

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, September 15, 2011, 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>)	Attorney: Hopping Green & Sams
Keith Carrarini	Weber Environmental
Gerry Frawley	District Staff
Paul McCartan	Keep Safe Security
Brian Smith	Severn Trent Services
Residents and members of the public	

This represents the context and summary of the meeting.

FIRST ORDER OF BUSINESS Pledge of Allegiance

Mr. McGrath led the *Pledge of Allegiance*.

SECOND ORDER OF BUSINESS Call to Order and Roll Call

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

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

THIRD ORDER OF BUSINESS Audience Comments

There being none, the next order of business followed.

FOURTH ORDER OF BUSINESS Approval of Minutes of the July 21, 2011, Regular Meeting

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

Mr. Moyer stated Mr. McGrath sent some minor corrections to our office, which were incorporated.

On MOTION by Mr. McGrath, seconded by Mr. Mihalic, with all in favor, unanimous approval was given to the minutes of the July 21, 2011, regular meeting, as amended.

FIFTH ORDER OF BUSINESS

Vendor/Contractor/Third-Party Items

A. Security

Mr. McCartan provided an update on security services related to gate activities and personnel at the guardhouse, and responded to questions and comments from the Board.

Mr. Mihalic stated one of the men who works at night, not Gary, before I even get to the guardhouse, he has the gate open and waves me in before he sees me or my car. There may be three or four cars behind me, and he never closes the gate between them. Gary stops every car.

Mr. McGrath stated it is sometimes a matter of constant reinforcement.

Mr. Mihalic stated he is standing outside the door and waving people in, so he has a presence there. I thought they were supposed to stop every car. It is unfortunate that I have to work late hours, but it is one way of finding out what is going on.

Mr. McCartan stated I appreciate you letting me know. Their last instructions were when we got the screen door, and that seemed to work quite well.

Ms. Incandela stated they have the screen to stay behind when bugs are in season.

Mr. McCartan stated that is correct, and that is what the screen is there for if they choose to. Bugs are sometimes troublesome during the day, as it was today.

Mr. Mihalic stated the good news is we have just a few more weeks of that.

Mr. McGrath stated at our crime watch meeting on Tuesday, a resident commented that on the night before, on Monday night around 10:30 to 11:00 p.m., four delivery-type trucks came through the gate. They were unmarked and it seems strange to have delivery trucks arriving at that time. Are they logged in with the license plate numbers?

Mr. McCartan stated yes. I received an email from Ms. Maria Fuentes regarding this issue, and we confirmed they arrived at 10:25 p.m.

Mr. McGrath stated I am very pleased to hear that we have the information on those trucks, so I will be able to report to the resident that the information was logged and we have the license plate information.

Mr. McCartan stated if there is an incident and you want me to provide a report with our information, I can provide something like that, if you need any follow up from us.

Mr. McGrath stated I am pleased the system works.

Mr. Mihalic stated things are much better than they used to be. Do we still have a sign that says the gate will come down after every car?

Mr. Smith stated no, it had been damaged. It has come back from the shop and we need to put on a new bolt to reattach it.

B. Landscaping

Mr. Carrarini provided an update on landscaping services related to maintenance of the District's common areas, irrigation reviews, crepe myrtle pruning, and turf replacement, and responded to questions and comments from the Board.

Mr. Carrarini stated you may see some areas in the wetlands that are brown. It has been cut back about two or three feet. That is a natural encroachment of the wetland trying to come into the habitable area. We decided to mow it back three feet so that we do not have the progression of it taking over. We will start trimming the palm trees in the next two weeks, probably closer to one week than two. I received the message about the stop sign, and we will take care of that. We have been performing chemical applications and fertilization on all of the St. Augustine over the past three days, beginning on Tuesday. We used Cross Check for pest control and Quick Silver for weed control because the temperatures are still high. We used an application with iron, magnesium and other nutrients to feed the turf and get it green. In the areas where we are still promoting growth, because of the warmer temperatures, we applied a heavy application of 24-0-0 granular. In areas that are a little more stable, we applied 24-2-11. The 24-0-0 will really make it grow. We are taking advantage of these warm temperatures to get the turf nice and thick. When the time comes, we will start on the roots because then it will not matter what we do to the top of the turf. The Board requested an irrigation map at your last meeting. It took me some time to put the information together. I have a prototype of it, but it is unwieldy and I am not satisfied with it.

Mr. Smith stated you can meet with Mr. Russ Simmons to finalize the report for you. He has a map with the information you want, but it is covered with irrigation information and terms.

Mr. Carrarini stated I want to overlay my information with what Mr. Simmons has to come up with a final map the Board can use.

Mr. McGrath stated I noticed you had a tree installed.

Mr. Carrarini stated there was a tree that was blown over and damaged during the last storm. The way it had grown, it was root bound. That is why it did not extend its roots out to support its canopy. We replaced that tree at Mr. Smith's direction. We got one that is twice the size of what that root ball was so that tree will grow properly. There was also a

tree by the playground that was not doing well. It was just a bad tree from the start, so Mr. Smith directed us to install a nicer tree there. We also did some enhancements to some other areas. At the bridge on Huron Circle, the plumbago was not doing well there since it was too wet, so we installed a bed of flax lily. We also installed a bed of flax lily on Volta Circle at the bull nose where the juniper was. I am not sure if it was damaged by kids and went into decline or if it was driven over. We installed more flax lily at that location, which adds some color, and it is pretty hardy.

Ms. Incandela asked what do you mean that the tree was root bound? Does that mean the tree was not planted properly in the beginning? What caused that?

Mr. Smith stated when these trees were installed was during the big housing boom, and we could not find a decent tree. I had the same problem in Celebration because we were taking any quality of tree we could get at that point. Many of the trees were container grown, and when they start that way, the roots start going in circles. We planted them and fertilized them and tried to get them to grow, and some of them did but some did not.

Mr. McGrath stated I have a red maple that the builder installed, which I moved when we installed the swimming pool. It has been eight years and it is big. I see one big bump on the ground, which I presume is a root developing the wrong way. Is there anything you can do about that?

Mr. Smith stated no, not at this point with the tree as old as it is.

Mr. McGrath asked is there any warranty with the trees that were just installed?

Mr. Smith stated yes, it is one year.

Mr. McGrath stated I did not see that language anywhere on the invoice or purchase order, so perhaps going forward, you can add that language.

Mr. Smith stated the turf has really come back, and they did a good job on the turf. We really did not have to replace very much, perhaps just one pallet of sod.

SIXTH ORDER OF BUSINESS

District Manager's Report

A. Financial Statements

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

Mr. Moyer stated we received essentially all our non-ad valorem assessments, 99.95%, and we have a \$46,000 surplus on our expenditures. If we continue in this direction, that balance will fall to the Unassigned fund balance.

