

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 Tuesday, September 4, 2014, at 6:00 p.m. at the Brighton Lakes Recreation Center, 4250 Brighton Lakes Boulevard, Kissimmee, Florida.

Present and constituting a quorum were:

Michelle Incandela	Chairman
John Mastromarino	Assistant Secretary
John McGrath	Assistant Secretary
Dolores Pieters	Assistant Secretary

Also present were:

Gary L. Moyer	District Manager
Tucker Mackie (<i>by phone</i>)	Attorney
Paul McCartan	Keep Safe Security
Don Simmons	Girard Environmental
Brian Smith	Severn Trent Services
Residents and members of the public	

This represents the context and summary of the meeting.

FIRST ORDER OF BUSINESS

Pledge of Allegiance

Mr. McGrath led the *Pledge of Allegiance*.

SECOND ORDER OF BUSINESS

Roll Call

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

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

There being no agendas provided for the audience, Mr. Moyer read the agenda items into the record.

THIRD ORDER OF BUSINESS

Approval of the Minutes of the August 7, 2014, Meeting

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

Mr. McGrath stated I did not have a chance to review the minutes because I just received my agenda package yesterday.

Mr. Moyer stated I apologize, and I will keep making the same note to staff.

Mr. McGrath stated we are supposed to receive these a week ahead of time. What really concerns me is, no one is even contacting us to tell us it is going to be late. That is telling me something is not working somewhere.

Mr. Moyer stated I agree.

Mr. Mastromarino stated I just received mine Monday or Tuesday.

Mr. Moyer stated we will defer approval of the minutes until the next meeting.

Ms. Incandela stated if any Board member has not received them by the day we are supposed to have them, call someone that day to let them know. They can deal with it right away.

Mr. Moyer stated that would be helpful. I do not know where the breakdown is from the time they email it to when they are mailed.

Mr. Smith stated they send them to our office and I thought I saw them last week. One of the field staff delivers them. I will find out what is going on.

Mr. Moyer stated Ms. Incandela has a good idea. If you do not get them when you expect them, call my office.

Ms. Pieters stated there was also some duplication of pages.

FOURTH ORDER OF BUSINESS

Audience Comments

There being none, the next order of business followed.

FIFTH ORDER OF BUSINESS

Vendor/Contractor/Third-Party Items

A. Keep Safe Security – Guardhouse and Security Services

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

Mr. McCartan stated Frank is now retired so is no longer working at the gatehouse. We reiterate again and again with the gatehouse guards the need to stop every vehicle at the gate so the barrier falls down between each vehicle. Some of the guards are afraid of damaging someone's car so they do not always lower the gate between all vehicles. It would help if there was something to slow the cars down further.

Mr. McGrath asked is there room for a sign that says one car at a time through the gate? if they should damage someone's car, I think it is better to say the person damages their own car.

Mr. Mastromarino stated I agree with Mr. McCartan that we need something to try to slow the cars down even more. The gate acts like a guillotine in the way it goes up and down so fast, and there should be a pause. What do we use for the right verbiage? Perhaps something like "all cars must stop."

Mr. Smith stated we need to add "gate closes between vehicles." Those are the two things you want to tell them. I will work on that with Mr. McCartan.

Mr. Mastromarino stated it will help them be more effective in what we are asking them to do. The last couple weeks, I have noticed an improvement. We need to do a little

better, and I think maybe a sign is the way to go in order to force people to truly come to a stop.

Mr. McCartan stated we are aware of the legal position of allowing vehicles in the gate. The guards want to be effective. They want to do a good job for the community.

Mr. Smith stated we can look at possibly putting in another speed hump.

Ms. Incandela stated there needs to be a plan with them, even with the signage. I normally do not like signs, but I do agree that at the very least, this is giving them knowledge that the gate is going to be coming down between vehicles. So drivers need to be aware of that. People sometimes follow me in so closely that I do not care who is manning the gate. If they bring it down, they are going to hit that car because it is so close. In that instance, what is the guard supposed to do when they know another vehicle is that close? He needs some guidance in that situation.

Mr. McCartan stated I can tell the guards to bring the gate down between every single vehicle, and eventually they will stop.

Mr. Moyer stated there is no problem with bringing the gate down between every single car.

Ms. Incandela stated I wonder if we put up a sign that says it is an automatic gate that closes between vehicles. Then they would not think it is someone who controls it.

Mr. Mastromarino stated they would find out.

Mr. Gerry Frawley stated if you are going to do that, it has to happen consistently. You can have a sign as big as a house, but if they know that sometimes it happens and sometimes it does not, then they will run it.

Mr. McCartan stated sometimes it is a matter of self-preservation. For instance, when you are driving down the road and someone cuts in front of you, you want to say it is their fault and you should have just hit them. Human nature makes you want to avoid doing that.

Mr. Mastromarino asked it is a public road, but are we permitted to add signage?

Ms. Incandela stated yes.

Mr. Mastromarino stated I did not know if the County had to approve any signage.

Mr. Nestor Olmo stated in addition to the sign, you should add a speed hump closer to it to force them to slow down even more. It should be a combination of both things.

Mr. Smith stated I will look into those and bring it back to the Board.

Mr. McCartan stated in my experience, even a Stop sign might help.

Mr. Frawley stated I walk out there every day and sometimes see the signs with the arrows in the wrong place, so I move them. Sometimes they are too close together.

Mr. Smith stated the signs should be staggered.

Mr. Frawley stated people need to be able to see them from farther back, especially in the morning. Newcomers do not know the gatehouse is there as they are coming around the corner.

Mr. Mastromarino stated on behalf of the Board, please tell Frank he did a great job and we will miss him.

Mr. Frawley stated the minutes from the last meeting talk about ACT and how they are saying the cameras are pointed in the wrong direction, which is why we cannot see who is damaging the gates.

Mr. Smith stated the gates at Volta and Kariba are pinpointed to pick up the license plate, not to pick up vandalism to the gate, and I provided this information to the Board. We are looking at other options of changing cameras, adding cameras, or possibly picking up some inexpensive camera systems that we could add to be able to see vandalism.

Mr. Frawley stated if they are pointed in the wrong direction, it could have easily been done by some kids pushing it the wrong way.

Mr. Smith stated I will point it in the direction that will pick up people's activities.

Mr. Frawley stated I want to make sure someone is looking at the camera to be able to tell if it is just pointing at the sky and then saying something so that we do not wait until two months later to hear about it.

Mr. Smith stated I am meeting with the vice president of ACT tomorrow, and I will discuss all these issues with them.

Mr. Mastromarino asked with regard to the guard's checklist, what happens if there are action items on that checklist?

Mr. McCartan stated they are faxed to the District office.

Mr. Smith stated Mr. Danny Gonzalez receives them and issues a work order to ACT or to one of my staff, depending on the issue.

Mr. Mastromarino stated to Mr. Frawley's point, if something was askew, then it would be fixed in short order.

Mr. Smith stated yes.

Mr. McCartan stated if there is an issue, Mr. Smith and I correspond with each other and I communicate everything to the guards.

B. Girard Environmental – Landscape Maintenance

Mr. Simmons provided an update on landscaping services and responded to questions and comments from the Board.

Mr. Simmons stated Mr. Carlos Sanchez is on vacation this week, but he and I drove the property with Mr. Smith last week and noticed some things. We spent some time the beginning of this week going through the oak trees on Brighton Lakes Boulevard. Mr. Smith pointed out that as you get closer to the bridge, the trees need to be lifted so a fire truck can come through without the vehicle getting scratched up. We replaced some chinch bug damage earlier this month. We replaced about 4,500 square feet of sod on the right side as you come into the community. Our horticultural technician was out here yesterday. We treated twice this month. We had some irrigation challenges during the month. Chinch bugs are controllable with the right products. Mr. Smith raised some questions about the frequency of mowing. I went back through the time sheets for August. The crews are mowing everything. What was happening, when they come on their scheduled day but do not finish something, Mr. Sanchez was not having them come back the following morning and doing it first before moving onto the next work activity on his plate. He was coming back later in the week. We discussed this with Mr. Smith last week, and I reiterated that we need to start and finish on time. If something is not finished on Monday, then we need to come back on Tuesday morning and make it a priority before moving onto whatever else is next. In doing some irrigation repairs last week, we learned there must have been an electrical storm. We have some photographs of the controller that exploded from lightning hitting the pole. We thought it was vandalism at first because the wires were ripped apart.

