month so that I can get proposals, which I should be able to get pretty quickly.

Mr. McGrath stated that is fine with me.

Mr. Nestor Olmo stated I am curious about the bar code reader. Is that leased or did we purchase that?

Mr. Smith stated the District owns it.

Mr. Olmo stated it is an expense that we are not using right now. Will we ever be using that or are we just paying for something that is not being used?

Mr. Smith stated I will look at the costs associated with that. I believe we purchased that as part of the whole improvement. If the Board decides we do not want it anymore, we may be able to sell it back to ACT and they can use it in another project. Right now it is not costing us anything.

Ms. Palmer stated I do not think we are looking at going back to two lanes being operational in the foreseeable future because it has been working really well going through one lane. We are getting everyone's license plate. The guards do not have to discern between who is a resident and who is not. It has alleviated a lot of the complaints as well as costs and repairs of the gate. We can look at selling the unit, if the Board decides we are not going back to using both lanes.

Mr. Olmo asked will you ever do away with that second lane completely?

Ms. Palmer stated we can never do away with it completely. During the day it stays open because of trucks and larger vehicles as well as emergency vehicles. We will not close that lane and go to strictly one lane all the time.

Mr. Olmo stated one of the residents raised that comment, about why do we even have that bar code reader if it is not going to be used.

Ms. Palmer stated we will look into the possibility of selling it, but it is not costing us anything in the meantime, like a monthly expense just to have it.

Ms. Incandela stated if the security personnel at the gatehouse are asked questions, whether it is about security procedures or anything else, they have the letter related to our security procedures that they can give to the residents. The letter will also let you know who to contact and how to reach the Board to ask further questions. Regardless of the question, if the guard does not know the answer, they have this informational letter providing contact information for the resident to call.

Mr. Frawley stated if there is no monthly cost for that bar code reader, we do have two that are being used now.

Ms. Incandela stated we might want to keep it for parts or as a replacement.

Mr. Frawley stated I can see someone coming around that corner and taking out the bar code reader.

Mr. Mihalic stated I would prefer to have the unit stored rather than allowing the possibility for someone to come around the corner and running into it.

Mr. Smith stated we were just testing a new procedure. If this is working and you want to continue with closing that lane at night, I can pull the bar code reader and start making the cones a little more permanent.

Mr. Frawley stated that unit does have a camera in it that is operational, even if it is just during the daytime. If we had something happen during the day that another camera did not catch, maybe that camera might catch another picture. If we take it out and move it somewhere, we will lose that option that we have now.

Mr. Smith stated for the next meeting, I will be bringing a proposal for another speed hump at the security gates. I think that should be the next place we consider installing a speed hump, and we can consider others in the future. That will be helpful for the security guards at that intersection where people are speeding going toward the gate.

A Resident stated it would look much nicer if you could use some slender poles instead of the ugly cones.

Mr. Mihalic stated the last couple mornings at about 3:45 when my wife has been leaving, there have been a couple cars going the wrong way, going outbound on the inbound lanes instead of stopping at the guard station. I do not know if that has anything to do with what is going on there.

Mr. McCartan stated I will speak to the guard to see if he knows what is going on.

**SIXTH ORDER OF BUSINESS**

**Submitted Resident Questions/Comments**

There being none, the next order of business followed.

**SEVENTH ORDER OF BUSINESS**

**Public Hearing to Consider the Adoption of the Budget for Fiscal Year 2011**

**A. Fiscal Year 2011 Budget**

Mr. Moyer reviewed the budget for fiscal year 2011 as contained in the agenda package, which is available for public review at the District office during normal business hours.

Mr. Moyer stated this budget does not contemplate an increase in the assessments. The Board discussed that at your last meeting when you first approved the budget and set this public hearing. The assessments will remain the same as last year. The budget also provides for us to set aside capital reserves estimated at \$87,000, which over time, as we discussed when we established the capital reserves, will be sufficient to cover major replacement costs of the District, primarily road resurfacing at the end of the useful life of the roadways. Otherwise, the work program is exactly the same as it is for this current fiscal year. The expenses are also pretty much the same.

Mr. Mihalic stated it seems like our legal expenses are over budget for where we should be this time of year.

Mr. Crumbaker stated I noticed the anticipated expenses project an overage at the end of the fiscal year, but I think it will be below that figure. The biggest reason we had more expenses than we anticipated in the first half of the fiscal year was because of the lenders that filed foreclosure in an attempt to close out the assessments and a couple other minor issues. For the remainder of the year, I anticipate there being very little activity.

Mr. McGrath stated we are budgeting \$10,000 more this year than last year for landscaping. We have a fixed contract. Have we added to their scope?

Mr. Smith stated no, not to the contract but according to what the Board has requested them to perform in the field. We increased the budget to take care of things that we want to do, such as more plantings and enhancements. We have some top mulching to do,

which is outside their contract dollars. We also have some enhancements to do on the Patrician berm, so we added money for those enhancements.

**B. Public Comments**

There being none, the next item followed.

**C. Consideration of Resolution 2010-02 Adopting the Final Budget for Fiscal Year 2011**

Mr. Moyer read Resolution 2010-02 by title into the record.

On MOTION by Mr. Mihalic, seconded by Ms. Palmer, with all in favor, approval was given to Resolution 2010-02 adopting the final budget for fiscal year 2011.

