

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 17, 2009, 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
Dolores Pieters	Supervisor

Also present were:

Gary Moyer	District Manager
Brian Crumbaker (<i>by phone</i>)	District Attorney
Sherm Elliott	Weber Environmental
Gerry Frawley	District Staff
Maria Fuentes	Severn Trent Services
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

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

Mr. Nestor Olmo stated at our HOA meeting last night, one of the suggestions was having a combined HOA and CDD newsletter. Larry Payne and Mr. Frawley will initiate the research into costs. The biggest concern we have is a distribution problem, which could perhaps be circumvented by getting more residents involved. We have a situation where residents have questions about the CDD at our HOA meetings. I am sure the same thing happens here. The HOA website links users to the CDD website, but we have only 55 users on the website. We want to get better communication to the community as a whole.

Mr. McGrath asked is this something you talked about having a company who does it and getting articles submitted for the newsletter? Is a contract required for a certain period of time?

Mr. Olmo stated it may or may not involve a contract.

Mr. McGrath stated I think it is a good idea and if it does not work, it does not matter. At least we would have tried. We will need cost information. It is a great opportunity to get the information out to the residents.

Mr. Olmo stated we have a big lack of communication and we want to improve on that.

Mr. McGrath stated I am happy to help get information together.

Mr. Frawley stated there are other communities in the area that have similar newsletters. The advertisement in the newsletter pays for the publishing, but they charge if you want it delivered to the houses. If we split mailing costs between HOA and CDD, it would not be so bad. We always have issues to answer regarding gates, no parking on the street, and other things to communicate but we have no way to do it effectively.

Ms. Incandela asked would that constitute proper publication if we advertise our meetings in the newsletter?

Mr. Moyer stated no, it has to be in a newspaper of general circulation.

Ms. Incandela stated we can still include information about our meetings.

Mr. Frawley stated yes, as well as contact information and other items for the HOA and the CDD.

FOURTH ORDER OF BUSINESS

Approval of Minutes of the July 23, 2009, Meeting

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

On MOTION Mr. Mihalic, seconded by Ms. Incandela, with all in favor, approval was given to the July 23, 2009, meeting.
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FIFTH ORDER OF BUSINESS

Vendor/Contractor/Third-Party Items

Mr. McCartan stated we continue to provide what we hope is a good level of service. I have not been made aware of any issues, and no one has made any negative comments that we need to address.

Mr. Mihalic asked is the bar code reader working?

Ms. Fuentes stated everything is working.

Mr. Mihalic stated please have them wait to open the gate rather than automatically opening it for everyone. Otherwise, I do not know if it is working or not.

Mr. McCartan stated we have this discussion regularly and I will reinforce it again.

Mr. Elliott stated we are trying to keep up with issues right now. We have a lot of problems with weeds due to the rain, and we have sprayed a lot this week in trying to address some of the issues that were brought to our attention by Mr. Smith and Mr. Frawley. I just heard about the fenced area not being mowed prior to the meeting, so I will get the bush hog out this week.

Mr. Smith stated I would like authorization for Weber to install knock-out roses in front of the recreation center and on Patrician Circle. We will move the plumbago and the bougainvillea to the front and replace them with the knock-out roses. They have been doing well in other locations where we installed them.

Mr. Elliott stated we will add sand at the bottom and a swale on the top at Patrician so the roses do not float away in the heavy rains.

Mr. Smith stated they are staying on top of things fairly well.

SIXTH ORDER OF BUSINESS

Submitted Resident Questions/Comments

There being none, the next order of business followed.

SEVENTH ORDER OF BUSINESS

District Manager's Report

A. Financial Statements

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

Mr. Moyer stated when we had the public hearing in July, the budget that we used did not take out the cost savings that we discussed at our workshop, which was about \$40,000 that we said we could cut from the budget if we had to. Do you desire to use that budget for fiscal year 2010, or do we stay with the original budget that included the \$40,000 allocated to various items? From my perspective, we ought to do our best to work under the budget with the savings. Whether you choose the higher budget or the lower budget, we will try to accomplish those savings. It is up to you which budget you want to operate under.

Ms. Incandela stated I would like to keep the higher budget and keep going in the direction we are and make every attempt to cut wherever we can.

Mr. McGrath stated there is \$4,383 shown in the 2004 capital projects construction fund on the balance sheet. Is that for work that is still going on?

Mr. Moyer stated no, we need to close that account. I will work on that.