Mr. Smith stated we had a series of problems. Several valves were broken and we had a mainline break up front. We readjusted the irrigation run times so they are not running during the day. It is very difficult to get the number of zones done in the amount of time we have. I told Mr. Russ Simmons to do something about it, so he did. He reduced the run times, but then we experienced less rain and high heat. So valves broke and we had a series of issues that caused an irrigation problem. We had some hot patches, and then chinch bugs jump on them. They have started the replacement of some of the hot patches and treated all day yesterday. We are going to run the irrigation. We may inconvenience

some residents, but we have to get that grass watered. We will try to get it to a place so that when cooler temperatures come, we can cut back on the watering. We are permitted to water twice a week, but we need to water all week long. We tried cutting back, and you can see what happened.

Mr. Mastromarino stated I noticed them spraying all the way up Brighton Lakes Boulevard. Is that salvageable?

Mr. Simmons stated yes, it is. We have been more aggressive treating some of the broadleaf weeds. Everything that could have happened did at the same time, which is why we had these issues. We identified our remediation efforts. They will probably wait until the last week of September before coming back out with 25-0-10 for the turf, which is a slow-release granular. You do not want to stress it any more than it already is at this time. Once it starts to come back—and I assure you that it will—we can go ahead and continue to feed it.

Mr. Smith stated the areas where we are irrigating look pretty nice. Once we get this irrigation issue where it needs to be and water the new turf, with the contractor responding the way they are, it will look good. I was pleased with the condition of the turf until this happened. We will get it back probably in another three weeks or so. By our next meeting, you will see a real improvement in the turf. The problem we have with our irrigation system is they put rotors between the sidewalk and the curb. When they originally installed the system, they used four-inch pop-ups. They should all be six-inch pop-ups because St. Augustine will have four inches of growth. The crews are constantly battling that and the fact that rotors are going over the sidewalks and we can water only during certain periods of time because people are using the sidewalks. For now, we need to get that watered and get it taken care of to get it back to where it was. Once we get into October with cooler temperatures, we should be fine.

Mr. Mastromarino stated as systems are replaced or updated, these pop-ups should be upgraded to the right size.

Mr. Smith stated as they are replaced, we are using six-inch pop-ups. We have been doing that for years. You will see locations where there is a six-inch pop-up and a four-inch pop-up. Right around the four-inch pop-up is brown.

Mr. Mastromarino asked is it something we should do an evaluation of what we have left to do and what the cost would be?

Mr. Smith stated we had it under control until we had these issues. Having the run times reduced was a big mistake, and we should not have done that. I should have told him to leave it the way it was because it was running well. Then the only thing we would have needed to do was repair the breaks. We did have several valve problems and breaks. We compounded it by changing the run times. I needed to get it changed for when people are walking on the sidewalks, which he did and spread it over a longer period of time.

Mr. Simmons stated you can go back and look at some water bills when we had some breaks, which resulted in large bills. We just turned the system off to let it dry out and we never missed a beat because it was the rainy season. When we repair a mainline break, we have to turn the water off to drain the pipe. Then after it is done, we have to let it sit, so it was off for two full days. We had three or four at the same time out there. I have never seen to many mainline breaks.

Mr. Mastromarino asked what caused the mainline break? Was it poor installation?

Mr. Simmons stated it was due to pressure. When we repair an area, the pressure builds up, and then we move to another area of the development, so it moves all the way down the line.

Mr. Mastromarino asked is there a relay or something that should be in there to control the pressure?

Mr. Simmons stated it is controlled, but it is too much for the old pipe. I do not know how old the system is.

Mr. Smith stated 15 years.

A Resident stated they say pvc pipe will last forever, but it does not.

Mr. Simmons stated no, it does not.

Mr. Smith stated the installation was not a type-A installation. It was more of a mom-and-pop installation. I think it has been solved. Restoring the turf is our main goal for the next month. They will then move to trimming all the trees. They are doing a light pruning now, and then we will do a hard prune to all trees and get them cleaned up. They are getting bigger now, so over time, they will fill out more. They are going to improve the bahia mowing around the ponds so they are not making paths and other things that were happening.

Mr. Mastromarino stated we are getting out of season where the mowings will not be as often. When does that occur?

Mr. Smith stated October.

Ms. Incandela stated what is happening with the mowing is that it was not actually being completed. When Mr. Simmons said it was late in being started and was not finished, the crews were coming back but did not complete it the following time they returned.

Mr. Simmons stated he was coming back later in the week. One week, he was here on Tuesday and did not return until Thursday. That is what the timesheets were reflecting, which I can forward to Mr. Smith. They were coming back, but it was not the next morning as it should be. They need to work until the job is done.

A Resident stated we live on a pond, and there was a two-week period between mowings.

A Resident stated the same thing happened with some of the parks.

Mr. Simmons asked how are you communicating that to the District?

Mr. Smith stated I receive emails, sometimes with pictures. I will forward them to Mr. Simmons and Mr. Sanchez.

Mr. Mastromarino stated it was like that virtually all summer long. I am home every day most of the day. Usually it was always mowed on a Monday. It was mowed two weeks in a row.

Mr. Smith stated it has improved over the past two weeks. I have been checking after they mow.

Mr. Frawley stated what has been happening over the past two weeks is not consistent with what was happening for the last several weeks prior to then.

Mr. Smith stated when I received Mr. Frawley's first email, I came out and they had done everything.

Mr. Frawley stated I sent other emails and actually took pictures of them going through the grass that is knee-high.

Mr. Smith stated I received those emails and forwarded them to Mr. Sanchez and told him that he cannot leave the work unfinished and not come back. He cannot leave and go to another project without finishing.

Ms. Incandela stated then it becomes an issue of the services not actually being provided and over what period of time. I have received a number of complaints from residents about it not being done for a continued period of time. I am not sure how to make sure you are getting accurate information on what is being done. Is Mr. Frawley in that area to provide updates if it is not?

Mr. Frawley stated yes.

Mr. Smith stated I will also discuss the thatch issue with Mr. Sanchez to make sure they come back and blow it. Another issue is the fabriform swale. They are mowing either side, and the center has a foot of water in it. American Ecosystems gave me a price of \$255 per month to come out and spray the center where the water is. One section is sprayed, which is obvious to see where. When water is in it, the aquatic contractor will spray and the landscape contractor will mow as far down to the edge as they possibly can.

Mr. Mastromarino asked will that be done once a month?

Mr. Smith stated it will be sprayed on a regular basis only when there is water and it will be mowed on both sides. When it is too wet, they cannot mow it. I am going to spray that and Girard will mow on both sides all the way down.

Mr. Frawley stated I understand that during the rainy season but not now.

Mr. Smith stated on our drive-through, it was wet all the way down.

Mr. Frawley stated that is why I took pictures of the swale going all the way down, and then I walked into the middle of it three hours ago.

Mr. Smith stated the water comes and goes. When it rains, it is full of water and then it drains down. When we spray that, then we will not have to worry about the mowing.

Ms. Incandela asked will you spray all year long, even in the dry season when there is no rain?

Mr. Smith stated yes. The back corner is always wet, so he will spray that back corner.

Mr. McGrath stated it is an added expensive of over \$2,000 per year and \$20,000 over 10 years, so it starts to add up. Can we just have one person with a weed-eater once a month?

Mr. Smith stated you will spend more than \$255 a month for someone to do that. The best way to address it is by spraying.

Mr. McGrath asked will that solve the problem?

Mr. Smith stated yes.

Mr. McGrath asked in February, we are still going to spray even though January's temperatures mean nothing is growing? Or will we spray it according to a contracted schedule?

Mr. Smith stated it will be sprayed as needed, but he will continue to spray it because that will keep it knocked down. Even if there are no real weeds but just little sprigs, he will spray it. We will keep reviewing it and adjust it at some point if we need to.

Mr. Mastromarino asked is that part of the contract we have with Girard?

Mr. Smith stated yes, and they are still mowing.

Mr. Mastromarino asked why are we incurring that expense and not them?

Mr. Smith stated they cannot mow into the water. That is why we need to spray wherever there is water, and the back corner is always wet.

Mr. Mastromarino asked did they know that when they bid the contract?

Mr. Smith stated the scope included mowing, and if there is a pond in their scope, they will mow around the perimeter of the pond. If that pond goes up and they cannot go down into the water, that is why we are spraying.

Mr. Mastromarino stated the impression I get is that did not just occur but it has always been like that.