**D. Consideration of Resolution 2010-03 Imposing the Assessments for Fiscal Year 2011**

Mr. Moyer read Resolution 2010-03 by title into the record.

On MOTION by Mr. Mihalic, seconded by Ms. Pieters, with all in favor, approval was given to Resolution 2010-03 imposing the assessments for fiscal year 2011.

**EIGHTH ORDER OF BUSINESS**

**Audit Selection Committee**

**A. Audit Ranking Recommendation**

On MOTION by Mr. Mihalic, seconded by Ms. Incandela, with all in favor, approval was given to accept the proposal from Carr, Riggs and Ingraham to perform auditing services, as discussed further in the audit committee workshop held July 22, 2010, at 6:00 p.m.

**B. Authorization to Enter into a Three-Year Contract with the Selected Auditing Firm**

Mr. Moyer stated their contract will be evidenced by an Engagement Letter that they will send to the Board each year outlining their fees. If there is something in that letter the Board does not like, you do not have to approve the Engagement Letter. Mr. Crumbaker will review the form of that contract to be sure we reserve all the necessary safeguards for the Board that we usually reserve. We typically include a provision that we can cancel at any time with 30 days' written notice.

On MOTION by Mr. Mihalic, seconded by Ms. Palmer, with all in favor, approval was given to enter into a three-year contract with Carr, Riggs & Ingraham, as reviewed by District Counsel.

**NINTH 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 for public review at the District Office during normal business hours.

Mr. Moyer stated to the credit of this community, we are essentially 100% collected on our non-ad valorem assessments, which enables the District to fund the operation and maintenance expenses of the District and pay the principal and interest on its bonds. There is nothing unusual in the financial statements that I need to bring to the Board's attention.

**B. Check Register**

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

Mr. McGrath stated there is an invoice from American Surveillance and all we did was replace a stripe with a new extended plate. We did not do any of these other things that are shown. It was only for the extended plate.

Mr. Smith stated they billed us for the face plate, Access Control's labor, and their labor. Page 10 shows their labor cost.

Mr. McGrath stated page 174 and 176, we replaced a standard tube and were charged a \$45 service charge on May 7. Then on June 7, we installed a new center feeder and had a service charge of \$85. The service charge is not just for them to come out when they come here. Is there a fixed service charge?

Mr. Smith stated they have different employees who come out versus the one who does the actual repairs. They have technicians who come out and work on the pump system. I can use Osborn's or Spies, and both of them will bill us for that charge.

Mr. McGrath stated the message that we put up before the speed hump, somehow I was not aware we were going to spend \$671 for it. I guess that is only \$67 a day.

On MOTION by Ms. Palmer, seconded by Mr. Mihalic, with all in favor, approval was given to the check register.
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**C. Consideration of Fiscal Year 2011 Meeting Schedule**

Mr. Moyer reviewed the meeting schedule for fiscal year 2011, which anticipates meeting every other month.

Mr. McGrath asked does anyone desire to meet on a day other than Thursday?

Mr. Mihalic stated I just setup my schedule to have Thursdays off.

On MOTION by Mr. Mihalic, seconded by Mr. McGrath, with all in favor, approval was given to the meeting schedule for fiscal year 2011.

**D. Discussion of Action Item List**

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

Mr. McGrath stated on item 4 KUA bills do not go to Engineered Homes, we are really making progress on that. There were a few invoices this time that indicated it was a final bill.

Mr. Moyer stated I think Ms. Burgess got that all wrapped up.

Mr. McGrath stated on item 8 for tables and chairs, we were fortunate enough to get 10 of those. I have not seen any matching chairs come through yet. Unless there is a rush, I recommend waiting. I go out there every day to check, and I also have not seen any tables.

Ms. Palmer stated for the amount of money we are paying for them, I would wait.

Mr. Frawley stated to purchase them new would cost about \$100 each.

**TENTH ORDER OF BUSINESS**

**Staff Reports**

**A. Attorney**

There being nothing to report, the next order of business followed.

**B. Engineer**

There being nothing to report, the next order of business followed.

**C. Field Operations**

**i. Monthly Highlight Report**

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

Mr. Smith stated one of the things I am finding is that Weber does remove trash, and they do pick up trash wherever they are mowing. We have a really bad trash problem out here. I have sent Mr. Alan Desrosiers out here once a week just to help with the trash pickup. He came out here and filled 10 bags of trash. He was also here today on a trash run, and when he came back two hours later, he had to do another trash run.

Ms. Palmer asked is there a trash can by the basketball courts?

Mr. Smith stated yes. It is not necessarily the basketball courts that are the big problem, but it goes all the way into the community on Brighton Lakes Boulevard with people throwing trash out their cars. It used to be bad when we had construction, but that is not the situation now. It might not be a bad idea to do something community wide. Perhaps the HOA can host a contest for kids and put a surprise to it. We did something like this in Celebration that worked. The kids designed a sign that said something like this is our home and please do not litter. I do not know how else we are going to enforce it.

Ms. Palmer stated as the weather gets a little cooler, perhaps we can do a community barbecue and part of it could be that anyone who helps pick up trash can go to the barbecue. We can combine it with some fun things. It may raise people's awareness. Maybe we can have a \$25 gift certificate to Target or some place.