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. Mihalic stated we are still spending a lot of money for ACT. We spent \$8,909.88 in the last two months.

Ms. Incandela asked is any of that reimbursable by insurance?

Ms. Fuentes stated we are looking into it. For Volta Circle, ACT will see if the money to fix the camera is reimbursable because it was under warranty.

Mr. McGrath stated does it make any sense to disconnect the technology that we have invested in just for those two streets at the front, Volta and Kariba, and have the gates open when someone drives up, instead of using the pass key and the guard. The gates would be down the same time as the main gate and up during the day, but have a camera or pressure sensor to open the gates anytime a car drives up to them. Would that cut down on expenses?

Mr. Mihalic stated I do not think that would be right for one segment of the community not to have security when another section does.

Mr. Smith stated the majority of our costs are cameras and the camera components because they are expensive and they seem to break easily. The gates are not that big of a cost but the camera system is because it is so extensive. Lightning strikes were an issue this year.

Mr. Mihalic stated in Mr. Frawley's report, it seems there is a particular sentence he uses over and over again: we can never find anything on the tape when we look for something. Why have the cameras if we cannot find it? Either they are not aimed right or they are in the wrong places. We just are not finding anything.

Mr. Smith stated we have dealt with the Embarq line being down, and most issues are lightning strikes.

Ms. Fuentes stated they recorded but the information that we were looking for, the camera was too far away to capture. We were trying to see the two men who went into the house and the camera did not go far enough.

Mr. Smith stated all the information is at the gate but they could not use the information that was recorded. It recorded the information but we could not look at it because the Embarq line was down. Out of that money that was spent, only \$1,500 was for the gates for the last two months. The rest was for the camera system.

Mr. McGrath stated we started a system and we wanted a very good system so when there is a problem, we can review it. In the past several years, I cannot recall a single time when it has, in fact, worked. It could be the camera can only look in one direction or it was out of focus or it was down.

Mr. Mihalic stated it could also be smart people outwitting the system. It is a shame to spend all this money on it when we never get anything out of it.

Ms. Fuentes stated when we reviewed the incident when Marlon was pepper sprayed, we were able to pull up the information. The camera was able to record but we were not able to identify the gentleman.

Mr. Smith stated we did not see anyone pushing up the gate, which does not mean the gate was pushed up. It means the pulley in the gate arm was bad. It depends on what we are looking for. The information we have looked for, we have seen. What we looked for last time had nothing to do with the gates.

Mr. Frawley stated lifting the gate arm happens because the camera is already down. At Kariba, if the gate is down and you cannot call the gate house to get in, people will get out of their car and lift the gate. The camera was down to begin with and that is how damage is done to the gate.

Mr. McGrath stated if I lived there and the gate would not let me in, I would open it or do whatever I had to in order to get home. I am sympathetic to their situation; it is not a criminal act but they just want to go home. We are spending a lot of money and it is well over budget.

Mr. Mihalic stated it is a concern.

On MOTION by Mr. Mihalic, seconded by Ms. Pieters, with all in favor, approval was given to the check register.
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Mr. Moyer stated we are required under the trust indenture to have an engineering report prepared annually where they look at our facilities to make sure they are properly maintained and whether or not there is sufficient insurance. I contacted the District's engineer, CH2M Hill, several months ago to do that work, and they quoted \$15,000. I

declined their offer. I then received an invoice for \$600 for the work that they put into giving me their proposal for \$15,000. In all my many years in this business, I have never seen anyone bill a client to put together a proposal in which they are going to be the contractor. I have not approved that bill and I will not approve it. Because the trustee was putting some pressure on the District for that report, I retained the services of Hanson Walter, who has done work for the District before. They did the report for \$1,500. CH2M Hill also requested a rate increase for the next fiscal year, which the Board rejected. I would recommend terminating the CH2M Hill contract. If we terminate an engineering contract, under Florida law, we are supposed to follow the Consultants' Competitive Negotiation Act (CCNA), but there are thresholds. The anticipated work level has to be above \$25,000 to trigger that activity. We will not spend that kind of money, so my recommendation is to terminate CH2M Hill and retain Hanson Walter to do whatever engineering work we may require, such as these annual reports.

Ms. Incandela asked are there any fees in terminating the contract? Is there a penalty to terminate the contract?

Mr. Moyer stated no, they serve at the will of the Board.