Mr. Smith stated that is correct, but the back corner has always had plant material back there. We received complaints from residents on Chapala, so we went back and started spraying in that corner. It is in water, which is why we are using the aquatic weed control contractor.

Mr. Mastromarino stated to Mr. McGrath's and Ms. Incandela's point, this is something we need to consider if we really need it for the winter months. We do need it mowed, but as far as paying someone to spray it, I do not know.

Mr. Smith stated I will get it all killed back. At that point, I will get with him and ask if he can spray per occurrence.

Mr. McGrath stated so in five or six months, you will make a note to review it.

Mr. Smith stated yes.

Ms. Pieters stated I think you need to keep that one controlled.

Mr. Frawley stated I have a picture of our emergency exit area off the back. You can see the weeds growing at least halfway up, and they need to be trimmed.

Mr. Smith stated I am aware of that and I met with Mr. Sanchez about it.

Mr. Frawley stated you can see sprinklers running across the sidewalk. That fire hydrant is on the corner of Sevan Way where it meets Brighton Lakes Boulevard. I just walked through 50 kids standing at the bus stop. It is three or four minutes before 8:00 a.m. I zoomed it in because I was afraid they would shut off, and they turned off right at

8:00. I know that especially now you need to do more watering, but this is an area where you are replacing sod. From this point all the way down to Chapala, it was completely soaked, so I know that was on before this was on. I brought that up a couple meetings ago. Can we do something about that? Kids were walking in the street to get around it.

Mr. Smith stated as I already mentioned, Mr. R. Simmons went in and changed several of those. That was not the only place it was happening. He changed several clocks, but the problem is that he cannot cover the whole site overnight. It has to go into the daytime in order to cover the whole site. That is the problem.

Mr. Mastromarino stated to Mr. Frawley's point, you need to reduce the watering times in front of the bus stop.

Mr. Frawley stated we have three or four busloads of kids, so there were some who had to get on the bus in this before I got there at 8:00.

Mr. Smith stated I will work with the schedule around the bus stop.

A Resident stated kids start arriving at the bus stop around 7:00 a.m.

Mr. Frawley stated there are a lot of people out walking in the morning. People come up to me as I am taking pictures and tell me this is rather stupid. What time does the irrigation start?

Mr. Smith stated around 9:00 or 10:00 p.m.

Mr. Mastromarino stated one resident said her kids in high school are out there at 6:00 a.m., so that is a sensitive area beginning at 5:30 a.m.

Mr. Smith stated we will work on it, but that is prime watering time. In the evening, people are out walking at dusk when we would like to start watering.

Mr. Mastromarino stated I know you have to space out the watering times. That was clearly stated earlier. I think for the children and their safety, in my opinion, that area should have priority.

Mr. Smith stated we will address it.

Mr. Frawley stated different clocks in different areas run off different pumps. It is not like one clock is controlling the sequence from 9:00 p.m. to 8:00 a.m.

Mr. Smith stated we still have a lot of zones on one clock.

Mr. Frawley stated I understand. How long are you running one zone?

Mr. Smith stated it depends on where it is, between 20 to 40 minutes.

Mr. Frawley stated divide the time from 9:00 p.m. to 8:00 a.m. to determine how many zones you can water.

Mr. Smith stated I will bring Mr. R. Simmons out here. He will tell you exactly how they are running and when they are running and how many minutes they are running.

Mr. Frawley stated we all have sprinklers. Divide the number of hours from 9:00 p.m. until 8:00 a.m. by the number of minutes they run.

Mr. Smith stated I will set up a meeting with you and Mr. R. Simmons and someone from Girard. He will show you everything.

Mr. Mastromarino stated I would like to attend that meeting.

A Resident stated that area should be zoned out by 6:00 a.m. That should be the first priority.

Ms. Donna Slack stated I want to know the area you are talking about where you need to have someone treat it. Is there something more permanent you can do, like putting down a weed fabric and stone in the area that gets wet a lot?

Mr. Smith stated it will still grow. They are growing on top of concrete right now. Fabriform is concrete. We are working on the least expensive means of addressing this.

C. Miscellaneous

Ms. Slack asked was there a sign up for this meeting? I did not see it coming in this afternoon.

Mr. Mastromarino stated it went up a couple days ago.

Ms. Slack stated my husband did not remember seeing it, which is why I am late.

Mr. Smith stated we have a new person here, so that is why it was up late.

Mr. Mastromarino asked what happened to Mr. Geiner Real? Is he no longer here?

Mr. Smith stated that is an issue we will discuss at some point.

SEVENTH ORDER OF BUSINESS

District Manager's Report

A. Financial Statements

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

Mr. Moyer stated we have received all of our non-ad valorem assessments through July 31. Our expenditures are pretty close to what we anticipated. We do have \$91,000 of fund balance through this period of time. We expect that because of the reserves that we figured into this budget.

Mr. Mastromarino stated great job on balancing the budget. One of the negatives I see is legal fees. We are over budget by \$5,300. Is that because we approved an increase? Is that part of the increase?

Mr. Moyer stated that is part of the increase. Part of it had to do with sending out the notices for our public hearing on increasing the assessments.

Ms. Tucker stated there was also some work done regarding the roadway issues that we had been dealing with in terms of parking. That required some attorney research time. We have two separate matters set up. One relates to attendance at the meeting, which is a flat fee. Any additional expense in terms of research falls on the second matter.

Mr. Mastromarino stated we had conversations about the roadway, Ms. Tucker as well as the HOA attorney. Unfortunately, that is still not resolved, even though it was clearly understood that it was an HOA issue. I appreciate Ms. Tucker's efforts on that.

Ms. Tucker stated I am happy to help.

Mr. McGrath stated we were not provided with June financials. Can we find out why and where? At our last meeting, we received May, and we received July for this meeting.

Mr. Moyer stated the July financials will be inclusive of June expenditures. These include the seven months of the fiscal year through July, which includes June. I can have staff provide you with June financials.

Mr. McGrath stated that is usually how we get it. Perhaps the fact that we had a meeting last month threw people off. Page 59 shows our certificates of deposit. We broached the subject two meetings ago. Mr. Mastromarino made a suggestion on the possibility of getting higher interest rates. Did the accounting manager get back with you?

Mr. Moyer stated he did not.

Mr. McGrath stated as everyone can see, on a CD of \$252,000, we are making .40%. My credit union has a money market fund right now paying 1.06% APY. Allied Bank from the internet is offering 1%. NASA Federal Credit Union is offering 1.25% for a 15-month CD. It seems to me that when in the past we have pushed, we get results. It got me wondering if these are the people that we want or need to take care of our finances. We are talking about something close to \$1 million. Perhaps Ms. Tucker can opine, but do we have a fiduciary relationship or do they have with us?

Mr. Moyer stated prior to 2007, governments were very aggressively investing money. In 2007, the State Board of Administration (SBA) went broke. That is the State of Florida. They came out after that incident and said that local governments need to be concerned about the safety of the principal, and forget what you are making on the investments. Our job is to protect the principal. It was a pretty clear message. If you look

at the SBA, which invests hundreds of millions of dollars for State agencies, they are making .25%. It is a fine line that you walk. Can we get an investment advisor? You would not make enough money to pay him, even on the \$1 million that we have. That is the story on why there is such a conservative approach in government now to these investments, including the State of Florida.

Mr. Mastromarino stated from one institution to another, I do not understand why Bank United would be different from some of the institution that Mr. McGrath mentioned.

Mr. Moyer stated he does shop for those. I did email him and asked him to review the District's investments, and I have not received a report back from him. I will follow up.

Mr. Mastromarino stated I brought this up before the CD matured, and Bank United was offering a higher rate, 1%. Why we did not go with the 1%, I do not know since it is the same institution.

Mr. McGrath stated failure even to contact us to say he will get back with us or to say anything might be more of a harbinger than anything else if he is too busy to respond to us and yet we pay him.

Mr. Moyer stated not for that function. We are not paying him to manage those investments. From my perspective, that does not excuse him from showing diligence in at least following it. You are absolutely right; I should have had an answer to this question to give to the Board members tonight. I do not have that answer. I will get that answer and email it to everyone, but he needs to do that.

Mr. McGrath asked is it appropriate or should there be a fiduciary relationship that he has with us? If so, should we have a legal letter and should there be a disclosure of business relationship? If it is helpful or if there are things going on, it ought to be crystal clear, and everyone should be able to see what is going on. I think I should raise that issue.