Mr. Smith stated when you get a nice little prize and all the kids in town are trying to come up with something, that makes the parents have a tendency not to throw trash out the window. It may or may not work, but that is more of an HOA event than CDD.

Mr. McGrath stated maybe we can a sign or something that says it is costing us more to have people pick up trash.

Ms. Palmer stated we could all walk Brighton Lakes Boulevard and pick up trash, come back and finish our meeting, and then go back and these people have thrown more trash on the ground. They just do not care.

Mr. McGrath stated that will not change.

Mr. Olmo stated that is right that some people will continue to do it, but there are not enough trash cans. They are both on one side. I see a lot on the sidewalks, so it is also people walking.

Mr. McGrath stated people do throw trash out of their car, but for people walking by, if there was a trash can close, maybe they would pick it up. Trash cans are not very expensive.

Mr. Mihalic stated people who are walking should not have to pick up trash from people who throw it out the car windows. If you are driving, take it home and put it in your trash can.

Ms. Palmer stated when my kids and I go walking, we take bags with us to pick up trash.

Mr. Mihalic stated I do not want to set a precedent because then they will think that if someone picked it up today, then they will pick it up tomorrow, too.

Mr. Frawley stated when you come into Volta, it splits off and goes left so at least you are out of the traffic lane. Similar to how McDonald's has trash cans where you can pull up and throw your trash in, could we consider one in that area on the driver's side? Many times the driver is alone in the car and just throws the trash out his window.

Mr. McGrath stated that is not a bad idea.

Ms. Incandela stated I just cannot see these people using that. When you are at McDonald's, you usually have your trash readily available and want to get rid of it before you leave. I do not think that will really help the problem.

Mr. McGrath stated in my experience, there is nothing you can do to stop people from littering. However, if there is no litter to start with, it is less likely that someone will throw it out.

Ms. Incandela asked are there areas where the trash cans are so far spaced apart that we should add more?

Mr. Smith stated I can put out more trash cans and I would like permission to put out a couple Do Not Litter signs on the way in.

Ms. Palmer stated rather than Do Not Litter, I prefer something that says this is your community and please do not litter.

Mr. Smith stated I would like the Board to designate a dollar amount not to exceed to spend on new trash cans and at least one sign. Trash cans are \$100 each and my staff installs them.

A Resident stated there is also a problem with people leaving their dog's waste. Most people do not want to carry that all the way back home. No matter what you say or do, some people will continue to throw it out the window. But I like the idea that was mentioned about a sign that says this is our home and please keep it clean. That might help some individuals.

Mr. Smith stated I agree. The trash cans are for pedestrians. Our problem out here is the cars throwing out trash. Around the ponds, we are also getting a lot of trash, and I do not know why that is. The News Gazette that is thrown on the driveways end up in the pond somehow, and they are still in the plastic.

Mr. McGrath stated I contacted Ms. Alba Sanchez with the HOA and it is a terrible thing to see newspapers at homes that are empty. I asked her to look into this, since they have a list of homes that are empty, and asked her to contact the Gazette and see if they

will stop delivering to vacant homes. If it is something they can do, it may reduce the number of newspapers in the pond and all those piles at the empty homes.

Ms. Incandela stated I think we should get two additional trash cans. I do not think a sign will do any good.

Mr. Smith stated we will start with two trash cans.

Mr. Frawley stated I have two-inch letters to use on the front message board, so I will put up Do Not Litter for a period of time to see if that helps.

#### **ii. Employee Manual Policies and Procedures**

Mr. Smith reviewed the employee manual policies and procedures, as contained in the agenda package, which is available for public review at the District office during normal business hours.

Ms. Incandela stated we might want to hold off on this for now, considering the employee issues we are currently facing.

Mr. Moyer stated I agree you should hold off on this for now.

#### **iii. Consideration of Proposal for Aquatic Lake Maintenance and Wetland Maintenance**

Mr. Smith stated we had EAC providing aquatic services in the District. They were purchased by Wilson Miller. The person who was performing the field activities and the administrative activities of monitoring wetlands was let go. They did not replace him with anyone who was as competent, and they also hired an outside company to do the actual spraying of the ponds. Since about March, I stopped paying them. I have only authorized payment to Applied Aquatic for the monthly service, which was going along pretty well for monthly service, but this time of year with the heat and nutrients in the ponds, we start getting algae blooms. Their contract expires September 30, 2010. I spoke with Applied Aquatic regarding what they are currently doing here. I asked them to provide a proposal, which they did. Their proposal of \$29,930 would be our annual cost if we did not bid out this work. If we go out to bid, they told me they will raise the price to \$31,900.

Ms. Palmer asked what are we currently paying them?

Mr. Smith stated we are paying them \$18,000 annually. We budgeted \$26,000 because I knew the price was going to increase. Based on what they were saying, they were losing money on this contract and there were not interested in renewing at that price. We are under the bidding threshold, so if it is the desire of the Board, I can get

proposals from other firms using this same scope of services. I am rebidding this same contract for Celebration CDD, which is a very large contract. I can ask some of those bidders if they want to bid on this work. Chances are that all the bids may be higher. In talking with Applied Aquatic, they said they were losing money because of the hydrilla out here and the strain of hydrilla that we had. The only thing we will lose between their proposed price of \$29,930 and their bid price of \$31,900 is about \$2,000.