Mr. McGrath asked are you familiar with Hanson Walter?

Mr. Moyer stated Hanson Walter was the design engineer for the community and is more qualified to be the engineer. Through some anomaly, we ended up with CH2M Hill as the engineer, rather than Hanson Walter. The concern was conflict of interest where the design engineer is reviewing his own work, so we got an independent engineer to review the construction. Those days are over and there is no need for that separation.

Ms. Incandela stated Hanson Walter has been around a long time and they have a good reputation.

On MOTION by Mr. Mihalic, seconded by Ms. Incandela, with all in favor, approval was given to terminate the engineering contract with CH2M Hill and retain Hanson Walter as the engineer for the District.
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C. Discussion of Children in the Exercise Room

Mr. Moyer stated Mr. Frawley highlighted this discussion item at our last meeting and requested that the Board establish a policy on that.

Mr. Mihalic stated we do not have anything in writing at this time.

Mr. Moyer stated as part of our rules, we have language that says they cannot use the exercise equipment, but there is nothing that says they cannot be in the room.

Mr. Frawley stated what happens is the parent is on the treadmill and the kids are behind them climbing on the equipment. It happens a lot.

Mr. McGrath asked is there liability on us for that?

Ms. Incandela stated with respect to our liability with children being on the exercise equipment, in our policies it says that children are not permitted to use it but some children are on that equipment under the parent's supervision. I understand that there is a potential claim, but I believe we have a good defense. What do we need to do to require sufficient notice of that? Do we need to post the regulations in the room, citing that any liability incurred is not the responsibility of the District since no children are permitted to use that equipment under any circumstances?

Mr. Crumbaker stated yes, I think you would treat it the same as a swim-at-your-own-risk pool or something of that nature. You want to post it and make sure people are on notice as to the rules and policies. To the extent you can post it, that will help and we will have an additional defense should something occur.

Mr. McGrath asked do we need to define what age we want?

Mr. Smith stated it is 16 but they have to be there with an adult who is 18 or older in order to use the equipment.

Mr. Frawley stated they can use it if they are 16 to 18, and if it is not a parent, they have to have a signed document indicating they are permitted in the room with that adult.

Ms. Burgess stated when they receive their cards for the recreation center, there is a waiver form that everyone signs that says they have read them and that they agree to abide by them.

Ms. Incandela stated my concern with banning children from the room altogether is there are some children who go in with responsible parents. We are now punishing those who are watching their children for those who are not. I think it comes down to parental responsibility. If you are going to allow them in there and be on the equipment, that is liability that you, as the parent, assume. I do not like punishing other parents who need to use the exercise facilities. There are children who are well behaved and they will be at a disadvantage because of the people who are abusing it. Any damage to the equipment will be the parent's responsibility. Has there been any situation where a child has damaged the equipment?

Mr. Smith stated no.

Mr. Frawley stated they are banging on the keypads to the treadmill and the bicycle, and the parent is not paying any attention.

Mr. Smith stated there was a suggestion in the suggestion box about creating a kiddie corner in the fitness room. I could add a knee-high wall, put some chairs and another television so the kids can stay in that corner. We can post signs saying that children must stay in the kiddie corner while the adult is on the equipment. At least there is somewhere to put them and there is no excuse for allowing them to play on the equipment.

Mr. Mihalic stated my only problem with that is you are going to have trouble with 15 year olds because they fit that age group description for children under the rules.

Mr. Smith stated if they come with their parent, they will probably be swimming or hanging out at the pool. You can designate an age, for example, kids up to 10 years old have to remain in the kiddie corner.

Ms. Incandela stated I do not think we need to do that. I think providing an area and posting the fact that they are not allowed on this equipment, you satisfy that age issue. By posting that they are not allowed on the equipment, it will be parental liability and responsibility to keep them off. We can provide an area to keep them happy and entertained. I think it is a great idea.

Mr. McGrath asked we are solving one problem but what if the parents are in the pool and they tell them to watch the television in the exercise room?

Mr. Smith stated there is a sign that says any child in the fitness room must be attended by an adult.

Mr. McGrath stated if I am a small child and they are watching my favorite show, I am going to think something is wrong if I cannot watch television with the other kids.

Mr. Mihalic stated it still falls under parent responsibility.

Mr. McGrath stated I am against starting an additional area in that room.

Mr. Mihalic stated I am, too; I think it creates another problem.

Mr. McGrath stated I do not want to give the picture to anyone that we are babysitting.