B. Check Register

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

Mr. McGrath stated for litter stations, we paid \$847 in the last two months. It is still a problem, but we just need to be aware we are spending money for it.

Mr. Frawley asked are those doggie pots or garbage cans?

Mr. Mastromarino stated they are disposable bags for the doggie pots.

Mr. Frawley stated we just added garbage cans along Brighton Lakes Boulevard, so part of it might be for those.

Mr. McGrath stated doggie pot litter bags and trash bags. The invoice is from ProPet Distributors.

Mr. Smith stated we buy them in bulk and they will last for most of the year.

Mr. McGrath stated we bought a remote control for the clubhouse exercise room. You can get a replacement, I believe, from the cable company, unless you have to turn one in for an exchange.

Mr. Smith stated those are remotes for the televisions themselves. We do not have a digital box.

Mr. McGrath stated we are using Jean Connelly's All About Cleaning and Maintenance. Page 63 says they drained a tank and installed new rubber for plungers. We paid \$363, \$208 of which was materials. What is it we were doing?

Mr. Smith stated the pool pumps. Ms. Jean Connelly is new, and she came in and refurbished the whole thing to get it nice, particularly since we got the pool resurfaced. I am pleased with her. She takes a lot of pride in what she does. The pumps were getting old and beat up, so she refurbished them. She got the pool running pretty well.

Mr. Frawley stated these pumps run 24 hours a day, not like the ones we have at our homes. I have a comment on page 62, most of the way down. Access Control Technologies (ACT) provided laser labels for \$417. Why are we buying supplies from ACT?

Mr. Smith stated I will look into that, but it is probably for swipe cards. We purchased some recently.

Mr. Frawley asked do we buy the cards from ACT?

Mr. Smith stated yes.

Mr. Frawley stated page 73 for service calls by customer, "per Danny [Gonzalez], the Kariba Ct. gate arm is bent backwards." The resolution was "Checked the system and found the new gate arm at unit arm was connected and tested ok. Maintenance may have repaired the gate previously before we arrived. System tested ok. Left message with Danny." We pay a \$59 trip call and \$90 per hour for labor if I read that correctly. Who do they mean by maintenance? Their people or another group from ACT checked this and a second group showed up? If they send two crews to do the same work, why are they charging us?

Mr. Smith stated I will ask Mr. Gonzalez. They will charge a maintenance fee if they make a repair.

Mr. Frawley asked would ACT send two crews out without realizing they sent two? The first crew did all the work, so there was no need for a second crew.

Mr. Smith stated I do not think that was the case. What invoice is that?

Mr. Frawley stated I will give this to you, but it is job #75024 on page 73 of the agenda package. Farther down, it says “per Danny, the Kariba Ct. and Volta Cir. gates need new arms.” they installed a barrier arm on the right-hand entrance to Volta Circle and installed a barrier arm on the left-hand side of Kariba Court. They charged us \$59 for the trip call and \$250 for parts and \$90 for labor. I am the one who sent Mr. Gonzalez a text. I am concerned about his language. Why would we replace two arms?

Mr. Smith stated I came out here in a one-week or ten-day period, and both arms were bent and cracked. Both had to be replaced.

Mr. Frawley stated I was afraid he was using language that they interpreted incorrectly.

Mr. Smith stated no, they both needed to be replaced.

Mr. Mastromarino asked can someone look at the phone bundling package again for the phone, cable, and internet service? We did it, but I heard it was going to be cheaper. We have not bundled it yet from what I see.

Mr. McGrath stated my recollection is when we did the exercise, we determined that the dollars we were spending were as low as going anywhere else.

Mr. Smith asked are you requesting another audit of Century Link?

Mr. Mastromarino stated there was discussion and there was an audit, and the findings of the audit were that it was cheaper but they will probably increase their fees after a period of time. If that is the case, then we should shop around again. My own person use, when the contract expires, they will generally honor your pricing. I just went through this exercise personally just last week and saved about 30% keeping the same company.

Mr. Smith stated we can perform another audit.

Ms. Incandela asked when did we do this last time?

Mr. Smith stated not that long ago, maybe six months ago.

Ms. Incandela stated I do not know if it is worth us even doing that more than once a year. The difference in what we will find in the amount of time that we spend doing it, I would rather have staff focused on other issues.

Mr. Mastromarino stated I do not disagree with that, but if we think we can save money as it was brought to our attention six months ago, I think in all cases we should save money.

Mr. Smith stated I will pull out the previous audit and see what the conclusion was, and provide it to the Board.

Mr. McGrath asked when are light reviews performed?

Mr. Smith stated at least once a month.

Mr. McGrath stated it is on the list twice so far for September.

Mr. Smith stated he came out to do some repairs and then had to come back out to finish.

Mr. Frawley asked is that for street lights?

Mr. Smith stated no, all the other exterior lighting.

Mr. Mastromarino stated in the same report that Mr. McGrath is referencing, it is noted that trash was picked up on Brighton Lakes Boulevard. Who actually does that and how often?

Mr. Smith stated whenever I drive through and see some, I call Mr. Alan Desrosiers from my staff, and he comes out and does a trash run if it needs it.

Mr. Mastromarino stated when you refer to trash, you are not referring to litter along Brighton Lakes Boulevard.

Mr. Smith stated yes, I am, litter on the roadway or in the ponds or elsewhere.

Mr. Mastromarino asked is there a chance that the attendant who is here can do that?

Mr. Smith stated that is a goal that we are aiming toward as we go through all these projects and see where we are with the budget. We will need to get a golf cart and a shed. At some point as we go through the budget, we will see where we have money for that. I am trying to get all these major projects done, because those were behind.

Mr. Mastromarino stated it was mentioned briefly but I want to share my own observation since the school year started, there are 50, 60, or 100 items on this list that staff has done. The improvements that were made, including the parking spaces, work very well. It is organized, and it is safe. The other day, I personally came out early in the morning and all but three spots were taken. People were using the bench. If we can afford

it, maybe we can add a couple more. The bicycle racks were being utilized, and no bikes were hooked to signs or trees that I have seen in the last couple weeks. It really looks good.

Mr. Frawley stated I saw one today. There were plenty of open spaces in the bicycle rack, and 30 feet down is where those bikes are always chained.

Mr. Mastromarino stated the purple bike in the rack has been there more than a week. It is a new bike. All in all, it was a good idea to move the parking spots over for the safety of the community. It worked out well.

Mr. Frawley stated it works extremely well. I walk that area on a regular basis so I noticed. It is a much more efficient way for people to get to the bus stop than I ever thought it was going to be. I am surprised at how well it works.

On MOTION by Mr. McGrath, seconded by Mr. Mastromarino, with all in favor, unanimous approval was given to the check register and invoices, as presented.

SEVENTH ORDER OF BUSINESS

Staff Reports

A. Attorney

There being nothing to report, the next item followed.

B. Engineer

There being nothing to report, the next item followed.

C. Field Operations

i. Field Management Report

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

ii. ACT Service Calls

Mr. Smith reviewed the ACT service calls as contained in the agenda package, which are available for public review at the District office during normal business hours.

iii. Action Items List

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

iv. Resident Call Log

Mr. Smith reviewed the ACT service calls as contained in the agenda package, which are available for public review at the District office during normal business hours.

v. Girard Environmental Report

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

vi. American Ecosystems Report

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

Mr. Smith stated there are some issues in some of the ponds with hydrilla at the front of the community. They are doing monthly maintenance on the hydrilla blooms, so they are killing that back. When the hydrilla dies, it causes the brown algae to grow on the surface. He said he is coming every two weeks and is doing it a little at a time trying to kill the hydrilla and concentrate on the algae. If he kills the hydrilla quickly, we will have a fish kill. We are always going to have algae, but when the temperatures are warm and we have less rain, they bloom more and get a little more out of control. He is very aware of the condition here.

Mr. McGrath stated it is a shame that is the pond that everyone drives by.

Mr. Smith stated I asked him to attend the next meeting to provide you with another update.

vii. Basketball Court Fencing and Lighting

Mr. Mastromarino stated last year around the beginning of October, we cut back on the lighting on the basketball court. Is that something we want to do again this year?

Mr. McGrath stated I think so. Kids are back in school. I think we shut it off an hour earlier, at 9:00 p.m.

Mr. Smith stated it is on until 10:00 p.m. now, so we can change that to 9:00 p.m.

Mr. Frawley asked is it set on the timer that way? Why would it change during the summertime when it was bright and sunny? We would not need to turn it on anyway.