Mr. McGrath stated in today's environment, anytime we can solicit for bids, we can find out what the true cost is for people who want business.

Ms. Palmer stated chemical costs are increasing, though.

Mr. Smith stated that is correct. What I am finding is these low bidders are bidding low because they know they are going to get the job. A lot of them are doing that. Then they get onsite and find out what problems are there, and they start dragging their feet which makes them fall way behind.

Mr. Mihalic asked we are currently paying them \$18,000?

Mr. Smith stated that is the amount that was provided in their three-year contract.

Mr. Mihalic asked do you think he can come down a little from his proposed price of \$29,930?

Mr. Smith stated he told me his bid price would be \$31,900 if we bid it out, and he said he could not do it for less than that because he is not really making any money. The gentlemen that I have working on seven other projects are also the current contractor for Celebration CDD. That contractor said he would not raise his prices to continue but the Board wanted to bid out the work. I may end up getting really high bids. They have provided very good service in Celebration.

Ms. Palmer stated I would like to tell them that the Board was not ready to make a decision this month, so we would like to hold off until September and continue with them in the meantime. Let Celebration go out to bid and see what they get for bids, whether they are higher or lower. If they are getting bids that are lower than the current contract out there, then I think maybe we look at it and make a decision.

Mr. Smith stated I will provide all of them with this scope for Brighton Lakes and get a price from them. It does not have to be a formal bid so I can get proposals and I can negotiate a proposal with the other contractors.

Ms. Palmer asked would they continue to work here if the Board pays them their current monthly rate?

Mr. Smith stated I can ask.

Mr. McGrath stated this is the first time we are hearing about this information. Was there something about this kind of work where the first five years of the District's existence, there was some requirements related to the ponds? Is that part of this scope?

Mr. Smith stated yes, closing out those permits is part of this scope, which is another reason the cost is higher. There is a difference between closing out the permits and maintaining the conditions of the permit.

Mr. McGrath asked they will still be performing the functions even though the entity that issues the permits will not be following up?

Mr. Smith stated the permits have not aged to the point where they can be closed out yet.

Mr. McGrath asked so the work going forward is still the same volume of work?

Mr. Smith stated yes.

Mr. McGrath asked do you think they will solve the problem?

Mr. Smith stated it is required in our permit that they monitor these wetlands until we get to the place where they are established and they are accepted by South Florida Water Management District.

Mr. McGrath asked this contractor also takes care of the condition of the ponds?

Mr. Smith stated yes.

Ms. Palmer stated from their proposal, onsite monitoring is \$3,100 and onsite wetland preserve maintenance is \$7,200. Lake maintenance is \$21,000.

Mr. Smith stated Applied Aquatic is the contractor who performs the lake maintenance. Altec will be their subcontractor who does the wetland monitoring.

Mr. McGrath stated the majority of the cost is for lake maintenance. We can keep after them if and when we see what it looks like.

Mr. Smith stated I will have them do another treatment on the hydrilla this month because I have to get it taken care of. I will bring something to the Board at the next meeting to provide more information.

Ms. Palmer asked will we go month-to-month with them until we get more information?

Mr. Smith stated yes.

#### **iv. Staffing at the Recreation Center**

Mr. Smith stated I need some direction from the Board on staffing at the recreation center. You are all aware of some of the issues we have been having.

Mr. McGrath stated right now, the Board is responsible for its employees. I have not come and checked on what work is being done and who is there on time or who is leaving early, who is not punching out and saying they are not taking a lunch break and expecting to get paid for it. I believe we should not manage employees. I think we put Mr. Smith and Ms. Fuentes in a very bad situation. The Board has employees but you take care of it. If you do not do it right, then you are in trouble, and we may not always tell you how we want it done. What makes sense to me, everything else Severn Trent takes care of for us. I think we have superintendents who work for Severn Trent but have to be presented with a request, if we are talking about hiring a new person or changing staffing, to the Board who makes the decision. We are suffering, I think, because if everyone is managing, then effectively no one is managing. We are currently paying \$45,000. If that went to Severn Trent, it would make more sense. How can you have a Supervisor who is not there except six times a year?

Mr. Smith stated for the benefit of the audience, the employees who work here are Brighton Lakes CDD employees versus employees of Severn Trent, who is the management company. If they were my employees and work for Severn Trent, I would have a lot more control over them and we would not have to bring every issue to the Board.

Mr. Moyer stated we may need to look at that. I do not know what kind of benefit package we are paying to the District's employees, but the problem with Severn Trent is, once they become employees of Severn Trent, they get benefits and health insurance, and all the things that a company has that employs thousands of people. They cannot change that for certain employees. Even to the point of the rate that we pay these employees, Severn Trent has a category of employees. They actually cannot pay less than the entry-level positions for that position, and we may be paying less. I really do not know. Before you make that decision, we need to consider all the information.

Mr. McGrath stated I agree.

Ms. Palmer stated in the meantime, some things need to change. I think it is easier to find a job when you have a job, and it is easier to find employees when you already have employees. This Board should appoint one member—it does not matter to me who it is—to meet with Mr. Smith and start interviewing people. Once we have someone, then we

look at terminating the employee we currently have because that situation is not working. There is not only the issue of attendance but issues of bringing children to the job site. There are a multitude of issues going on. It becomes very difficult to terminate that person until you have someone to replace them because that could have bigger issues during that time. As a Board, we can give more supervision or allow more management to be given to Severn Trent, even if the employee is employed by the District.