Ms. Incandela stated I do not think you are giving that impression. The parent has to be in the room with the child. We are just giving a child a way to be occupied and keeping them away from the dangers of the equipment. We do not need to provide a television, but we could perhaps provide coloring books. They are going to be there

anyway. It will not cost much to do this and it is an additional service to kids who are also residents.

Mr. Mihalic stated parents can bring coloring books or something for them. Why do we need to supply those?

Ms. Incandela stated we are trying to find something for children who have to be there because their parents are there, to give them a safe distraction from the equipment to allow the parent time to focus on their activities. I do not think you are inviting any dangers by providing a safe place for children to wait while their parents are using the equipment. They are allowed in the room, so why not give them a couple feet where they can wait safely.

Mr. Mihalic stated I am against spending money on building walls.

A Resident stated I am a new resident to the community. I work out in the morning and I also thought of providing a small table in there for about \$25. If you are not interested in purchasing a little table, I will purchase the table myself. I bring my daughter and a mat and I have her sit in a corner with her toys. You find similar areas in a doctor's office. It will not hurt anything, it is not expensive, and a child will sit there for 30 to 60 minutes while the parent works out.

Mr. Mihalic stated I have no problem with a table but I do not want to be building walls.

The Resident stated you do not have to build a wall. If the parent is so rude that they cannot control their child, they do not need to be in there. If you have a well-mannered child who will sit there while you work out, then that is a different situation.

Mr. Mihalic stated the problem is not with well-mannered children; it is the others.

The resident stated I have seen bigger kids skipping school who hang out in that room, hanging on the equipment. That should be a bigger concern.

Mr. Mihalic stated that is our concern. If we supply play things for smaller children, the older kids will destroy it.

The resident stated it can be similar to what you see in a doctor's office, and you can spend less than \$100 or \$50.

Ms. Incandela stated it would be a nominal cost if we had a cubby sort of wall.

Mr. Smith stated my staff can build a short wall.

Mr. McGrath asked is there enough room without removing equipment?

Mr. Smith stated we would have to rearrange it a little, but there is adequate room for a small kiddie corner.

Ms. Incandela stated you would need only a very small space. It should not interfere with the operations of the exercise equipment.

Mr. Smith stated the reason for having a wall is that creates a bit of a barrier and it gives them their own space.

Mr. Mihalic stated let us try a table first before we build a wall to see if it is used and there is interest in it.

Ms. Pieters stated I think it is a good idea. My only concern is that if we have to post different rules and regulations, we may have problems because they can get confusing.

Ms. Incandela stated I would like Mr. Crumbaker to draft something simple on a one-page form to accomplish the goals of the policies with respect to children in the room that is simple enough not to have any misunderstandings. We can have Mr. Smith prepare a sign that states our policy with respect to no children on the equipment and for further details to refer to the rules. It will also state our liability for children on equipment and that parents are responsible for damage caused by their children. Basically we are looking for something to keep children off the equipment as clearly as possible.

Mr. Crumbaker stated I can prepare something.

Ms. Incandela asked is it possible to do something under a certain dollar amount and if we need to remove it, we can do so quickly?

Mr. Smith stated yes.

Ms. Incandela asked is the Board amenable to trying this within a small dollar amount and have it be removable?

Mr. Smith stated I will take the cubbyhole partition with sections that is already in there, move it out and use it as the wall. We can secure it to the floor and use those for the wall and put the table behind it. I will cut it in half so parents can see into the area. I am thinking of something like that where it is easily removed and there will be no damage to the carpet.

The Board agreed for staff to proceed with the kiddie corner, as discussed.

D. 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 thank you; it was great having the list a week ahead of time so we could read it. It was great not having binders and tabs and those expenses. We appreciate that.

EIGHTH ORDER OF BUSINESS

Staff Reports

A. Attorney

Mr. Crumbaker stated I received an email from Mr. Moyer regarding the school site at the front of the project. That parcel is zoned auxiliary uses, including parks. We are trying to pull the PUD to see if there are any limiting factors including institutional uses. The common thought is that if it is institutional, it cannot be used for anything else. We are confirming that. If they are agreeable and it is allowable, we can convert it to a daycare or a park. I will have an update before the next Board meeting, and I will follow up with Mr. Moyer.

B. Engineer

There being nothing to report, the next item followed.