Mr. McGrath stated the balance sheet uses a term called “FMV adjustments.” Is that a variance of some kind?

Mr. Moyer stated that is for Fair Market Value. It is also referred to as “mark to market.”

Mr. McGrath asked when might we receive the rest of our assessments?

Mr. Mihalic asked would that be just one property?

Mr. Moyer stated it probably is not much more than that.

On MOTION by Mr. Mihalic, seconded by Ms. Pieters, with all in favor, unanimous approval was given to the financial statements.

Mr. McGrath stated on page 3 for the Statement of Revenues, for interest, we budgeted to receive \$250 but we made \$1,575. Thank you to Mr. Moyer for helping us achieve that result.

Mr. Moyer stated Mr. Stephen Bloom at Severn Trent manages those investments, and I will pass along your thanks.

Mr. McGrath stated yes, and please encourage him to continue the good work.

Mr. Moyer stated he works hard at it. He gets CDs that mature at different times and tries to get the best interest rates.

Mr. Mihalic stated interest rates on CDs right now are extremely low.

Mr. McGrath stated it appears as though our general liability insurance cost less than we budgeted. Is that to cover the Board members?

Mr. Moyer stated general liability covers directors and officers, but it is also trip-and-fall lawsuits and things of that nature. I just received a report on insurance, and going forward into 2012, we will again pay less than we budgeted.

Mr. McGrath asked is that based on our experience?

Mr. Moyer stated that has something to do with it, as well as the insurance market.

Mr. McGrath stated I would like a copy of the Board’s indemnification policy.

Mr. Moyer stated I will ask staff to provide you with a copy.

On MOTION by Mr. Mihalic, seconded by Ms. Pieters, with all in favor, unanimous approval was given to the financial statements as presented.

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.

On MOTION by Mr. Mihalic, seconded by Ms. Pieters, with all in favor, unanimous approval was given to the check register as presented.

C. Website Statistics

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

D. Implementation of GASB 54

Mr. Moyer stated Government Accounting Standards Board (GASB) update rules from time to time that they think are necessary to make accounting more transparent and understandable. One of the things that GASB 54 deals with is fund balance, which we discuss from time to time. GASB categorized it into several different components. Certain fund balances are restricted and we cannot use them. Those types of funds include the debt service reserve fund. There are restricted funds defined as constrained by limitations imposed by creditors, grantors, laws, and other governments through constitutional provisions and so forth, which include the bond funds. Committed funds, Assigned funds and Unassigned funds are under the jurisdiction of the Board. To the degree that you have a Committed fund, in order to move monies from the Committed fund, you have to do that by motion, just as you do putting the money into that fund.

Mr. Moyer stated as it relates to the financial statements, page 1 is the old system, and page 2 is the new system that implements this ruling. Non-spendable funds include the prepaid expenses, which is minimal at \$2,195. Restricted funds are the debt service reserve funds. Assigned funds include \$12,000 shown as Other in the budget that we collect annually for contingency that we roll forward and Capital Projects of \$75,000. The balance is Unassigned. Part of that fund balance will be used for August and September expenses since the financial statements are through July. There will still be some Unassigned at the end of the fiscal year. The Board needs to specifically designate the Other category and what you want to use that \$36,000 for. If we do not have anything, then they will reclassify it as Unassigned, which will increase that fund and reduce the Assigned fund.

Mr. Mihalic stated it does not hurt anything if that happens.

Mr. Moyer stated that is correct.

Mr. McGrath asked is your recommendation not to make a change? I do not know of anything that we need to assign money for.

Mr. Moyer stated I would let it be reclassified to Unassigned because the Board has total discretion over Unassigned funds. If you are comfortable with that recommendation, I will ask the Board to approve the new GASB 54 representations that are shown on page 2 of the financial statements.

<p>On MOTION by Mr. Mihalic, seconded by Mr. McGrath, with all in favor, unanimous approval was given to approve the GASB 54 classifications as shown on the financial statements, page 2, as discussed.</p>

Ms. Incandela asked in the future if we put money in an Assigned fund in the amount of \$5,000 but we use only \$4,000, does the remainder go to Unassigned? Will that affect anything?

Mr. Moyer stated it will remain in the account, and you will have \$1,000 in that Assigned fund.

Ms. Incandela asked what if we do not use that money by the end of the fiscal year?

Mr. Moyer stated the Board can choose to leave that money in that fund or move it to Unassigned by motion.

E. Discussion of Action Item List

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

Mr. McGrath stated at our last meeting, we discussed a problem that is perhaps a small problem, but nonetheless, is something we are aware of. People who do not belong in this facility are getting in. We discussed some solutions that might not be 100% and might cost extra money. We discussed the new policy of carrying the access card on your person. Mr. Smith made the suggestion of having a wrist band. I brought a lanyard that has a break-away so if someone grabs you by it, it breaks away so that you will not be pulled over. You simply reattach it together again. I was thinking if we were to add in the policy something that says we ask residents to have them readily available when they are in the community center, then I also suggest that Severn Trent carry a stock of something like this. We do not require residents to purchase one from Severn Trent. If we implement this, I suggest we add a couple dollars to our cost on the basis that people who

are using the community center are already getting the best deal in town, and everyone pays for it regardless of their use. No one will be required to purchase one unless they plan to use the facilities.

Mr. Mihalic stated my concern is people will want one every time they come here and then they will have a collection of them.

Mr. McGrath stated they will be paying for them, and that extra money we collect can be used to purchase something nice and new for the community center. By charging them for these lanyards or wrist bands, it gives it more value than just giving them away. It is an idea.

Ms. Incandela stated it is something that is optional.

Mr. McGrath stated yes. The requirement will be that they display their access card. They may choose to purchase a lanyard on their own. There is no requirement that they purchase one from Severn Trent.

Ms. Incandela stated if there is a family of five in the community center, only one of those five people needs to display the access card.

Mr. McGrath stated that is correct.

Ms. Incandela stated what we are doing is giving them the option of wearing it as a necklace if they want a lanyard or on their wrist. We cannot require them to put it around their neck.

Mr. McGrath stated the change in policy says that when you are in the community center, you must display your access card.

Ms. Incandela stated I am not comfortable in requiring them to openly display their access card for a couple reasons. One, I do not want to force them in their method of displaying it, whether it is around their neck or in their wallet. Two, not everyone will have a card. You cannot require everyone at the community center to display their card because not everyone in a family of five will have a card. I think the requirement as it is requires anyone entering the community center must be with the access card holder, whether they are a guest or a family member. That way we keep our controls at the gate rather than trying to monitor it once they are inside. If the attendant suspects someone in here does not belong, they have the opportunity to inquire of that person, at which point, they will have to present some justification or proof of residency or that they are a guest of a resident. It does not hinder anyone else or require them to do anything that is intrusive, and it does not give any extra work to us to get them supplied with lanyards and

then have the attendants keep an eye out for access cards that are displayed. I think our best method is to continue to monitor the gate and to prevent non-residents from entering in the first place, as opposed to trying to deal with them once they are already inside.