Mr. Smith stated we had a meeting, and the time has to be changed back because we went from 9:00 p.m. to 10:00 p.m., so now we need to change it back to 9:00 p.m.

Mr. Mastromarino stated last year when we changed the time, you put up a sign to let everyone know. Is that something we should do again this year?

Mr. Smith stated yes.

Ms. Incandela asked are they playing until 10:00 p.m. now?

Mr. Mastromarino stated I have seen some playing until then.

Mr. Frawley stated once you turn them off, it takes 20 minutes or so until they shut off.

Mr. Mastromarino stated it might be worth it.

Mr. Smith asked does the Board want to change the time back to 9:00 p.m.?

The Board gave consensus to change the timer for the lights at the basketball court to 9:00 p.m.

Mr. McGrath stated on the action items, you are talking about pricing for cameras at the basketball court. Is that something we think we can do without?

Mr. Smith stated I mentioned at our last meeting that I have an opportunity to get some inexpensive cameras, and I also want to get the fence in. We can look at putting a camera on there, but I have that listed as a pending item. Once we get the fencing in, I will provide the information on the cameras.

Mr. McGrath asked who is going to be monitoring the cameras?

Mr. Smith stated all they will do is record. No one will be watching, just recording.

Mr. Mastromarino stated for the Board's information, I sent an email to Mr. Smith a week or two ago regarding the fence. One thing that concerns me is that on the side along Brighton Lakes Boulevard, there are utility boxes that are about four feet high, which makes the fence only six feet high if someone were to scale it. I was at Home Depot recently, and they have a smaller chain-link fence around their garden center. There is no way you can climb that fence. I asked Mr. Smith if that was something we can consider on that side, for two reasons. One, I want to make this strictly for residents only, and two is for the safety of someone who thinks they can climb the fence and gets hurt, and now we are liable for injury.

Ms. Incandela asked by smaller, do you mean that the openings are smaller so people cannot get their feet in?

Mr. Mastromarino stated yes. You can see right through it, and it looked like a chain-link fence but with a smaller link. I was surprised it was a link because at first I thought it was plastic. When I went up to it, I saw it was chain link.

Mr. McGrath stated we had a proposal we approved, and I think we are committed to that.

Mr. Smith stated we have not executed that yet.

Mr. Mastromarino stated I am suggesting it just for that one side, not the whole fence.

Mr. Smith stated you are going to change the type of fence, and it will look ugly. I looked at that fence, and someone can still climb it. That fence is very expensive, so it will be a much higher cost. You have a point on that side, though. If I move the fence farther from those boxes so it is about six feet from the boxes, they may be able to jump from those boxes to the fence and be able to climb over it. I know these kids will be able

to climb from the box right over the fence if they want to. I think the real problem is going to be jumping this fence since it is eight feet.

Mr. Mastromarino stated we will have swipe card access into that area, so they would actually have to climb two fences.

Mr. Smith stated we will rely on the security guard to keep an eye on it. If we find that corner is getting a lot of people jumping over it, we can always put in another section, not a full length to discourage it. At least it will not look as bad.

Mr. McGrath stated we will proceed with the fence as approved.

Mr. Mastromarino asked will we put a camera on that side or something we can monitor?

Mr. Smith stated I think we should put a camera, but we would need a new DVR for the camera system we have. I have a system coming in from another place that is fairly new that has a DVR and camera. It is not the most expensive camera available but it will suit our needs.

Mr. Mastromarino stated I know we hate signs, but perhaps it would benefit us to put up a sign to let people know have video surveillance.

Mr. McGrath stated they will be able to see the camera in any event.

Mr. Moyer stated I would prefer to have that expense fall in the next fiscal year.

Mr. McGrath stated that is where the money is coming from anyway.

Mr. Mastromarino stated in this proposal, there is no mention of a card access gate. Is that something that would be included, or is it something that would be added later on?

Mr. Smith stated it is not included in the proposal. I have the wires already run but I just need to have the swipe card mechanism on it.

Mr. Mastromarino stated when they construct the fence, they will have to provide some consideration for the enhancement of that.

Mr. Smith stated that is correct. The gate to that fence will line up with the gate we have out there. I am going to wire that to the back gate.

viii. Playgrounds

Mr. Smith stated we have removed most of the equipment from the tot lots here, on Volta Circle, and on Chapala. They started here at the recreation center, and tomorrow they will move to Chapala and then to Volta. They will install the equipment, put in the border, and install the mulch. We have some exercise equipment to install on the trail, but I am going to wait until they are done with the playgrounds and then look at the trail

system. Sweetspire is going to be a separate project because I am looking at saving the slides for a slide park and then putting exercise equipment on the trail system. That will be a future project.

Mr. Mastromarino stated that park is wet for much of the year. Is there anything we can do to improve that?

Mr. Smith stated we are going to raise that up, but you are creating a bathtub there. It is just going to be a wet spot. Moving it somewhere else might be our best choice. We will remove the one on Huron and the one on Maggiore.

Mr. Mastromarino stated from what I have seen, I did not really see any signage that said this was under construction or something of that nature as far as safety in keeping the kids out. Would it make sense to put up some kind of signage indicating that the playgrounds are under construction and the approximate date they will be complete? That way people will have an idea of what we are doing.

Mr. Smith stated I have been roping them off.

Mr. Mastromarino stated the one on Volta Circle did not have that when I looked.

Mr. Smith stated we have not done anything back there. We just removed the equipment.

Mr. Mastromarino stated I did not see any yellow tape.

Mr. Smith stated it is just mulch. There were two pieces of equipment in the ground, and he painted them red but then came back and pulled those out.

Mr. Mastromarino stated when I happened to see it, they were still there and I was concerned about safety.

Mr. Smith stated he came back the next day.

Mr. Mastromarino stated I want to make sure that whatever we do that we do not leave it in an unsafe condition.

Mr. Olmo asked will that equipment be replaced?

Mr. Mastromarino stated yes.

Mr. Olmo stated there is a home very close to that playground, but I do not think some kids know that.

Ms. Slack stated that is what parents are for.

ix. Use Applications and Uses of District-Owned Property

Mr. Moyer stated I would like to raise the issue of the person who wants to bring in a production company in one of the parks. As I understood it, he was going to use one of

these parks as part of that production. I am not sure as we sit here today that we have to permit something like that. He is a resident, which is why I emailed the Board. If he was coming from outside the community, that is easy to answer.

Mr. Frawley stated it is not like he is bringing in his wife and cousin. He is bringing in a commercial entity, which is his business. The fact that he lives here is a coincidence.

Mr. Moyer stated this resident wants to bring in a commercial production company to film a commercial or ad or music video or something, and the residents in the neighborhood do not want that to happen. If it is commercial, I do not think we need to approve any commercial activities in here where someone would make money off of a public facility.

Ms. Tucker stated I think at the very least, we should be talking about if they are going to be using District property that they sign a release. Are they going in the park areas or onto District facilities, like the recreation center?

Mr. Moyer stated it is the park at Sweetspire and along Brighton Lakes Boulevard. We can certainly have him provide us with a use application that provides indemnification and holds us harmless if there are any accidents or liability. We probably need to do that, but if we do that, then we are, in fact, giving him permission to do it.

Mr. Frawley stated we also do not know if it is three people or 300.

Ms. Incandela stated that is what we need to find out when he asks permission. That is our opportunity to approve or deny.

Mr. McGrath stated if someone said they wanted to have a birthday party here and wanted to reserve the meeting room, we have done that. If a resident approached us and said they want to use this to sell Avon or some other product or to have a group meeting here, would we be inclined to approve something like that where profit is an issue? Or does that matter?

Ms. Tucker stated it does to a certain extent. Generally we do not permit the use of public facilities for private gain. We have other Districts who have faced those kinds of requests and permitted it, and others have found it problematic from a legal perspective since their Board does not want to allow any commercial activity within its facilities. Then we say from a legal perspective that you need to say you cannot pick and choose from allowable activities are appropriate. We should not be in the business of doing that.

Mr. McGrath stated it is a slippery slope.

A Resident asked if they are going to be videotaping, what are the chances that someone's house or car or part of their yard is on this video? Now all of a sudden they are on this video that becomes public.

Mr. Moyer stated the email said he was going to contact the neighbors.

Ms. Slack stated he was going to contact the people on his street, which was Pond Lily. That is not near the park.

Mr. Mastromarino stated he also requested use of Brighton Lakes Boulevard.