C. Field Operations – Monthly Highlights

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 Mr. Frawley suggested we post a sign that says umbrellas are available upon request with the attendance. Some people do not know they are available.

Ms. Incandela asked when does an attendant begin work?

Mr. Smith stated every day at 2:30 p.m.

Mr. Frawley stated we do not leave them out when the attendant is not here and at times, people bring their own, especially on weekends. We have really nice ones, but most people do not know it so they bring their own. We are trying to educate people to ask for one, but you are on your own until 2:30.

Mr. McGrath stated the irrigation pump was down and we hooked up potable water. Is that a situation where the motor went bad? How long do we have to pay for city water?

Mr. Smith stated it does not take very long for the pump to be repaired, normally a few days.

Mr. Smith stated we provided the questions and answers with ACT. We had some questions about issues that are ongoing.

Ms. Fuentes stated it is an update on what happened, what was the reason it happened, and how it was resolved.

Mr. Smith stated related to the suggestion on the kiddie corner, you could consider the suggestion about putting in a drinking fountain. I will talk with Joey Ortiz about everything being cleaned properly, and we will provide wall dispensers for hand sanitizer.

Ms. Incandela stated I support that, as long as they are high enough so small children cannot reach it.

Mr. Smith stated there was a suggestion about a clock, and we used to have a clock in the fitness room.

Mr. McGrath asked what about the ladies restroom stall door?

Mr. Smith stated I have not reviewed it yet but I will after the meeting.

Mr. Smith stated in January, the Board approved to continue the Keep Safe Security contract through September 30, 2009. We have the ability to renew this contract because the dollar amount is not over the bidding threshold. We can go out to bid to see what dollar amounts we might get, but I do not see us getting much savings. If we do, chances are we will get a contractor similar to what we had in the past, which was brutal. It is at the Board's discretion to renew the current contract for a year or rebid the contract.

Ms. Incandela stated I would like to renew it.

Mr. Smith stated he will not increase the rates we are currently paying.

Mr. Mihalic stated I have no problem with that at all. This is the best situation we have had in a long time.

Mr. Smith stated I agree.

On MOTION by Mr. Mihalic, seconded by Ms. Pieters, with all in favor, approval was given to renew the security contract with Keep Safe Security at the current dollar amounts, as discussed.
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D. Update from Gerry Frawley

Mr. Frawley stated last month I sent correspondence about solicitors in the community and what we can control. Florida Sunshine Law says that if you write to me and I ask you a question, I cannot send it to the other Board members. I get a lot of feedback from the Board, but I cannot send it out to all of you. I do not think you all have the same understanding of what we can and cannot do here, and that concerns me if we are not on the same page. It seems clear to me where you use a swipe card, you restrict people to that facility. If someone comes into the recreation center and abuses it, we can

stop them from doing that. To get to the tennis courts, you can only access them with a swipe card. You can only access the pool with a swipe card. Basketball court and parks are public and you get to them via public roads and public sidewalks. Someone can come here and use the ponds and other amenities from what I can see, and we have no control over that.

Ms. Incandela stated those areas are CDD property. They are not public property but they are accessible to everyone.

Mr. Moyer stated the roadways are different than the amenities. People outside of Brighton Lakes have the right to use these amenities if they pay the fee that the Board established as part of the rules, which does not prohibit the public from using the facilities. If they do not pay the fee, they do not have any right to use the tennis courts or this facility or the parks. As it relates to ponds, for years I have been challenged on this issue, but the reality is they are not for recreation in any fashion; they are drainage related.

Mr. Frawley stated our own regulations say they are recreation.

Mr. Moyer stated we may need the Board to revisit that portion of the rules.

Mr. McGrath stated the rules say you can use a boat but you cannot build a dock and the boat can have no motor.

Mr. Moyer stated then that could raise an issue where someone from outside the community wants to use our ponds and put in a boat.

Ms. Incandela asked is the issue that there are people from outside the community using these areas, or is this a solicitation-related inquiry?

Mr. Frawley stated it started with how we can stop solicitors coming door to door. I challenged one about it and I found out a solicitor cannot come door to door without an Osceola County permit.

Ms. Pieters stated except for political or religious purposes.

Mr. Frawley stated that is correct. They have to have the permit on them to be produced when asked. In this case, the guy did not have one and he refused to leave, so I followed him all the way around Sweetspire from my house. It triggered the issue of anyone who wants to fish in our ponds or have a party in our park. There is not a consensus of the Board of what should be allowed or what is not allowed.