Mr. McGrath stated this suggestion is not an onerous change. They have the benefits of the recreation center. Since we do not have anyone watching the gates, people can get in as easily as just following someone else through the gate.

Ms. Incandela stated when our attendant is not on duty, there is no one to check for displayed access cards anyway.

Mr. McGrath stated despite the job description that was provided at our last meeting for the attendant, I suggest we implement this new policy that was distributed, and every couple hours have the attendant go around to everyone inside the recreation center to check for their access cards since it is already a requirement they have their cards with them. The situation Ms. Incandela described is very valid. If the wife does not have the card, she refers to her husband who produces the access card, and the attendant moves on. I think what will happen is interlopers will be more inclined to see the change, that everyone is wearing their access card and since they do not have one, they will think twice about coming in. I have a preference that without spending a lot of money, we try to restrict people from coming in who do not belong here. I think by showing your access card, without any additional expense, that will help to reduce the number of people who are not supposed to be here.

Ms. Incandela stated I agree with you in theory. I agree that one person in the family unit or party should have the access card and display it if they are asked to provide it. I just do not agree in forcing them to wear it on their person or display it. I think the attendant can request to see cards when he is here, and it is my understanding that he has been doing it. The problem has gotten much better since we instituted new policies and gotten stricter with people who do not belong here. If we identify that the problem increases, which it may do next summer, then we can revisit a stricter policy or implement more monitoring. I think more monitoring is better suited to our goals rather than forcing residents to display their access cards. I do not know we can actually force them to display the cards in a certain manner on their person. They simply need to have the cards with them and they need to be residents. In terms of being more restricted by forcing them to have it physically present, I do not support that. People will be swimming and taking them off or leaving them sitting around, and people who do not belong here

could end up picking them up. I think that will cause more problems than we are seeking to avoid. The attendants have said that things are much better and their feeling is there are fewer people here. I think no matter what we do, this will always be an issue for us. There will always be people here who do not belong, and those people will continue to break our rules even if we have armed guards at the gates. That is where we have to rely on our attendants to keep their eyes open to non-residents, and possibly during the summer months when we had an increased problem this year, we might need to extend the hours or increase hours, at least on the weekends. I am fine with the attendants checking for access cards if they are not sure someone belongs here. I think they need to do that. I think forcing people to display their cards is too obtrusive. I would not want to display it if you told me that I had to, and I expect that some other residents will have that same opinion. I think we should revisit this issue when we start to see an increase in numbers when the temperatures are warmer.

Mr. McGrath asked are the attendants checking cards for everyone?

Mr. Smith stated they do not check for everyone because they know 90% of those coming to the facility. For new people, they will ask to see their card or ask if they are a guest with someone else at the facility. The majority of incidents is when we get non-residents, which does not happen very often and is not a huge problem anymore. If they are coming here, they are doing it before the attendant arrives or they know someone who tells them when to come without the attendant being on duty. The only way around that is to have someone here full time. If we really wanted to crack down on non-residents, then we need to hire a management-type person. You will also need to make sure there are two people here. If you start enforcing it to that point, there will be conflicts and battles with home owners who do not want to do what we tell them to do. We will need two people on site for their protection. We are going into a slower time at the facility, so I think the way we are doing it now will work fine. I agree with Ms. Incandela to wait until summer when kids are out of school and discuss it then if there is a problem.

Ms. Incandela stated we know there are families coming here to use the facilities who do not belong here. We are weighing between people who are here not causing any damage or spending a lot of money to increase security to keep those types of families out of the facility.

A Resident stated perhaps you need to have some signs at the pool that say you are being photographed and appropriate action will be taken if you are not a resident. That may act as a deterrent to keeping non-residents and trouble makers out of the facility.

Mr. Mihalic stated I think there were problems for a while, but it seems to have gotten better. We have received a lot fewer complaints. My concern is that I would not want to wear something around my neck. I refuse to do that at work and I have not done it in the past. It is too easy to catch on something, so I wear it on my belt. As Ms. Incandela mentioned, it is easy for someone else to grab. On the other hand, in the back of my mind, there is something that says someone may get hurt and ultimately we will be the party at risk because it is our facility. Too many outsiders have access and may try to sue us because they got hurt. We have to decide where to draw the line. I do not think we have gotten to the point where it is really that bad that we need to worry about at this point. We should keep that thought in the back of our mind that we are taking that risk. I do not have a better solution.

The Resident asked is the District protected?

Mr. Moyer stated yes.

SEVENTH ORDER OF BUSINESS

Staff Reports

A. Attorney

Mr. Moyer stated we received a letter that was forwarded to the Board from Bogin Munns & Munns related to water on a resident's property.

Mr. Mihalic asked is that really our property? As I look at the map on Google, I question whether or not that is even our property.

Mr. Smith stated it is CDD property.

Mr. Moyer stated I think we still need to do some research on this issue. Florida has a long history of drainage requirements. One landowner cannot stop another landowner from the historic drainage patterns that existed in Florida. If you own the high property and I own the low property, I cannot build a wall to flood your property. As I understand it, that is this situation. Brighton Lakes has always drained through this property. When the engineers designed the drainage system for Brighton Lakes, they used that historic drainage pattern as the outflow for Brighton Lakes. That was permitted through the South Florida Water Management District (SFWMD). Those are general facts related to this property. Mr. Smith met with Osceola County and with Mr. Randall Lanier several months ago.

Mr. Smith stated there is a spreader swale in the back of their property in the corner. It is designed to take water from that pond and hold it until the water level stages up, and then the water goes over the swale and flows down through the property behind. There are some elevation differences in that because it is an earthen berm, so it is not completely flat. It has been in the same condition since I have been managing the field operations. We maintain it and mow it and keep it clean. There are some areas that have some growth on top of the berm. The County was concerned about the elevations so I met onsite with them. We can change the elevation of the berm, but it will not stop the water from going where it is intended. That is where Mr. Laniers has a problem because he does not want that water going across his property. That is where we stand at this point.

Mr. McGrath stated when the builder created the berm, it was accepted by governmental agencies.

Mr. Moyer stated that is correct.