Ms. Slack stated one thing that concerned me and is one of the reasons I forwarded it to you is because he is asking for middle-school aged kids to be in this video. What do we know about it?

Ms. Incandela stated we do not need to get that far into it. If we decide that we do not want to make our facilities available for commercial purposes, we just state that. All we need to do is reach out to him and say that it has come to our attention that he has requested to do this on District property but the Board has decided that no commercial activities are permitted on District property. That closes the door to other potential opportunities. In the number of years we have been here, how many times has it been an issue? We really do not have this problem. I really cannot recall anyone else. It would not affect anything with respect to elections or voting since that is separate. If the rest of the Board agrees, I do not have a problem in saying we do not permit commercial activities on District property at all. Then we are done. I do not think it will be a problem for this resident to find a different location if he is looking for a park location. This is probably the simplest way for us to address this issue, and it is a blanket solution. We can always revisit and change the policy in the future, but I do not see us having to do that anytime soon. We do not have to worry about the liability aspect.

Mr. Mastromarino stated I agree.

Ms. Pieters stated he can come back and say it is not commercial based on the name of his organization. He could say it is a community project.

Ms. Slack stated he said it was a music video by his production company. It is a production company that he owns. It falls in the commercial category.

Mr. McGrath stated if he is fine with the answer that we do not allow commercial activities, then that gives him the opportunity to revisit it if it is something other than that. I agree with Ms. Incandela.

Ms. Incandela stated we are not giving him permission to use it for commercial purposes. If he takes it upon himself to bring in crews, then my understanding is that we would not be liable for anything because he did not have permission to be using the property in that capacity. If he does it, then that is not our problem. My concern would be making sure we are protected from liabilities if we chose to issue our permission. I do not think we can stop him, at the end of the day, if he brings in a crew and tapes it. I am not sure what we would do at that point, but I think we just make the decision that we are not going to grant permission for commercial uses. He has not approached this Board, and I know he has been told to see the District's permission, but he has not.

Mr. Frawley stated he has not gone back to his website either because it was posted that he needs to get permission to do what he is looking to do.

Mr. Mastromarino stated to that point, his plan was to do this on September 20. Should we contact him with a letter?

Mr. Frawley stated you have his email address.

Mr. McGrath stated that is how he started the communication.

Mr. Moyer stated we will send him an email acknowledging that we understand he wants to do this, and letting him know that the policy of the District is that we do not permit any commercial activities on District-owned property.

Mr. McGrath stated that sounds good to me.

Mr. Frawley stated I invited him to attend the HOA meeting, and it did not seem to me that he was hostile about it or that he would give you a hard time.

Ms. Incandela stated I think since he made an effort to reach out to his neighbors in advance about his project, so he is not someone who does not care. He did make that attempt, so I am not anticipating a problem with him. I just want to make sure we address it now out of respect to him. If he is planning this, the more time he will have to plan for an alternative location.

Ms. Slack asked would an option be that if he ended up doing it on your property without permission that the sheriff's department would have him removed from the property and anyone else with him?

Mr. Mastromarino stated he is entitled to four guests on District property, just like anyone else.

Ms. Slack asked what if he has 20 people there?

Mr. Frawley stated then we can trespass him.

Ms. Slack stated the sheriff's office will probably ask him for his permit, and he will not have one, so then he will have to leave. You do not want it to become something where you say he cannot do it but if he does, then you will not do anything about it. That opens the door to it happening again by someone else.

Ms. Incandela stated if he proceeds anyway with a large group, then yes we have the ability to enforce it.

On MOTION by Mr. McGrath, seconded by Mr. Mastromarino, with all in favor, approval was given to adopt a policy whereby no commercial activities are permitted on District-owned property.
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Mr. Moyer stated Pastor Bennett is a home owner on Milano Place, and he wants to reserve this room every Sunday morning for two hours for Bible study. First, I do not think we issue a permit for every week for a long period of time. The Board can consider issuing a permit once a month for four Sundays, but I do not think it is appropriate to tie up the facility for a year.

Mr. Mastromarino asked is it a revenue source?

Mr. Moyer stated it is just a request.

Ms. Incandela asked what do the rules provide when people rent it for birthday parties and other private meetings? Do they pay a fee?

Mr. Smith stated yes, and they pay a refundable deposit. The fee is \$25 plus a \$200 deposit.

Mr. Frawley stated in reading the rules, the deposit is \$200. It is \$50 if they do not clean it up. There is a \$25 user fee per event, non-refundable, and no more than 40 guests are permitted at any time.

Ms. Incandela stated Mr. Moyer's concern is the length of time he is requesting the facility, so it needs to be in shorter blocks. We can allow him to go four weeks at a time and the permit can be renewed for another month.

Mr. Moyer stated it seems reasonable to me.

Mr. McGrath stated I do not know how it would affect other residents to allow that use in the mornings.

Ms. Incandela asked typically when rooms are rented for parties, are they for mornings or afternoons?

Mr. McGrath stated afternoons.

Ms. Incandela stated it is not likely to inconvenience residents. Is he requesting a specific time or just mornings?

Mr. Moyer stated he did not mention a specific time.

Ms. Incandela stated if we are going to approve four weeks at a time, then he should limit it to a certain time so that if there is a birthday party later that day, it can be accommodated.

Mr. Moyer asked how is 9:00 to 11:00 a.m.?

Ms. Incandela stated yes.

Mr. McGrath stated the library has a room you can rent, but you can only rent it once a year. Are we, as a government, showing any special preference to a particular religion? Is that an issue?

Mr. Mastromarino asked if someone wanted to have a family function here, what is the difference?

Ms. Incandela stated if it was yoga or some other activity, that is not the issue. The issue is the length of time he was looking to block it for.

Mr. McGrath asked is it our intention to do it in blocks for a month for the entire year or the next ten years?

Mr. Moyer stated the policy is that you have to make the request 14 days before you want to use the room. Maybe what we should do is approve this with the caveat that if there is another request received for the use of the room, that person would be given the right to use the room. This is not an exclusive type of permission. Then we just let it roll and see what happens.

Mr. McGrath stated that addresses my concern.

Mr. Moyer stated that will work.

Ms. Pieters stated I am a bit confused. Is this a pastor?

Mr. Moyer stated yes.

Ms. Pieters asked and he wants to have church here every Sunday?

Mr. Smith stated no, just a Bible study.

Ms. Slack stated we need to find out if he is taking a collection. If he is, then it is commercial. If he is not, then it is just a meeting of people.

Ms. Incandela stated he has requested it to be used for a Bible study, not as a service.

Ms. Pieters stated then we need to be clear that he is requesting it for that purpose.

Mr. McGrath stated we just adopted a policy that the Board does not permit any commercial activities on its property, which includes fund raising.

Mr. Frawley asked what if speakers come rolling in and now there is singing blasting through the speakers?

Mr. Smith stated that is a church service. This is just a Bible study.

Mr. McGrath stated we will address any complaints if they come up.

Ms. Incandela stated there should be no difference between someone renting it for a party or a Bible study.

Mr. Moyer stated if there is a problem with it, we will stop it.

Mr. Mastromarino asked from a legal perspective, are there any other legal issues we need to be concerned with regarding this discussion?

Ms. Mackie stated no. I talked with Mr. Moyer before the meeting, and I agree with his direction in terms of limiting the length of time. Certainly there are no specific concerns that you are promoting one particular religion over another. It would only be a concern if you were to deny another group the same capabilities of holding a meeting because you were commenting on their religious beliefs.

x. Benches

Ms. Slack asked could you think about putting some benches at the other bus stop on the other side of Sweetaspire?

Mr. Frawley stated there is already a bike rack there.

Ms. Slack stated it would be nice for the parents who want their kids to that bus stop.

Mr. McGrath asked do you have any sense of how many kids use that bus stop?

Ms. Slack stated all I can tell you is, there are three buses through the neighborhood. One holds third-grade to fifth-grade boys. One holds third-grade to fifth-grade girls. One holds kindergarten through second grade. The buses stop at both stops. In our area, we have about 125 houses in the circle. I am sure there are a lot of kids.

Mr. McGrath stated if we put benches in, my preference is one with a divider so that people cannot just sleep on the bench.

xi. Fences

Mr. Mastromarino asked does the District have a position on home owners constructing fences that abut District property?

Mr. Moyer stated no.

Mr. Mastromarino asked is that something we should consider?