Ms. Incandela stated if they are not a resident, they should not be permitted to use the facilities unless they are a guest accompanied by a Brighton Lakes resident. The

enforcement of that is difficult and discerning who is and who is not a resident. We have to consider it on a case-by-case basis. If it is a recurring problem, bring it to our attention. I do not know what we can do about it in advance.

Mr. Frawley asked if I see a party going on, who can ask them if they are a resident?

Ms. Incandela stated you should call the District office, who can call the sheriff to have them removed or at least ask if they are a resident.

Mr. Frawley stated at the recreation center, there are people here who I do not know and not all of them live here. My question is, do they all live here?

Ms. Incandela stated they may not.

Mr. Frawley stated I do not have the right to ask them and they do not have to answer me. We have no control.

Ms. Incandela stated these are issues that will happen unless we become such a policed community where we check every single person who comes into the community to use the facilities. A certain amount is expected and when it becomes a problem is when you know there are non-residents in the facilities and when there is damage. There may be an issue among residents with respect to disagreements or a repeated visitor who is not a resident, but I do not know of a way where we can monitor that effectively.

Mr. Frawley stated each of the Board members needs to be aware of what we have the ability to control and what we do not.

Mr. McGrath asked as far as access to this facility compared to other communities that have similar facilities, is there another way to handle this?

Mr. Moyer stated no, not without spending money. You need to have someone here at the facility to monitor residents. Harmony has pool facilities and kids crawl over the fence because they are across the street from the high school. They struggle with the same thing. Every community that has these types of facilities, unfortunately, struggles with this problem.

Mr. Smith stated we need a person here. It does not alleviate the problem, but it helps.

Mr. Frawley asked does a home owner have the right to ask if someone is a resident and if so, show me your card? That is the fundamental question that we do not have an answer for and we do not have the ability to check.

Mr. Smith stated a home owner who is a uniformed community patrol officer can ask, but I do not think a home owner can ask. The attendant also asks if people are residents. During the hours we do not have an attendant, it is a problem.

Ms. Incandela stated if Ms. Palmer saw someone she suspected was not a resident, she would confront them as a home owner. We have security here at night and we have attendants at the recreation center, as well as the District office to be able to call. You can call and report someone who should not be here, but I do not know about going up to a resident and challenging them.

Mr. Crumbaker stated everyone has the right to ask, especially if you see someone jump over the fence. They do not have to show you their cards. You can call security and nothing prohibits a resident from asking. I would not carry it any further than that, and I would be concerned with a resident's safety in getting too aggressive with someone.

Ms. Pieters stated I had a situation with someone parking on the grass in the park beside our home. I said to him that he should not park on the grass, and proceeded to verbally abuse me. Anytime he drives past my house, he honks at me.

Ms. Incandela stated that means he is probably a resident.

Mr. Crumbaker stated there is nothing to prohibit anyone from asking, but my concern is the reaction you will get. If a resident sees someone who should not be here, and if security is here, that is the best option for confirming if that person is allowed to be here or not.

Mr. McCartan stated every community has this problem. My advice that I have been given in other communities that are wholly private is that the security officers can challenge someone because they are potentially trespassing.

Mr. Moyer stated that is correct.

Mr. McCartan stated the difficulty is getting that enforced, because the sheriff has to be there in our presence. You cannot detain the violators until law enforcement gets here and you sometimes cannot get law enforcement out here fast enough. The advice that the sheriff gave me was if you feel someone is trespassing, call the sheriff's department but do not put yourself in danger. If it happens more than once, the person who trespasses will eventually go somewhere else because he does not want to get caught.

Mr. Smith stated the time we have the problem is from 6:00 a.m. to 2:30 p.m. After that, it is manageable. We can put up a sign that if you see anyone you believe does not belong here to call our office and one of us can come out here to check. If I am inundated with calls, that can become a problem. Other than that, I do not know how to handle this unless we have a volunteer in the community during the day to watch the pool and recreation center.

Mr. McGrath stated the community patrol officers have no police power; we only observe and report.

Mr. Smith stated you can see who it is. Being in uniform, you can take a more aggressive approach and ask for their card. If they do not have their card, you can ask them to leave. If they do not leave, then you call the sheriff's department and explain that is our policy. You will wait for the sheriff, and then they have to respond to the sheriff. I think that is the best way to handle it.