Mr. Smith stated it was accepted by the County and SFWMD and there was a plan to create that berm in that fashion. Even before we constructed phase 2 in Brighton Lakes, Mr. Laniers went to Hanson Walter and complained about the flooding on his property. That is when Lowe's was being constructed. Then we built phase 2 in Brighton Lakes. That water had inched down to a tighter area, but water is still flowing to that wetland from this area, which goes through his property, and the back of his property is wet. I talked with the engineer and they confirmed that the area has pretty much always been wet and water has always been designed to flow in that area. When I met with the County, I told them to let us know what they wanted us to do about the berm and that I would bring it to the Board. I have not received a response on this issue, but I know they are planning another swale out the other way and down the road, creating a whole new swale. We could actually tie ours into that, but that involved permitting with SFWMD, which can take a very long time. Mr. Laniers contacted his attorneys who sent us the letter.

Mr. Moyer stated in the letter, the attorney says that they have a plan. Mr. Smith has requested a copy of that plan because we do not know what it is. It may be the plan that the County is working on to reroute that water, but I do not know, and we will not know until we see that plan.

Mr. Smith stated it may also be a plan to reestablish that swale over time. What happens is the water stages up and flows over the swale.

Mr. Mihalic asked is that eroding parts of the swale?

Mr. Smith stated some areas are lower than others and there is some plant material in one area. I left one section with trees and shrubs on it so that it will not erode. We also have grass on the swale, as well.

Ms. Incandela asked when was the first time they contacted you or anyone in Brighton Lakes?

Mr. Smith stated Mr. Laniers made contact when Engineered Homes was here, and he talked with them about this and other issues. They mentioned a manhole cover missing in the same area, which is when I learned of this issue. I contacted the County and asked to meet them onsite about four months ago.

Ms. Incandela stated my concern is they attached photographs, and the photographs were dated 2004. I have no way of knowing what it is like in its present state. We had problems with our street flooding, and I wonder if these pictures were taken at that time.

Mr. Smith stated I took pictures of that area today, that I will distribute to the Board and email to Mr. Crumbaker.

Mr. Mihalic asked how long has he owned that property?

Mr. Smith stated he has been here a very long time, many years.

Ms. Incandela asked when was this standing lake created?

Mr. Smith stated during phase 2 construction.

Ms. Incandela asked he had complaints with the County going back to phase 1?

Mr. Smith stated that is correct, before phase 2 was constructed. You can see on the photographs that it is full of water. In the first picture in the upper right-hand corner is the berm, which we mow, and the berm tapers off on either side. When that area fills up, it flows out.

Mr. Crumbaker stated we have been trying to coordinate this issue with Mr. Smith regarding the status of that berm. We have also been in contact with the attorney who sent the letter on behalf of the Laniers. As Mr. Moyer mentioned, the letter references plans that we have not seen yet. We are waiting to receive the plans. Until we see the plan that they are proposing, I do not see there being a lot of activity. Things were different in 2004 than they are now, and we received a lot of rain in 2004. For the time being, until we hear from the attorney for the Laniers as to what they are proposing, I think we have done all we can do for now. My inclination is to wait until we receive something from them before we spend any more money on this issue.

Ms. Incandela stated the letter says he understands at one point the CDD met with the Laniers and decided on a plan to fix the flooding. It does not say who they met with, and I would not be surprised if we do not receive anything from them regarding this plan. They could not have met with the CDD unless it was so long ago.

Mr. McGrath asked does our attorney think we will have any financial obligation for anything that has happened from now going back?

Mr. Crumbaker stated until we get a better picture of what has occurred and what they are proposing, I cannot give you an opinion. Based on what we have thus far, I would say no. Given the letter that we received and the statements that were made in that letter, I am not sure their counsel has gotten the full picture themselves. It is a partial story. In speaking with the attorney, he came to a resolution to this without pursuing other remedies and without seeing the plans and without understanding the full issue.

Mr. McGrath asked if we come to a solution, is it likely where we have to bring in heavy equipment and build a larger berm or do other landscaping that will augment the natural flow of the water?

Mr. Crumbaker stated it is hard to say right now. One of the other issues is, there is no telling what he has done on his property. In talking with others, it is my understanding that there is the possibility that the land was actually low to begin with and that he had done some work at some point in time that may have affected this situation. There are too many variables right now to say what we would need to do.

Mr. Smith stated I agree. There is a history to this issue. In my discussions with Hanson Walter, they have been aware of this for a long time, and they have a lot of history with it. I am fairly new to it.

Ms. Incandela stated I understand Hopping Green & Sams has a division that actually specializes in environmental cases.

Mr. Crumbaker stated that is correct.

Ms. Incandela stated it sounds like there is nothing else we can do at this point.

Mr. Crumbaker stated once we receive something from the attorney for the Laniers and develop the picture a little more, then I may want to bring in someone from our wetlands practice to deal with this issue.

Ms. Incandela stated what concerns me is, even if they come up with some meeting notes or some plan from having met with Mr. Smith or anyone at the County in recent months, I still have no way of ascertaining that it was not like that from the very

beginning. I have not seen anything other than their picture dated 2004. It seems very sketchy to me at this point.

Mr. Crumbaker stated I have not seen the aerial photographs, but Mr. Mark Vincutonis at Hanson Walter said that there were aerial photographs that were taken in the past that will provide a context for that area. That may give us a better picture of what was there and whether or not there were any changes on his side of the property line that might have possibly affected the drainage pattern in that area.

Ms. Palmer stated I spoke with Mr. Crumbaker about this yesterday, and Mrs. Tracy Laniers is the librarian at the elementary school that is zoned for this neighborhood. She and I have talked about this property in the past, and she has never, ever said there was a problem with her property. She was talking about selling it because people were looking at it and it was a great parcel because it was a large acreage area. It is a very strange situation.

Mr. Mihalic stated this whole issue could be because they want to sell the property and they want to get something out of it first.

Ms. Palmer stated this was a few years ago we discussed her property. It is strange that they bring this up seven years later. As was already mentioned, we had three hurricanes hit this area in 2004. Has there been anything that has happened since then that has interfered with their property?

Mr. Crumbaker stated I am not sure why all of a sudden this issue came up this year.

Ms. Incandela stated that was my first question when I read the letter: where did this come from, and why now.

Mr. Crumbaker stated I am curious as to whether or not they did some work on their property that all of a sudden exacerbated an issue that was not there over the past years.

Mr. Mihalic stated I wonder if he is out of a job now and is looking for money, so he decided to bring this up.

Mr. McGrath stated there was a reference made to retirement.

Mr. Mihalic stated there could be ulterior motives.

Ms. Incandela asked if it is found that this condition was caused or aggravated by any work that they did to their own property, do we have any recourse in terms of our costs into investigating this matter? Is that something you can discuss in your negotiations with them, that he should make his clients aware that if this is, in fact, from the property owner's own actions, that the CDD will seek to recoup our legal expenses?

Mr. Crumbaker stated yes, that is certainly a possible topic of conversation with their legal counsel.