Mr. Moyer stated that is correct. I am very reluctant to even bring this up, but I am a contractor to Severn Trent. I have my own company and I do not pay very many benefits, but if it helps the District and we cannot fit this within the Severn Trent framework, then that is an alternative. All I want to do is cover the payroll costs plus whoever does payroll.

Mr. Smith stated I will bring something to the Board for your next meeting. In the meantime, another member of the Board can meet with me and we can discuss this further.

Ms. Palmer stated last time we did it, I sat in on those interviews and meetings. Whoever else wants to do that this time is welcome, and I am not opposed to doing it again. I have no issue with any member of this Board who wants to meet with Mr. Smith.

Mr. McGrath stated I do have some time to devote to this.

Mr. Mihalic stated I would recommend Mr. McGrath participate in this process.

Mr. McGrath stated I appreciate Mr. Moyer's offer. Another possibility is that there are independent companies who will provide those services, but it is another cost.

Mr. Mihalic stated they will run too many different people in and out of here.

Mr. McGrath stated to address the issue of benefits, we do not know what the benefits are.

Mr. Moyer stated I would be surprised if there are any.

Mr. Smith stated I do not believe there are. All I need is to have one member of the Board meet with me and we will go through the process of interviewing candidates.

#### **v. Suggestion Box**

Mr. Smith distributed the items submitted in the suggestion box, including installing a pull-up bar, improved air circulation, and cleaning workout machines.

Mr. McGrath asked is a pull-up bar feasible and easily installed?

Mr. Smith stated yes. We can see about installing one that is in a safe location.

Mr. McGrath asked is the improved air circulation part of our program to keep cleaning that filter? Is that on the list to be done monthly?

Mr. Smith stated yes.

Mr. Frawley stated you can omit item 7.

Mr. McGrath stated I agree.

Mr. Mihalic stated some things like that, if they want that kind of thing, they can go join the YMCA or something else. We do not need to be involved in that.

Mr. McGrath asked is staff supposed to clean the fitness machines?

Mr. Smith stated yes, that is part of their daily work routine.

Mr. Mihalic asked is the carpet a mess?

Mr. Smith stated no, it seems to be in pretty good shape. I have gone in there and the air seems fresh. If you get a lot of people in there sweating, it will not smell as fresh as it could, but that is not because of the air filter.

Ms. Incandela stated I also noticed that the ceiling fans will help circulate the air a little. If we continue to get complaints, we can look into an air purifier to help keep it fresher in there. That will help a lot when there are a lot of people in there.

#### **D. Community Report – Gerry Frawley**

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

Mr. Frawley stated in May, we had a crash at the Volta gate where someone bent the gates over. Severn Trent reviewed the cameras and could not see anything. There are three cameras there. Even though one is high up on a pole, it allows you to see anyone who comes into the area. What happened with that camera? One camera is now pointed at the sky because the person who damaged the gate figured out to move the camera. You can climb up that pole and get the other camera. The one that is next to the card reader is fine the other one was moved and does not point at the gate. By the time the sheriff got involved, that evidence is now gone. We do not know if it is one person doing this or if it was a group of vehicles that came in. The report from Ms. Fuentes when she reviewed the tape was that you could not see anything but the sky. That was obviously done by the person who damaged the gate. He got out of the car and pushed it up so that it is not pointing at the gates, damaged the gates and came in. That person knew that the top camera would see him doing everything, so he moved it.

Mr. Smith stated I will need to discuss this with Ms. Fuentes. That conversation should be between you and Ms. Fuentes and those questions should be answered immediately.

Ms. Palmer stated what Mr. Frawley is saying is correct about whenever we get one of these situations.

Mr. Smith stated he can drive around where that camera is and it will not pick him up.

Mr. Frawley stated the top camera will show all the way to Kariba Court. When you are looking straight down, you can see the keypad.

Mr. Smith stated you need to have that conversation with Ms. Fuentes immediately, and that will resolve this problem.

Ms. Palmer stated I attended the last crime watch meeting, and even though we had pretty good photographs, it was not enough because it was inconclusive.

Mr. Smith stated that is not true. The sheriff was in our office and they made a report and they will make it a criminal offense for that white vehicle. They asked if we wanted to file a report or did we just want them to find the vehicle. If we want them to find the vehicle, they said there was nothing they could do, so we asked them to file a report.

Ms. Palmer stated I thought Officer Beltran said there was not enough to get the license plate number, so they were not pursuing it.

Mr. Smith stated we got the license plate and the sheriff filed a report.

Mr. Frawley stated we might be talking about two different incidents. The one at Kariba was a guest pulled up to the right side in front of the keypad. What you see is the plate for the vehicle on the left but you cannot see it on the vehicle on the right. The one on the right is the one who damaged the gate.

Mr. Smith stated if we do not have a license plate number, there is nothing they can do.

Ms. Palmer stated that was the situation we discussed, trying to decide if we should simply send a letter to the person and tell them we knew they did the damage so what are they going to do. We decided to go to the sheriff.

Mr. Smith stated that is the white vehicle that they are pursuing.

Ms. Palmer stated I misunderstood at the crime watch meeting.