Mr. Olmo stated at our crime watch meetings, officer Beltran says the same thing. If you think someone is suspicious, call the non-emergency sheriff's number, but do not confront them and challenge them or put yourself in harm's way. They respond very quickly, and that is the information I give to residents.

Mr. McCartan stated that tends to be the advice we receive in the other Counties where we work. If we are here, we want you to report it to us, and we will call the sheriff. If it becomes prevalent, you can ask to have an officer assigned here during the day to challenge these people. I am flexible to serve your needs, and this is something you can consider.

Mr. Smith stated if we feel it is a problem, we can have them do spot checks if they are in the area or we can do it ourselves. I do not want to put money toward that if it is not a huge problem. I think we can try to manage it if you will call our office and we will come out and check. If we do that a few times, we should be able to control the problem.

Mr. McGrath stated I am not sure Mr. Frawley's report indicated it is a huge problem as much as that you are looking for clarification.

Mr. Frawley stated it happens enough, and I see it often in the summer. I think it is a problem. I see people standing out front waiting for people to let them in through the gate, and I see them climbing over the fence. I see it quite a bit. We pay a lot of money to maintain these facilities for our use.

Ms. Incandela stated the only way we can resolve or reduce that is to spend more money on security. We have to figure that whatever is going on if it is cost effective to fix the problem or to wait until it becomes more of an issue. At this point, because there is no fighting or broken signs or anything other than using equipment they are not supposed to, that we watch and wait. If need be, we can consider adding security.

Mr. Smith stated Mr. Ortiz complains about it. Kids get off the bus after school and they do not want to go home to get their card, so they will sit outside and wait for someone to let them in. If you see that, call me and I will come out.

Mr. Frawley stated I have no problem asking. I have gotten into a confrontation. If it happens again, I will call the sheriff. If I, as one person, see this, I guarantee no one else is checking for cards.

Mr. Smith stated if you see a problem, I would like to know about it so I can confront it myself. I will say I am with the management company and you have to show me your card or I will call the sheriff. If you are not a resident and you are a guest, then you need to leave. I do not have a problem doing that when I can, so call me and I will see if it is a real problem or if it is home owners who do not bring their cards. Mr. Ortiz sees that and he sends them home to get their cards.

Mr. Frawley stated Mr. Ortiz will only know they are residents if he sees them more than once.

Mr. Smith stated he knows they are a resident because they have a card.

Mr. Frawley stated Mr. Ortiz sees me because I am here on a regular basis because someone else lets me in, but he has no way of knowing I am a resident.

Mr. Smith stated if he sees someone he does not know, he asks to see their card. If they come without their card, he sometimes makes them go home. He does not let everyone in just because they say they live here. They have to produce the card first and then he lets them in. If he sees them, he will ask if they have a card. He is not aggressive because some people have guests.

Mr. Moyer stated we are not going to solve this issue tonight. We have some direction and if we get a joint newsletter prepared, we can point out to residents what to do if they know someone is here who lives outside the community.

Mr. Frawley asked did Ms. Fuentes prepare a check list for the security personnel when they come on duty?

Ms. Fuentes stated I will email it to you.

Mr. Frawley stated on Maracaibo and Brighton Lakes Boulevard, there is an open site that we own and we do nothing with it. We patrol Eagle Lakes as community patrol officers, and they have a soccer field that seems to be used a lot. Soccer is a big deal in this area. This is a large flat area, large enough for a soccer field. We just have to get soccer nets for the two ends.

Mr. Mihalic asked will the Bahia hold up?

Mr. Smith stated yes.

Mr. McGrath asked how much will nets cost?

Mr. Smith stated maybe \$500. My concern is the home owners who back up to that area. We need to get their permission in advance, or we might have some angry home owners. They may ask for a buffer and we could consider some shrubs to prevent balls from getting to their yards. That is where your costs will be. If we get permission from each home owner, it should not be a problem.

Mr. McGrath stated it is land that we own and it could be another amenity for a low cost. There are a lot of people who would use it and there are only a few neighbors who back up to that area.

Mr. Moyer stated we will ask the neighbors if they have any objections to it.

Mr. Frawley stated we should stake it off so the residents will know what size it will be and what space it will take up.

Mr. Smith stated I will see what kind of soccer field it will be because there are different sizes.