Ms. Incandela stated it does not seem to me that this attorney has a very solid grasp of the issues at this point himself, and this is probably just an initiation to see what they can do by sending this letter and seeing where it goes. Perhaps mentioning that issue delicately would help his clients to be aware of that fact. If there is something pending, maybe that will help to get this resolved sooner.

B. Engineer

There being no report, the next item followed.

C. Field Operations

i. Field Maintenance Report

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

Mr. Smith stated we just pressure washed the bridge and we will be painting the front entrance.

ii. Landscaping Report

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

iii. Aquatic Weed Control Report

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

Mr. McGrath stated I spoke with Mr. Smith about a pond that does not look very good. I do not know if it is a problem community wide.

Mr. Smith stated overall, they look pretty good. There are some spots along the edges that we are addressing.

iv. Fitness Center Report

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

Ms. Palmer asked what is the status on the basketball hoop for the little kids?

Mr. Smith stated we received the pole. It took a lot of concrete to set the pole, and we are going to let it sit for a few days to allow it to cure. We are waiting on the sign that we ordered. We have the hoop and the backboard, so we are waiting for the concrete to cure before installing the basket.

v. Security Report

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

vi. Incident Report

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

Mr. McGrath stated we have received money from some insurance companies. On April 15, an invoice was faxed to the insurance company for \$925. Is that something you can put on your list for a follow up? It has been five months.

Mr. Moyer stated I think those are followed up, but I am not sure about the insurance company's response.

Mr. Mihalic stated the next one on the list has been truncated. It says the insurance is not paying "due to the car being" but due to what?

Mr. Smith stated it did not do any damage. It tore up some grass and took out a KUA pole.

Mr. Mihalic stated this one is from December 10, 2010, so it is a different one.

Mr. Smith stated they may be similar issues. I will look into them. There were a couple that had no costs, and we did not invoice them.

Mr. McGrath stated we invoiced them for \$472 for the one on December 10, 2010. At that time, we must have determined there was a cost.

Mr. Smith stated I will ask Ms. Fuentes to look into that.

Mr. Moyer stated if the insurance company will not pay, we are not going to spend money for the attorney to write them a demand letter.

Mr. McGrath stated I agree, but let us see if we can close this out.

vii. Renewal of Keep Safe Security Contract

Mr. Smith stated their contract expires at the end of this month. The proposed draft included in the agenda package includes no increase in their fees.

Mr. McGrath stated this is a lot of money that we spend for this service. I wonder if we need to go out for quotes.

Mr. McCartan stated I would like to be your preferred security services provider. I kept the rates at the same level as last year, and I am willing to renew the contract at those same hourly rates so there will be no change in the annual amount.

A Resident asked how long has their contract been in effect?

Mr. Smith stated two years.

The Resident asked your staff has not had a raise in two years?

Mr. McCartan stated we mentioned this last year when I wanted to round their hourly rate from \$15.75 to \$16.00, which amounts to a difference of \$19.00 per week. The cost for staff increases my costs, but our business, like most everyone's, is suffering with increased insurance costs. We want to provide a good service. If the cost is reasonable to the Board and the service is acceptable, that is great. If it is not and the Board wants to seek other proposals, that is your prerogative.

Ms. Incandela stated I like the fact that they are not proposing an increase, but sometimes we need to consider a small increase so that we are not hit with a larger increase the following year. It allows us to catch up. If there is going to be a large increase in year 2, then I would rather split it over the two years and have an increase in the first year.

Mr. McCartan stated if I received an increase this year, then I would not increase it next year. Would the Board consider a two-year contract with an hourly rate increase to \$16.00 for two years as opposed to a one-year contract?

Mr. McGrath stated it is a \$0.25 increase, which is minimal. Will our budget cover this increase?

Mr. Moyer stated yes. If they are proposing \$16.00 as the new hourly rate, it is a 1% increase.

Ms. Incandela asked what are the termination provisions?

Mr. Smith stated 30 days with or without cause.

On MOTION by Mr. Mihalic, seconded by Ms. Pieters, with all in favor, unanimous approval was given to renew the Keep Safe Security contract at an hourly rate of \$16.00 for two years, as discussed.

viii. ADA Compliance

Ms. Incandela asked what is the status of our ADA compliance issues?

Mr. Moyer stated we contacted RGA Group today. They completed their work. They want to discuss their results with Mr. Crumbaker and me, and then they will issue their report. It will be in the agenda package at the next meeting.

Ms. Palmer asked when is the deadline to be compliant?

Mr. Moyer stated March 15, 2012.

Ms. Incandela stated that gives us four months. In my experience when ADA makes changes that are so broad sweeping, such as adding lifts for swimming pools, it is usually

for facilities built afterwards. If you make a change or renovation to the facility, that will also trigger compliance. I will be interested in seeing their report.

Mr. Moyer stated I am sure I will receive it well before the next meeting, and I will forward it to the Board when I receive it.

Mr. McGrath stated there have been changes in the law that affect home owner associations as far as training. Is that something the CDD Board needs to comply with?

Mr. Moyer stated no, elected officials do not need to be trained.

EIGHTH ORDER OF BUSINESS

Audience Comments

There being none, the next order of business followed.

NINTH ORDER OF BUSINESS

Supervisor Requests and Comments – Flag Pole Project

A. Flag Pole Project

Mr. Smith stated we provided a proposal for a flag pole at the front entrance.

Mr. Mihalic asked have we checked with Osceola County to see what kind of regulations they have regarding flag poles?

Mr. Smith stated I checked with the County, and we have them in other Districts. It is pretty simple to get one.

Mr. Moyer stated as I understand what Mr. Smith has suggested, rather than the District spending a lot of money on engineers performing that work, the person who installs it can find out from the County.

Mr. Mihalic stated before we start any form of installation or digging, I want to be sure we have the County's approval. I do want to spend the money and then find out we did it wrong.

Mr. Smith stated I have installed flag poles in other communities.

Mr. Mihalic stated I also see them in various places, but it is possible they never asked the County in the first place.

Ms. Incandela asked you want staff to get approval from the County before they proceed?

Mr. Mihalic stated yes.

Ms. Incandela asked once they receive approval, can they proceed?

Mr. Mihalic stated as long as they get approval from the County, then they can proceed. I do not have a problem with that. I just want to make sure we are not doing

anything against what the County requires. If they want a 30-foot pole instead of a 32-foot pole, let us get their approval first.

Mr. McGrath stated \$2,500 is a lot of money. We will completely fund this project with the \$4,500 we saved from switching auditors.

Mr. Mihalic asked will lighting be installed so we do not have to take the flag down every night?

Mr. Smith stated yes.

Mr. Mihalic stated I would like to have someone who is responsible for taking it down if there is a hurricane or bad storm coming through so that it is not torn and needs replacing.