Mr. Frawley stated the School District sent a District to the HOA and they forwarded it to the CDD, having to do with signing a waiver.

Ms. Palmer stated I had several conversations with Mr. Crumbaker, Mr. Moyer and Ms. Burgess. Mr. Moyer drafted a response that Ms. Burgess forwarded to the Board, a letter to the County saying that these are public roads, not private roads. We attached a copy of the letter we sent to the sheriff stating the same thing, as well as a copy of the rules regarding the operation of the gate. There is no need for this form because these are public roads.

Mr. Mihalic asked have we heard from them?

Mr. Moyer stated no.

Mr. Frawley stated I just wanted to know the end result of that. How do we give out cards who come here as renters?

Mr. McGrath stated I was going to raise that as well, hoping Ms. Fuentes would be here to answer that.

Mr. Frawley stated if I am renting my house, I should not be adding to the burden of the community by allowing additional cards to be produced for my renters. Either I give up my cards to the renters, or I choose not to give up my cards to the renters and they cannot come here.

Mr. Smith stated it is my understanding that the owner has to get the access cards, who then gives the cards to the renter. If the renter wants more cards, then the owner contacts us and requests more cards to give to the renter.

Ms. Incandela stated I thought there was an issue Ms. Fuentes raised that renters were writing to the owners but the owners were not getting the information, so they were making the renters come in with their driver's license and making a copy.

Mr. Smith stated I will follow up with Ms. Fuentes, but they are supposed to have permission from the owner. We are essentially giving the cards to the owner.

Ms. Palmer stated many owners do not live here.

Mr. Smith stated they can make contact with the owner. If the owner authorizes them to get a card, then we will give the renter the card, rather than sending it to the owner who lives out of State.

Mr. Frawley asked what happens with the owner's cards?

Mr. Smith stated the renter has the owners cards.

Mr. Frawley stated if we are sending out additional cards, then we should be deactivating the home owner's cards.

Ms. Incandela stated we are not replacing them; the owners are purchasing additional cards.

Mr. Smith stated the owners still have their cards.

Mr. Frawley stated I did not think you could get additional cards.

Mr. McGrath stated the policy says you can have a maximum of four cards.

A Resident stated I requested a third one and I was told that I could not get one, that we can have only two. I just thought it would be easier to have three cards since we have three people living at home.

Mr. McGrath stated the policy says if you pay for them, you may have more, up to a total of four cards.

Mr. Frawley stated say I am a home owner who lives in New York and I do not want to give up my card. What happens if I call the District office and request two more that I will pay for and have them sent to the renter?

Mr. Smith stated if they have one, they can request three more.

Mr. Frawley asked what if I lost my cards? If there are already four cards out, we should be deactivating one for one, for every card that is issued over four cards.

Mr. Smith stated I believe they do deactivate the extra or lost cards. The other issue is, at some point we will need to deactivate all of them and reactivate them for current residents and owners. That will be a huge undertaking.

Mr. Mihalic asked why would you deactivate the cards?

Mr. Smith stated there are so many cards that are out for people who have moved away.

Mr. McGrath stated delete the card from the system.

Mr. Smith stated it is very difficult to manage that down to that level of control. The technology is not there with our system. It would be nice to be able to deactivate those cards for people who have moved.

Mr. McGrath stated I may be a renter and I want to access the facilities. I do not think a renter ought to have access to these facilities.

Ms. Palmer stated if I am renting a home here and part of what I am renting was having a recreation center here, then I expect to be able to use that recreation center.

Mr. McGrath stated I am concerned that what is really happening is someone tells a renter to go to the office in Celebration and they will give you a card.

Mr. Smith stated they have to show proof of ownership in order to get a card. We will accept either a deed or the tax bill.

A Resident stated we had to take our settlement paper.

Mr. Frawley asked as we issue cards, is there a running list to know a particular house three years ago was issued four cards and then last year we issued another card?

Mr. Smith stated we keep track of them by address. What is happening and the reason we need to invest some time and money into this is people will move and take their cards. Our office does not know that but yet we manage the card system. In order to manage the way you are describing, we would have to hire one person to do that process all day long. They will have to go through the system and every bit of paperwork. We can do that if you want us to hire someone to do that. It is difficult for our staff to manage it the way it is setup. I think we have a good hold on it, but there are cards that are still active but the resident no longer lives here. At some point, we need to deactivate them and start all over.

Ms. Palmer stated you could have a sign up two weekends at the recreation center where you bring in the old cards and you are issued new cards.

Mr. Frawley stated you do not have to do that. We do not need to replace the cards. They will bring their cards and we will note the numbers to keep them active.

Ms. Palmer stated that is fine.

Mr. Smith stated they will need to bring their cards as well as proof of ownership.

Ms. Palmer stated we can let them know there is an excessive number of people using the recreation center who are not residents.

Mr. Smith stated that is not the problem. We do not have that many people who are not outside residents who come in here. It is not a huge problem. Every time I am here and I ask people if they brought their cards, usually four out of five people have their cards. Very rarely do I come across a person who does not have their card. There was that one time when it was very obvious this group of people were not residents. It was a senior party and two girls had cards but the rest did not so I sent them out. Other than that, it has not been a huge problem.

Mr. Frawley stated it is a question to the Board on what you feel is appropriate for renters and if they can bring a guest.