NINTH ORDER OF BUSINESS

Audience Comments

Ms. Andrea Chambers stated I saw a sign on CDD property about where the school buses are supposed to go. The signs are very amateur looking. I do not like signs and they do not look very good. I do not know if you allowed that and if you did, I do not like it. You previously discussed this parking lot being one way and now buses are not coming here. I thought you should keep it one way, but I see the one-way sign was taken down. You discussed the speed bump before and if we are not going to have this one-way, I ask you to revisit the speed bump because there is a blind spot coming out of the parking lot. I have seen some close calls and I want to prevent accidents. People drive too fast around that curve.

Ms. Patricia Swayze stated I was told that these are public roads. What is the point of having a key for the recreation center and having to purchase the bar code for the gate? I felt I wasted money because I had to purchase three since I have three vehicles. Security will let anyone through because it is a public road?

Ms. Incandela stated yes. Welcome to the community and thank you for coming to our meeting. We appreciate your comments and being involved, and thank your daughters for being so well behaved. With respect to the meeting times, I do not want to

make people wait until the end of the meeting to make comments, but we have a system where you can send questions to us in advance by email to the District office, and we address those first in the meeting. We did have audience comments at the beginning of the meeting, but spent so much time answering questions that would have been answered during the meeting, so we had to switch the format. We know some questions we can address early in the meeting so those residents do not have to stay for the whole meeting. We take comments and after the public comment period, we will answer all of them. The questions you have about the roads are very complex and we have dealt with them for years. We have had many Board discussions on them. They are public roads. We have a special situation where we are allowed by the County to have some sort of security system where we can stop people at the gate and get their license plate number. We cannot prevent them but we have to allow them through the community. I can discuss this with you, as can any other Board member or the District office, in detail after the meeting if you wish. We can stop them at the gate and monitor who goes in and out, but we cannot prohibit anyone from entering our community because they are public roads. Regarding the signs, the signs for the school buses were temporary.

Mr. Olmo stated we should take them down.

Ms. Incandela stated the current bus system seems to be much better and I appreciate all of you for doing a great job.

Mr. Moyer stated I will let you have my agenda package which has the minutes of the July meeting where we discussed these roads in some detail.

A Resident asked where do the CDD fees that I pay go to?

Ms. Incandela stated Brighton Lakes has two entities: the CDD is for common areas, such as the recreation center which is what your CDD fees go toward, and the HOA deals with private issues, such as a loose cat is on your lawn or your neighbor is not mowing their lawn or you want to repaint your house. Regarding the one-way sign, it was causing more traffic difficulties and the purpose for that was when this parking lot was a designated bus stop. They have since changed the bus stop location, and the Board felt it was safer and created better traffic flow to go back to the original designation.

Ms. Pieters stated I agree there is a blind spot coming around that curve.

Mr. Mihalic stated it is a 30 mph speed limit and it needs to be enforced.

Mr. Frawley stated the one-way sign was not stopping people from going out that way.

Ms. Incandela stated it is a speed issue and it will not alleviate the blind spot issue.

Ms. Pieters stated having a speed bump would help that blind spot issue and will slow down traffic.

Mr. Smith stated we are looking at a small pole-mounted sign that shows your actual speed in Celebration to see how they work as far as slowing down traffic. That might not be a bad idea to put on Brighton Lakes Boulevard. For people who do not want to speed, it will work. We can have a sheriff sitting there occasionally to write tickets for people who are speeding, which will probably help.

TENTH ORDER OF BUSINESS

Supervisor Requests and Comments

Mr. McGrath asked is there a time clock for staff to punch in and out?

Mr. Smith stated yes.

Mr. McGrath stated we have holly trees at the entrance on the right side. Six are in the process of dying and the hedge behind them looks very nice. Would it be appropriate when it is time to chop down the holly trees and leave the hedge?

Mr. Smith stated I am getting a price from Weber to take care of those. We will remove the hollies and maybe replace them at some future time, or not. We will remove those as well as a few more up front.

Mr. Mihalic stated I have seen information in the newspaper about Poinciana becoming a city, and from what I have seen on maps, we are not included in that.

Mr. Moyer stated I believe that is correct.

ELEVENTH ORDER OF BUSINESS

Other Business

There being no other business, the next order of business followed.

TWELFTH ORDER OF BUSINESS

Adjournment

On MOTION by Mr. Mihalic, seconded by Ms. Pieters, with all in favor, the meeting adjourned at 7:30 p.m.

Gary L. Moyer, Secretary

Michelle Incandela, Chairman