Mr. Smith stated my staff takes care of that for all the communities we manage.

Ms. Pieters stated I do not want to sound unpatriotic because I think it is a very good idea. I think we should hold off on doing this for now, especially since someone submitted a letter about water that is leaking into their property. We do not know what will happen with that situation, so I think we should hold off on this project until we are able to sort out that water problem.

Ms. Incandela stated the cost of \$2,500 includes the installation and lighting. However, Mr. Mihalic would like Mr. Smith check with the County before anything is done, and Ms. Pieters asked if we can delay this flag pole project until we have a better understanding of our funds, in light of the situation with the Laniers.

Ms. Palmer stated I am as American as they come, but I think we should wait to see what happens with the situation with the Laniers before we spend any extra money. If we do not have any additional expenses, then I am in favor of having a flag pole and I think it is important to have.

Ms. Incandela asked does Mr. McGrath have an issue waiting on this project?

Mr. McGrath stated yes. While we are certainly not the only community along Pleasant Hill Road without a flag, I think our stature is one that it is missing. I have a soft spot for things like this. I never thought about it until recently. I can understand that \$2,500 is not a small amount of money. It is a one-time expenditure. Because we saved \$4,500 in switching auditors, that could pay for this project. I do not see the issue with the Laniers' property being an extraordinarily large possible cost to us. I do not know how moving it to a later date will make any difference. It is not a huge expenditure. If we wait until we are financially able, we may never do it.

Ms. Palmer asked until we know more of what is going on with the Laniers, how about doing something at the recreation center? It is a lower cost and the attendant can take care of it on a daily basis. I feel it is more for the residents of the community rather than showing our patriotism to the rest of the world. A smaller project would be a much lower expense in the meantime.

Mr. Mihalic stated if we spend the money now, it comes out of the fiscal year 2011 budget. If we wait until October 1, then it comes out of the fiscal year 2012 budget.

Mr. Moyer stated that is correct.

Mr. Mihalic stated I propose that we do it now so that it applies to this year's budget. We just gave an increase to the security company. Let us now do something for our community. I think we should approve the proposal.

Ms. Palmer asked do you want it in the proposed location or can it be somewhere else?

Mr. McGrath stated to me personally, I believe the flag pole should be something not only residents who come as far as the recreation center can see, but it should be something that everyone along Pleasant Hill Road can see. I envision it at the entrance. I think it is a beautiful entrance, and the flag will fit into that design. This is something I think we should have done years ago, and we should do it now.

Ms. Palmer stated I like the flag pole. If it is at the front, do we run the risk of it being vandalized? If the flag was at the recreation center, at least we have cameras and there is more visibility.

Mr. McGrath stated that was one thing Mr. Smith and I discussed. We are aware that flags can disappear and cords can be cut. Simply by putting the cleat a little higher so that it requires a ladder, I think will take care of many of those concerns.

Mr. Smith stated of all the things that I manage, the one thing that is vandalized the least is the flag pole. I do not have any flag poles that are vandalized. Some cleats are low and some are high. Having the cleat higher will discourage anyone interested in vandalizing or taking it. There are much easier places to take a flag if someone wants one.

Ms. Palmer asked if the issue with the Laniers progresses, do we have insurance to cover it or will we have to fund it ourselves? If it is the worst-case scenario and it is found that the community is liable, how is that paid?

Mr. Crumbaker stated it is unlikely that will happen, but it is something I will need to check into.

Ms. Palmer stated if we are covered by our insurance, that makes this an easy decision. If we want to wait for what Mr. Crumbaker finds out, could we allocate the money now or turn it over to next year in a fund specifically for this project, pending the answer? If we are covered under our insurance, then we would immediately move forward.

Mr. Mihalic asked does Mr. Crumbaker see any finalization of this in the next few months or before our next meeting? Or will this take some time to resolve?

Mr. Crumbaker stated I have a feeling that since we have not heard back from the attorney for the Laniers, my guess is that it will simmer for a little while. If something comes up where we need a meeting, I will let Mr. Moyer and Ms. Incandela know.

Ms. Incandela asked will you be able to answer Ms. Palmer's question about coverage under our insurance policy relatively quickly?

Mr. Crumbaker stated yes.

Mr. Moyer stated as to the accounting question, you technically do not encumber funds but if we do not expend that money, it falls to fund balance. If the Board spends it after October 1 and it is not in the budget, you will need to reallocate it from fund balance for that purpose. It is still the same dollar amount whether you spend it today or six months from now.

Ms. Palmer stated I am just curious to know if we have insurance for this. I presume there is some sort of policy to cover us for lawsuits.

Mr. McGrath stated it is a reasonable thing to do. We do not need to have it today. If the Board is in agreement to proceed depending on the answer from Mr. Crumbaker about insurance coverage, that is fine with me.

Mr. Mihalic stated I just do not want to see this on the next agenda.

Ms. Palmer stated we can make the motion subject to receiving the answer from Mr. Crumbaker that we have insurance for the issue with the Laniers, and if we do, then we proceed with the flag pole project now.

Mr. McGrath stated if we find that we do not have insurance coverage, then we wait until it is prudent.

On MOTION by Mr. Mihalic, seconded by Ms. Palmer, with all in favor, unanimous approval was given to the flag pole project in the amount of \$2,500, as presented, subject to staff determining that the District has insurance coverage related to the drainage issue raised by Mr. and Mrs. Laniers.

B. Other Comments

Mr. McGrath stated the crime watch meeting dates are being changed, and I would like to see about getting another sign. The deputy is not able to come on Tuesdays. It is an expense to the CDD, but one that I think is worthwhile. Did we straighten out the issue of getting the signs posted?

Ms. Palmer stated I received an email from Ms. Fuentes today, and she has it logged in her calendar a week before the crime watch meeting so she can remind the attendant to put out the sign. It is also in my calendar. There is not a problem posting signs for the CDD meeting, and now we have resolved signs for the crime watch meeting. I also spoke with Mr. Frawley about this issue.

Ms. Incandela stated with respect to the sign for the crime watch meetings, there were far too many emails and we spent too much time resolving this issue. When Mr. Frawley sends an email, he copies all the Board members. Because of the Sunshine Law, one Board member has no idea what other Board member has done or is going to do. What could have been resolved in one phone call to Mr. Smith or Ms. Fuentes ended up with emails to and from the HOA and back to Severn Trent. Every time, there were 13 people copied, three different times. That is a lot of emails on a very small issue. I suggested to Mr. Frawley and to others that if you have something like that, which is not a big deal and not something that needs to wait for a meeting, direct it to one particular Supervisor. That Supervisor then can assist in communicating with Severn Trent and resolve the issue much faster, as opposed to using so many different channels.