Mr. Moyer stated as long as it is on personal property and not on District property, we do not have any jurisdiction. The HOA would, but the District would not.

xii. Recreation Center Attendant

Mr. Moyer stated a complaint was filed August 18 against Mr. Real. Mr. Smith took the right steps and suspended him with pay while we were going through an investigation of the issue. The person making the complaint was asked to document it in writing, and I am going to provide Mr. Real the same opportunity to respond. At that point, I will make a decision on what needs to be done.

A Resident stated it is my understanding the person filed a report with the sheriff.

Mr. Moyer stated we were told they were called.

Ms. Slack stated the person did not want to press charges.

Mr. Moyer stated I know Mr. McGrath is concerned with unemployment and other issues like that. Personnel matters can be messy, as we are all aware, as long as everyone understands that may end up being the case.

Mr. McGrath stated for the good of the community, if it needs to be that way, even if there is no proof, we understand you will do what needs to be done.

Mr. Mastromarino asked do we have a replacement until such time as this is resolved?

Mr. Smith stated yes, he is through our temporary labor agency. At this point, he has been performing very well. I met with him yesterday and I will keep meeting with him. We will follow up with the agency regarding background checks, which have already been done, but we are going to add to that.

Mr. Mastromarino asked do we have seven-day coverage? What are the hours for this individual?

Mr. Smith stated currently he is working days, but I am not sure when Mr. Gonzalez has him scheduled during the daytime. He is usually gone by 5:00 p.m. There was some thought to bringing him in later at some point. We also have a situation in another community where that person works there part-time and can also come here on this gentleman's days off.

Mr. Frawley stated we have raised this before, but I will say it again. When we have an HOA meeting, it is attended fairly well, as are the crime watch meetings. The attendant was here in the afternoons in the beginning because that was when the pool was open. In the winter, the pool is not as active so his hours were moved to daytime. The

discussion with this Board is that we would change his hours during the summer again. We added the security guard, which changed things. On a day that someone has a meeting here, why can he not be here? First, he can turn down the air conditioner ahead of time so it is not as hot in here because it cannot keep up with this many people in here.

Mr. Smith stated he can probably turn it down an hour or two in advance.

Mr. Frawley stated it would be a start. We have had this conversation before.

Ms. Incandela asked are you saying there are times when the attendant is not here nor is the security guard?

Mr. Smith stated Mr. Real was taking care of those kinds of issues. We told him to get these rooms as cold as he can ahead of any meetings. We just need to train this new person.

Mr. Frawley stated the second I got here, I personally turned it down. It was not turned down when I got here.

Mr. Smith asked you mean on days Mr. Real was here?

Mr. Frawley stated yes. If that is what you are telling me, I am saying that was not happening. I am just asking if we can do that in the future because it is hot in here. Sometimes the HOA meetings go for three hours.

Mr. Smith stated I am not always made aware of when meetings are, so if someone from the HOA wants to come in earlier that day and talk to him to make sure it is taken care of and things are set up, that is fine. Many times when there is a party, they will come in early and get things set up. If you are having a meeting, come in early and get everything set up the way you want it. I am sure he will help doing that.

Mr. Moyer stated you have an HOA manager, so she ought to be doing that and checking to make sure the room is set up.

Ms. Slack stated they are setting it up but they are not adjusting the temperature.

xiii. Soccer Field

Mr. McGrath stated Ms. Slack spoke with a resident whose children would like to play soccer. She made a suggestion that if you go on Patrician Circle and turn right, there is a loop. When it goes around, there is a wooded area and a big open space. She said that would be a wonderful space for a soccer field. She would be willing to buy and donate the soccer goals. As I look at it, there is only one house next to it. The other side is woods. It goes all the way down to the water area. This is something to consider.

Ms. Slack stated the kids play there now. There are no goals, but they live in the area and they are not comfortable in letting the kids come all the way down here.

Mr. Mastromarino stated I am familiar with this area. It is not as big as it should be for bigger kids. If we put a soccer net anywhere, you cannot close it off to anyone else, and now anyone can use it. That is something we need to be aware of.

Ms. Incandela stated the resident indicated she would buy them, and I presume they are not going to be commercially installed.

Ms. Slack stated she said she thinks they are about \$400 each, and she would be willing to buy two of them and put them in as long as the District would allow them to stay in place. They have tried to do some temporary ones that the kids take down, and that does not work. They cannot be hauling the big ones back down to the house every day. If someone wants to give me a name and number, I can have her contact someone to give you more information. She just brought it up to me the other day and wanted me to ask. I mentioned it to Mr. McGrath as something to think about.

Mr. Smith stated the only problem is similar to our last meeting. One person lived next to the parking lot who did not want it there, so that resident may not want it next to their house.

Mr. McGrath stated we certainly would and should follow what we have done in the past. If we get to a point where we can consider it, perhaps Mr. Smith can measure it and maybe it is not wide enough or long enough.

Mr. Mastromarino stated in relation to the size on Chapala, this is about half the size.

Ms. Incandela stated it does not look big enough to play on. They are playing there now, but do we know if that house next to it is a parent of one of the kids?

Ms. Slack stated I do not know. She said there are five or six kids who play there. They play through school or a recreation camp or something, and they like to go out and practice. They do not feel safe sending them down here because they are middle school age. They do not have the ability to come down with them all the time, and they go over there and practice anyway. She asked about goals because practice would be better for the kids if they had something to shoot at.

Mr. McGrath stated one of the nice things is that it is not right on Brighton Lakes Boulevard where everyone can see it. But if it is a place to play soccer, there are going to be people who come and want to play here. We will maybe have parking issues. There are no homes on this side, but it is a narrow street. I thought it was worth discussing.

Ms. Incandela stated this is a small space, so you are not going to have the older kids being able to do much. I would like to reach out to the home owner to see if they have any objection to it before we consider going any further.

Mr. Smith stated I will contact them. There is one house adjacent to it and houses directly across the street as well as around the corner by the wetland.

Ms. Incandela stated I do not think houses across the street will make a difference.

Mr. Smith stated people may be parking there.

Ms. Incandela stated these are younger kids, so we should not have parking issues.

Mr. Smith stated people will find out there are soccer nets on this street and will decide to drive there to play.

Ms. Slack asked are you doing something on Chapala?

Mr. Smith stated no.

Ms. Slack stated I figured if you were doing something on Chapala, since it is a bigger park, that is where the older kids would go.

Ms. Pieters stated you have to consider the people who live in that area. The soccer moms and everyone playing will be on this field. They may not want all that activity there.

Ms. Slack stated her point was that the kids are already playing there because it is common area.

Mr. McGrath stated Mr. Smith will look at it before we consider it further.

EIGHTH ORDER OF BUSINESS

Submitted Resident Questions and Audience Comments

Mr. Olmo stated I was wondering if the District is still doing audits of the financial statements. The only reports on the website go through 2012.

Mr. Moyer stated we have the audit available for 2013.

Mr. Olmo stated I wanted to check on the assessments for the road which were \$50 in fiscal year 2015, \$50 in fiscal year 2014, and \$100 in fiscal year 2013. We are looking at about \$150,000, and is that going into a savings account or CD? In looking at the funds at US Bank, it seems the District has a lot of investment accounts.

Mr. Moyer stated that is the bond issue and we only earn .15%. The trustee for the bonds invests those monies.

Mr. Olmo stated I was wondering where that money was put.

Ms. Slack asked is there an update on the striping on Brighton Lakes Boulevard at Sweetspire? The lines are almost gone there, and so is the stop bar.

Mr. Smith stated it is on the list of projects.

Ms. Slack stated I wondered why they did not do that when they did the other striping.

Mr. Frawley stated perhaps I misunderstood, but I heard Severn Trent can no longer view the cameras from their office.

Mr. Smith stated yes and that is why I am meeting with ACT tomorrow. We have other issues with the cameras because they are getting so old. There are several issues to address. At this point, there is some other thinking about another system to put in place that could replace the guards. I am working on one now that is possibly just a camera system or a camera kiosk where you pull up to it. I did not want to throw thousands of dollars into this system but just get it to hop along for now. If we have a problem at one of the gates, we can download the information from the DVR. So it is operational but we cannot see it from our office.

Mr. Frawley asked why not?

Mr. Smith stated it is a problem with the connection at the guard house.

Mr. Frawley stated this is from Ms. Maria Fuentes to the Board and to me. We are paying a monthly fee for a trial, and I actually viewed the cameras from my home. That does not work anymore?

Mr. Smith stated it is not working currently. We plan on getting it working again.