Ms. Palmer stated yes, I think they have the same rights as home owners.

Mr. Olmo stated the documents say that renters cannot bring guests. They can pay to use the facilities, just like nonresidents.

Mr. McGrath stated page 7 of the policies says that each Brighton Lakes family unit is limited to four guests at any one time in the recreation center, pool or playground.

Ms. Palmer stated that is correct unless they reserved this room for an event.

Mr. McGrath stated there is another place that says there can be a maximum of 25 guests.

Ms. Incandela stated that is when they are reserving this room.

Mr. McGrath stated that is not what it says.

Mr. Smith stated that is for an activity here to use the tables and chairs and have 25 guests. They do not necessarily have to rent the room. It is a guideline. We are not having a big problem with people bringing in 10 guests instead of four. We can try to manage it more, but to address a small problem, we would have to invest a lot of money for it.

Ms. Palmer stated I do not think it is an issue. I think Mr. Frawley's reasoning has to do with kids and teenagers, but you have to look at the whole thing. You do not want to get to be a dictator about it. What if one of you has family in from out of town and there are six or seven in that family. If it is hot and everyone wants to go to the pool, then we would say you cannot because you can only have four people. I understand a teenager bringing in five friends, you want to say no. But you have to consider the whole picture.

Mr. McGrath stated several weeks ago, Mr. Frawley and I were volunteering as the citizen patrol. There were five or six people and two or three cars, and one family that has a card had more than four people. The attendant told them the policy says no more than four guests. He was doing exactly what this says, and that is what I want to raise. Is that still what we want to do?

Mr. Smith stated if you have another person, like a neighbor, who can include some of your guests as his, that will help. This place belongs to the home owners. If you have a nice family who happens to have five guests but you tell them they are allowed to have only four, maybe talk to a neighbor or a friend to get that extra person in the recreation center. Then you start to get into arguments, and you do not want to do that.

Mr. McGrath stated I felt bad for the employee because he was implementing the rules at four guests.

Mr. Smith stated if it is not that big of a problem, then we should not make that big of an issue about it. It is fairly well controlled. I think the people who live here look out for what is happening up here.

Ms. Incandela stated you can talk to the employee and let him know that while it is the policy and the guideline, in their discretion they can make the decision to let them stay.

Mr. Smith stated no, they follow the policy unless they call me. If there are seven people are out there with one resident, I tell the attendants to call me. Tell them you are talking to the manager. I will talk with them and say we will let them in this one time but do not do it again.

Ms. Incandela stated the situation that Mr. McGrath described, one family would not be able to get in. It does not sound like the guard called you. He must have used his discretion at that time.

Mr. Smith stated it does not happen very often.

Mr. Frawley stated there was a situation where there were seven or eight people and only one guy had a card.

Mr. McGrath stated it was several families, maybe three.

Ms. Palmer stated I may show up with four kids. How can you determine how many are part of the family that lives in that house and how many are actually guests. I will bring just one card for my family.

Mr. Frawley stated then we have put him in a position that he cannot defend. If he says you are only allowed four guests, they may turn around and leave because they were not smart enough to say they were part of one family.

Ms. Palmer stated otherwise you are going to run into a discrimination issue. If he sees any group of more than four people, does he always say that is one person with four guests? Or is he picking and choosing who they say this to? If you are only doing that to a group of teenagers or a group of younger kids, then you run into a problem. If you say it to every single group of people over four that come up, then you are safe.

Mr. Smith stated I imagine those people went home, got another card, got some other friends with cards and came back to the pool. I think we are micromanaging something that does not need to be micromanaged to this extent. It is not that big of a problem. I have much bigger problems in this community than that issue. I think the staff who are here are doing a good job of implementing the policy and I do not see any major

problems. The problems I do have are not families trying to get into the pool. They are other issues, but I think we have good control over them, as well. If I was getting complaints and phone calls about this every day, then I would say we need to micromanage it more, but it is not a big issue.

Ms. Incandela stated if they were having problems with people trying to get their families in, you would be hearing about it.

A Resident stated it is different if you have a husband and wife with three kids of varying ages as opposed to seven adults who show up with someone and say they are family. Knowing one is a family unit is a little different.

Ms. Palmer stated I am just saying we need to be careful.

#### **ELEVENTH ORDER OF BUSINESS                      Audience Comments**

Mr. Jeff Slack stated we have mentioned in a previous meeting about the No Soliciting signs and the fact that a lot of solicitors are getting past it. I think I know why. The sign is hard to see because it is right at the entrance after you turn. If you are paying attention to what you are doing and where you are going, it is easy to miss it. Perhaps you could move it into the community a little farther, closer to some of the other signs.

Ms. Palmer asked can we put it right below the CDD sign?

Mr. Frawley stated there is another issue you need to consider. Those signs that are plastered at the front, if you are looking for any of those, I have them because I take them all down. If you move that sign, then people will put signs all the way up Brighton Lakes Boulevard until they get to the sign that says No Soliciting.

Mr. Smith stated generally that No Soliciting sign is not going to stop anything. We put the sign up so that we can enforce it. If we have that sign out front, then the solicitor has to leave.

Mr. Frawley stated the County's position that has been provided to us by the crime watch deputy is that a solicitor cannot come door to door in Osceola County without a solicitor's permit. That permit has to be in his hand to be able to present to you upon request. If it is not, call the sheriff.