Ms. Palmer stated when I responded to one of the emails, I deleted all the CDD Board members. I also added a note that our individual email addresses are listed on the website so people can contact us in that manner, also. If someone wants to copy everyone, that is fine, but it perpetuates this growing anger that seems to be going on in the community. I was hoping there would be more people in the audience tonight. Based on what I hear and from some of these emails that go back and forth, it seems like there is a great deal of anger and people think that this Board is not doing its job or taking it seriously. Yet I see

the same faces every month, which I am glad to see. It is frustrating. We make ourselves readily available. If people are that frustrated with this Board, then they need to run for one of the seats in the next election. It is hard and it is not always easy. We do not always make popular decisions. I think it is better when we agree on things because I think more gets accomplished when we are in agreement. We share different ideas and do not always agree, but in the end, I think we come up with a better solution. There seems to be a little seed that continues growing against Severn Trent and to the Board. It bothers me because we all take our positions very seriously. I feel guilty when I miss a meeting because I care about what goes on in this community. I talk with Mr. Smith and Ms. Fuentes frequently about things I see going on or things that need to be corrected. Because of the Sunshine Law, we cannot always broadcast what is going on. I think that is part of the frustration with members of the community. I am willing to only be compensated for the meetings on our meeting schedule, but perhaps we should have a workshop or a meeting on the off months between meetings. If there is something going on in the community, it is two months between meetings. Perhaps that other meeting is a short, 30-minute meeting. It would not need everyone in attendance, like the attorney, but it can be an opportunity for the Board members to communicate with each other about what is going on in the community and try to resolve some issues for the neighbors.

Mr. Mihalic asked can we make decisions at a workshop?

Ms. Palmer stated no, but we could have a meeting. Do we need to have the attorney present at all meetings?

Mr. Moyer stated no.

Ms. Incandela stated I spoke with Mr. Moyer about having workshops, and he said that we still have to advertise them and we still need minutes recorded. The attorney does not need to be present. We would be able to talk with each other but we will still need to have some staff here to record the meeting, and we would all agree to waive the fee for those meetings. I do not mind not having the contractors here for that meeting. I have the same frustration and I think we could get a lot more work done if we could meet together more often, but we cannot do it outside of an advertised meeting.

Mr. Mihalic stated if we do that, then we need to be open as far as the days we hold those additional meetings. I have to take a day off work in order to be here.

Ms. Palmer stated if this meeting is at a bad time, let us know because we can change the schedule.

Mr. Mihalic stated I am fine with the meeting schedule, but I do not want everyone to assume these additional meetings will be 6:00 p.m. on a Thursday. I agree for the most part with Ms. Palmer, but I have a different perspective. This whole issue of the signs should never have come up in the first place. Four or six months ago at a meeting, Mr. Moyer said staff would take care of the signs so that Mr. Frawley did not have to do it. There evidently was no communication. In all the emails from Ms. Fuentes and everyone else, never once did we hear from Mr. Smith acknowledging what they were going to do. There was no communication. If we can straighten out communication with Severn Trent, then everyone will know what is going on. Severn Trent will have the responsibility for the signs because you committed to it, and then it is over with.

Mr. Moyer stated perhaps what we have done is more than we should have for the community. If it is not our responsibility, maybe we should not do it. If the crime watch wants a sign, then maybe that group needs to have someone who has access to the sign. We are not responsible for the HOA sign, so it is the same situation. What we have done is exceeded our scope in this community so now everyone looks to Severn Trent to do it, whether it is HOA or crime watch or whatever it is. Perhaps we just need to stop that.

Ms. Palmer stated I have said this before and I will say it again. I certainly appreciate everything that Severn Trent does, and I do not want to see that be the case. That is part of the reason why all those emails were being sent back and forth. I may be partly to blame for why no one heard back from Mr. Smith. When I was on the phone with Ms. Fuentes, he walked in so we all talked on speaker phone on this issue. I cannot communicate that conversation to the rest of the Board, so Ms. Fuentes answered the Board this morning in response to it all. But it is not just this issue. There are a lot of things going on and there are a lot of snide comments and emails that have underlying tones in them, and it is frustrating. I think we have a pretty great management company. Are there things that could be done better? Certainly, but there are also things we could do better and that the HOA could do better. I think overall, compared to other surrounding communities, we have a pretty great community. We have residents who care and are interested and residents who could care less. For the most part, the ones who do care pull the weight for everyone else and they have made this a great community, one that I am proud of.

Ms. Incandela stated people are very quick to pick out a shortfall. The complaints that I see are what I consider minor, not things getting done or getting done correctly but

perhaps it was timeliness issue. There are some things I do not think people realize about Severn Trent. One, their work is outstanding. Two, I have yet to find—being present at all these meetings and reading every single email—where someone has asked Severn Trent to explain something and there has not been a reasonable explanation or solution to the problem. There has never been a situation where anything has been questioned that has given me any pause to have any doubts about this company. People look at the management company for why a tree was not trimmed properly, no realizing that a huge benefit to what Severn Trent provides us is that there is a business end to this. There are things that Severn Trent does that I believe they are the best at doing than any other company that is out there. I believe when we are in these meetings and we receive an explanation of GASB 54 or the tax codes or bond codes, there are issues with such legal complexity that I, even having been a practicing attorney for a number of years, have a difficult time understanding. They are not only explained to me but they are so well versed that I have confidence knowing that my community is protected. Not only is it being well managed in the field, it is also being managed on a business end. That is something that is priceless that our residents probably do not realize because they do not see the business end or know how our community needs to be protected. No one is 100% perfect and there are some things that we might have a delay on, but there are two things to this business, and I think that both of them are being done well above average levels. I am not saying that issues will not come up between us, but anything we can do to get them to a quick resolution and get word out to the community to dispel those rumors would be beneficial to all of us. I think we are very well protected and that we are receiving services well beyond anyone else who does not have this company as their manager. That is my honest opinion working with this company for that many years.

Ms. Palmer stated I think there are some people talking about the number of cameras that we have and how much we spend money. I know people do not really understand because they do not attend the budget meetings. People think the assessment levels are a lot of money, and it is, but it gets spent on things like landscaping and the guardhouse and other things. If we had the money to spend for more cameras and lighting at this facility, I would do it. But in order to do that, I have to raise assessments for everyone and I do not want to have to do that because I do not think it is fiscally responsible of us. In any business, sometimes there are decisions made that people will not understand. I am proud to sit on this Board. I think we do a decent job.

Mr. McGrath stated I think we do sometimes forget why we are here, which is to make decisions ourselves that we believe are going to be best for the community. It would be incredulous if everyone agreed with us or understood it or cared. I think we are extraordinarily patient people and we, in our own way, try to help and work. That is why we are here, to get it done, not to necessarily be popular.