Mr. Frawley stated I wanted to ask about getting a cover for the pool lift.

Mr. Smith stated I can look into getting a cover. The problem is if someone is maintaining the pool with the cover. I have heard from other places that purchased the covers but they never use it because someone has to always maintain it and it eventually gets torn or winds up in the pool which can damage the pool system. A friend of mine is a general manager for a hotel that has two pools, and he has those covers and he recommended not getting covers.

Mr. Frawley stated the original question is that I thought it came with the contract. That is why I keep bringing it up because it is supposed to be there. Regarding the bike rack issue where people are chaining their bikes to the tree or the pole, are we going to do something so we can leave a note telling people not to chain them to the pole or tree?

Mr. McGrath stated I would say no. It is not a great concern to me.

Ms. Slack asked then why did you put in bike racks in the first place?

Ms. Incandela stated if they tie it to a tree, it can damage the tree. What is the distance from the pole to the bike rack?

Mr. Frawley stated probably 40 feet.

Mr. Mastromarino stated there was no room on the bike rack. That was the issue we had before, so we put in a larger bike rack. If we need a larger one, we can put in another one.

Mr. Frawley stated I agree. Now that we have a bike rack, they can see there is room there but they just do not want to park there, so someone has to tell them. I do not understand the resistance.

Mr. Smith stated we can make a little tag and when I see them, I can attach a tag that asks them to park their bike in the bike rack.

Mr. Frawley stated I did that myself, and it worked.

Mr. Smith stated we can provide an official tag.

Mr. Mastromarino asked does the message need to say it is from the District? We do not want it to look like a random person driving by just left a note.

Mr. Smith stated it would be from the Brighton Lakes CDD and will just ask them not to attach the bike to the pole but secure it to the bike rack.

Mr. McGrath stated they have been going it for 10 to 15 years. As far as they can see, there is no damage.

Mr. Frawley asked then why did we spend the money to put in the bike rack if you were happy with it?

Ms. Incandela stated first, we do not want them to attach it to the pole. Second, a bike rack is the proper place for it. This is the sort of thing where you could spend all day putting tags on bikes. If they are attaching them to the pole and they are not causing any damage, do you want to spend the time trying to get them to conform to use the bike rack, or do you want to spend your time and energy elsewhere on issues that need more attention? What Mr. McGrath is trying to say is, this is not something that the Board is directing a lot of attention for Mr. Smith to address every single time he sees a bike attached to the pole. If Mr. Frawley has those tags and wants to make use of them, that is fine. If they continue to do that and they are not damaging anything, is the Board going to take action and confiscate the bikes? No, we are not. I agree that it is not ideal, but it is not a major priority of this Board to make sure they absolutely have to use them.

Mr. Frawley stated we spend more time discussing this issue than if it would have been done.

Ms. Incandela stated this is what we are going to do. If you want to put the notices on the bikes, we are giving you permission to do so. We will hope the residents comply and use the bike rack. In terms of spending more time and resources to enforce it, I think that is a waste of the Board's time.

Ms. Slack stated a nice note to remind them would be good.

Ms. Incandela stated I am perfectly fine with a nice note and a reminder or something like that. I do not want this to become an issue where every time Mr. Smith or someone from Severn Trent drives by, they are expected to enforce the bike rack rule. It is just not that much of a priority. I agree it is not the most aesthetically pleasing, but to Mr. McGrath's point, nothing is damaged. We have to keep our priorities focused and our energies aimed at the bigger issues.

Ms. Slack asked whose responsibility is it if a bike is tied to a post and someone comes through and hits it? Is it the problem for the owner of the bike?

Mr. Smith stated yes.

Mr. Frawley stated the light on the right as you come into the development, it is pointing the wrong way.

Mr. Smith stated a mower probably hit it.

Mr. Frawley stated I have gone out and straightened it twice in the past six months. I thought it was due to kids because the bus stop is right there.

Mr. Joe Klusko asked is there a projected date on the fence at the basketball court?

Mr. Smith stated around October.

Mr. Klusko stated Mr. Moyer mentioned something about someone investing our money. Does this individual work for us?

Mr. Smith stated no, there are two issues. US Bank is the trustee. The trustee is charged with protecting the monies that were bonded. That is what they are doing, and for two or three years, they did not invest money in anything because CDDs were high-risk and needed liquidity. So they simply were not investing money. Through the efforts of Mr. Stephen Bloom, we at least got them to invest in something, and he was successful in doing that. We, as a District, have certain monies in reserve accounts and operating accounts, which are invested, but they are currently invested in instruments that are .4%, and Mr. McGrath has found others that are earning 1%. Mr. Bloom needs to look at that.

NINTH ORDER OF BUSINESS

Supervisor Requests and Comments

Ms. Pieters stated I was told by a resident at the HOA meeting that someone raised the issue of the HOA finances. They wanted to know what they are spent for. The answer that was given is they have to pay for the lights.

Mr. McGrath stated we can verify that it is not their responsibility.

Mr. Frawley stated perhaps they meant the Christmas lights.

Mr. McGrath stated no, the District does that. Related to the roads, they will be 15 years old next year, at least the ones by the entrance. I think we ought to begin paving from the bridge out to Pleasant Hill Road. That is the oldest section and is the road everyone travels on, including construction vehicles. I do not know that it is in the worst shape, but I think we should do that section. I do not want to pave over the new parking spots that have been painted, and the bridge might be a good location to stop anyway. We have reserves to be able to do this.

Mr. Moyer stated you have \$274,000.

Mr. Smith stated I will meet with the engineer and have him take a look. Then I will get a cost estimate from the bridge out to Pleasant Hill Road.

Mr. McGrath stated that is just a starting point. If someone thinks we should do more or less, we can discuss it.

Mr. Smith stated we will measure it. You already have the drawings, but he will review them and say if we need to repave them or if we have another five years or such time left and just patch some locations. He will provide estimates for what it will cost for a certain number of linear feet of roadway.

Mr. McGrath stated Mr. Smith is in this business. Should we not even consider this project at this time?

Mr. Smith stated I think the roads are in pretty good shape. It is just when they start to roll up. What is happening there is, it is separating. We can do a patch there, and it will last for years. When the roads get to a place where it is rolling and we are consistently having a lot of problems, that is when it is time to consider repaving. When we start patching a lot of sections, then it looks like patchwork. We can look at that section so at least you have an idea what the costs are.

Mr. Mastromarino asked would that also include any lines that have to be painted?

Mr. Smith stated yes, it will include striping. It will be a rough estimate.

A Resident stated the sidewalks have some places where it is a trip hazard.

Mr. Smith stated I pulled him off that task to help with the tot lot playground equipment removal, and he will get back on addressing sidewalk issues. Anything over one-quarter inch is considered a trip hazard.

Ms. Slack stated people with walkers are out there walking every day. As you are going out the neighborhood, the stone wall area, if you turn right, you are heading south. The last section of wall has stains because of the dirt. I have asked for the past couple years why they cannot be cleaned or removed.

Mr. Smith stated we just pressure washed it.

Ms. Slack asked how long ago? Unless it was in the past few days, it is still stained.

Mr. Smith stated he came back to me and reported on the rust stains, and those need to be sand blasted. We have lake water, which is why there is staining on the stone.

Ms. Slack stated all the walls look really nice except that one section.

Mr. Smith stated my staff cannot fit that work into the schedule at the moment. I can get proposals from outside contractors, but the person doing the work is now working on the tot lot and then will be going back to address sidewalks.

Mr. McGrath stated it was pressure washed, so it is improved.

Mr. Smith stated it is cleaner, but it is stained.

Ms. Slack stated I have just noticed over the past couple years, it has been looking bad.

Mr. McGrath asked when we put our fence up, do we need to change the sign that says to enter, you must be a resident or a guest of a resident? Do we need to provide some advanced notice to non-residents who have been playing basketball for years? Or will they figure it out when the fence is up?

Mr. Smith stated we will wait and see what happens.

Ms. Incandela stated Mr. McGrath is talking about people who do not live here but have been playing here. We do not have to extend any courtesy to them, but that was very nice of you to suggest it.

TENTH ORDER OF BUSINESS

Other Business

There being none, the next order of business followed.

ELEVENTH ORDER OF BUSINESS

Adjournment

On MOTION by Mr. Mastromarino, seconded by Mr. McGrath, with all in favor, the meeting adjourned at 8:20 p.m.

Gary L. Moyer, Secretary

Michelle Incandela, Chairman