A Resident stated you could put little ones at the entrances to the front two neighborhoods, as well as closer to the front gate. Then you can say it is posted in several places.

Mr. Frawley stated Jehovah's Witnesses are not considered solicitors and the sheriff will not say anything to them.

Ms. Andrea Aikins stated I used to come to all the meetings. I am not able to come as often because of schedule changes. Is it possible that you could change even one of the meetings from Thursday? I am not saying that is why other residents do not attend these meetings, but it is complicated for me to be able to attend.

Ms. Palmer stated we considered that at the beginning of the meeting.

Ms. Aikins stated it is just a suggestion because I do know a few other people who cannot attend since it is on a Thursday. I also noticed that several times there is garbage by the guard house. I do not know if the garbage trucks do not pick it up or what is going on.

Mr. Smith stated we called them and we call them every time they do that until they figure it out.

Ms. Aikins stated I noticed some of our grass is brown. I know it is hot, but I have seen other communities with very green grass. We have a lot of burned patches.

Mr. Smith stated the landscape contractor was here earlier and they addressed that issue.

Ms. Palmer stated they will be replacing some of that sod because it was their issue.

Mr. Moyer stated what they may very well do is leave it alone for two or three months and replace it in the fall when it is cooler. Do not expect to see anything immediately just for that reason.

Ms. Palmer stated part of it is due to problems with the irrigation system, and Mr. Smith will look into that issue and decide if it is better to wait until the irrigation is operating efficiently.

Ms. Aikins stated another thing that bothers me is by the basketball court. People are starting to park along the street, sometimes two to four cars on the roadway. I know you have signs that say No Parking and technically there is no parking along Brighton Lakes Boulevard anyway. I wonder if we can put up a sign that says No Parking in that area.

Mr. Olmo stated there is a sign there at the basketball court.

Ms. Aikins stated the school bus also parks there. It is a parking problem.

Mr. McGrath stated signs are great, but if a resident drives by and sees it, call the non-emergency sheriff's number. We are fortunate that Osceola County sheriff will come out and follow up. If we call often enough, it may not happen anymore.

Ms. Aikins stated I used to call but sometimes the response is not very fast.

Mr. Olmo stated I run into the same situation during the day where they park at the basketball court just past the speed hump. Recently, there was a car parked there so I went to the basketball court and told the vehicle owner that he needed to move it since the sheriff was on his way over and will give him a ticket if it is still parked there.

Ms. Palmer stated the non-emergency number is 407-348-2222.

## **TWELFTH ORDER OF BUSINESS**

### **Supervisor Requests and Comments**

Mr. Mihalic stated this year three Supervisor positions expire, and all three seats had one person qualify, the same people who currently serve in those seats now.

Mr. Moyer stated congratulations to all of you.

Ms. Incandela stated I thought someone mentioned there were some letters of interest. Did they not file?

Mr. Mihalic stated the day after the qualifying period, I went on the Supervisor of Elections website to see who qualified, and it was the three current Board members.

A Resident stated I did not both qualify because the three positions already had the current members qualify who wanted to serve again. It seemed like everyone is doing a good job so I did not see any reason to jump in.

Mr. McGrath stated thank you for your interest.

Mr. Moyer stated that is quite an endorsement.

The Resident stated we signed up for crime watch instead.

Ms. Pieters stated I sent an email to Ms. Fuentes about a blue sign on Chapala Drive about some type of security company.

Mr. Frawley stated when I see those, I will remove them.

Mr. McGrath stated our budget this year is about \$5,000 for printing and binding. Stamps are going to be \$.44 and if we are required to send a letter to everyone three times a year, that adds up. If we have an opportunity for residents to request that anything we have to send them we do through email, that may be more work for staff but if you can get 350 residents over 10 years, that is \$4,200.

Mr. Moyer stated that would be easier.

Ms. Incandela asked are there any requirements where we have to send notice by mail?

Mr. Moyer stated only if we are increasing their non-ad valorem assessments. If we do not do that, there is no reason we ever send mail.

Mr. Frawley asked could you send one letter to every resident to say that if they are not interested, we will no longer send anything to you unless you send us your email address?

Mr. Smith stated we are not sending them anything. We do not send anything to anyone.

Ms. Incandela stated when we need to do our next mailing, we can include some language that if they do not wish to receive these letters, send this form back with your email address

Ms. Palmer stated I agree; let us wait until we send the next letter.

Mr. Mihalic stated we can send one blanket email.

Mr. Moyer stated the problem with that is unless the State legislature changes the law that email constitutes legal notice, we will still have to send that letter by postal mail.

Mr. McGrath stated we have sent letters to residents in the past.

Mr. Moyer stated not very often.

Ms. Incandela stated it is a great idea but if half of the residents responded for one or two mailings, you might save something but it will not be a huge savings. It is something we can consider.

**THIRTEENTH ORDER OF BUSINESS                      Other Business**

There being none, the next order of business followed.

**FOURTEENTH ORDER OF BUSINESS                      Adjournment**

On MOTION by Ms. Palmer, seconded by Mr. Mihalic, with all in favor, the meeting adjourned at 8:20 p.m.
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Gary L. Moyer, Secretary

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Michelle Incandela, Chairman