Mr. Moyer stated the part that bothers me is the assumption of certain people in the community who think they know more than any human being on the face of the earth. Mr. Smith has uprooted more trees than any human being in Central Florida. He knows if a tree will live if you uproot or if it will fall down again and die. There are people who think they know more than Mr. Smith and that tree should have been stood up within 30 minutes after it fell down. He could have done that, but the tree would have fallen down again and will die. The immediate assumption of everyone who hears the story is that we do not know what we are doing. The bottom line is, Mr. Smith knows more about what he is doing than anyone else who lives in this community, relative to maintaining trees.

Ms. Palmer stated I agree.

Ms. Incandela stated when that tree fell down, I think it is perfectly reasonable to ask why that tree was not stood up. It is a perfectly valid question, and then you allow for the response. If the response is not acceptable, then that is something we take up at a meeting.

Ms. Palmer stated we need to ask the question respectfully.

Ms. Incandela stated that is correct. I think for people who see these things in the community and raise the issue, I think they also need to receive the answer. They see the question but they do not see the response, and it gets lost. We received a perfectly good response, but they did not hear what happened to the tree, so we need to make sure the residents receive the response, as well.

Ms. Palmer asked is there a place to put the response so we can tell residents?

Mr. Smith stated we emailed the response to everyone.

Ms. Palmer stated that was to the Board. Can we put something like that on the website?

Mr. Moyer stated yes, that is a good idea.

Ms. Palmer stated we can put items like this tree fell down and will be removed or we will be installing a flag pole. Ms. Fuentes emailed us last week to let us know what is happening at the entrance, which I thought was great. That might be something home

owners want to know. If they get used to the fact that the information will be on the website, then maybe when they see something going on, they will go to the website to see if the information is there. It might be a great resource to use.

Ms. Incandela stated with respect to the crime watch sign, I understand Mr. Mihalic saying that it is the responsibility of Severn Trent. However, one, technically it was not, and two, in a case like this where Mr. Frawley had been doing it, it is very easy to forget what happened two months ago. I do not expect people to have 100% recollection and I do not expect them to be perfect. If a phone call had been made, it would have been straightened out without all these emails. I feel that sort of PR hurts this Board and it makes us look very bad. It hurts the community and it looks like we, among ourselves, cannot resolve these issues. From our own perspective, I think we need to make the decision that every question needs to be asked and responses be allowed to be provided. If the response is not acceptable, which I cannot recall happening, then it is discussed at a Board meeting. As a whole, we need to take a team approach. My tendency when I see something, my response may come across in an email as more accusatory than I intend, but I am not; I am merely asking for the information.

Mr. Mihalic stated I am much the same way. When I sent the email regarding the tree, after numerous emails back and forth, you had already sent the answer before we asked the question. If you made the decision to replace it and then sent the email, none of this would have ever come up. I do not want to be in the position of micromanaging. A tree being down is something people care about. When the flag pole goes up, there will be a lot of questions. When you know something is happening, send us an email so we know what is going on. A little more proactive work needs to be done.

Mr. Smith stated I can try to do that.

Mr. McGrath stated Mr. Smith is busy in the field and is not at his computer.

Ms. Incandela stated on an issue like that, I would rather he spend his time dealing with the issue than communicating with us. He gets emails from so many people, and he cannot respond to me that he already answered you.

Mr. Mihalic stated it would help if he would send an email or ask Ms. Fuentes to respond to everyone.

Ms. Palmer stated one of us can call the office and then Mr. Smith can send a response.

Mr. Smith stated for major issues that I think people are going to want an answer, I will try to provide the answer to Ms. Fuentes to send to everyone.

Ms. Incandela stated other Board members may disagree with me, but I think we micromanage a little too much. I think they have shown us so much in past years that they are able to do what they are doing, that we can comfortably let them do it. I think we spend a lot of time on issues that we do not necessarily need to, and the result is that it is always done. I would prefer to minimize these issues as much as possible. I think the management company does great work. It does not come across as appreciation, but it is. There will always be issues, and I expect them. But I do not think we expect perfection. You do an outstanding job. Because we ask so much of you, if you have any ideas on how to streamline things or make it easier, let us know. I do not want you spending a lot of time on emails. I want you doing the work you need to do.

Mr. Smith stated I appreciate that. You sending us emails is a good thing, asking if we have seen the things that you are seeing. The extra eyes are wonderful. Ms. Fuentes is inundated with emails and she handles them fairly well. If you send her a nice email asking something, she will respond as quickly as she can and we will get it fixed as quickly as we can. Other than that, I think you are a wonderful Board and I am pleased to be working for you.

Ms. Incandela stated Mr. Frawley made me aware that the bulletin board that posts sexual offenders had been broken into repeatedly and select offenders had been removed. Staff looked at the cameras and because it was at night, it was too dark to see who was doing it. The suggestion was to install an infrared camera. They were relatively inexpensive from the quotes that I saw. When the parole officer spoke to the offender, it stopped happening. I thought it might be a good idea, if it is not too expensive, to invest in infrared cameras. Ms. Fuentes provided some numbers. My thought is to install one before he comes back and then we can catch him in the act if he does not notice a change in cameras. That might be enough to catch him in violation of his parole and get him out of the community. The parole officer tipped him off, but it could happen again. The original quotes were about \$200, which I would have agreed to. But the proposals that Ms. Fuentes provided were about \$500 which is a security, tamper-proof camera and would be in a nice location that will see the bulletin board and have infrared capabilities at night. If it cost only \$200, I would have asked them to go ahead and purchase it. In thinking about it and since the problem stopped happening, I wanted to bring this to the

Board's attention, whether or not we should install the infrared camera at a cost of \$550 installed. I am fine waiting on this purchase until we receive resolution on our other potential financial issues. I did let the resident know that I would be bringing this to the Board, so perhaps we can give this some consideration at the next meeting.

Mr. Mihalic stated calling the County resolved that issue.

Ms. Palmer stated we have never had an issue prior to that. If that phone call stopped it, then I think we should wait.

Mr. McGrath stated I think we could always, without reservation, go for more lighting.

Ms. Palmer asked when it is dark outside, will that help?

Mr. Mihalic stated someone would have to be driving by to see something even with the light on.

Ms. Palmer stated there is a camera already on, but it cannot see in the dark. Perhaps if we left the light on, that might help.

Mr. Smith stated I will see if we can put that light on a separate circuit. We can put in a good long-lasting bulb in there and it will not cost much for usage. It will come on when it is dark and go off when it is light.

TENTH ORDER OF BUSINESS

Other Business

There being none, the next order of business followed.

ELEVENTH ORDER OF BUSINESS

Adjournment

The next meeting will be Thursday, November 17, 2011, at 6:00 p.m.

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

Gary L. Moyer, Secretary

Michelle Incandela, Chairman