

# 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, November 6, 2014, at 6:00 p.m. at the Brighton Lakes Recreation Center, 4250 Brighton Lakes Boulevard, Kissimmee, Florida.

Present and constituting a quorum were:

Michelle Incandela	Chairman
Jennifer Palmer	Vice Chairman
John Mastromarino	Assistant Secretary
John McGrath	Assistant Secretary
Dolores Pieters	Assistant Secretary

Also present were:

Gary L. Moyer	District Manager
Tucker Mackie ( <i>by phone</i> )	Attorney
Sarah Sandy ( <i>by phone</i> )	Attorney
Joe Craig	American Ecosystems
Paul McCartan	Keep Safe Security
Tom Murphy	Girard Environmental
Brian Smith	Severn Trent Services
Residents and members of the public	

*This represents the context and summary of the meeting.*

### FIRST ORDER OF BUSINESS

#### Pledge of Allegiance

Mr. McGrath led the *Pledge of Allegiance*.

### SECOND ORDER OF BUSINESS

#### Roll Call

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

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

### THIRD ORDER OF BUSINESS

#### Approval of the Minutes

##### A. August 7, 2014, Continued Meeting

##### B. September 4, 2014, Meeting

Mr. Moyer reviewed the minutes of the August 7, 2014, and September 4, 2014, meetings and requested corrections, additions, or deletions.

Mr. McGrath stated I sent some corrections to Ms. Brenda Burgess on both sets of minutes.

On MOTION by Mr. McGrath, seconded by Ms. Incandela, with all in favor, unanimous approval was given to the minutes of the August 7, 2014, and September 4, 2014, meetings, as amended.

#### **FOURTH ORDER OF BUSINESS**

#### **Audience Comments**

Mr. Tchaka Ebron stated one of my concerns is the increase in violence that is taking place inside of the community. I was wondering if there was anything that the CDD could do as far as possibly adding some police presence or security other than security cameras.

Mr. Mastromarino stated that is an agenda item later on in the meeting.

Mr. Nestor Olmo stated I was wondering about the status of the fence at the basketball court.

Ms. Drupattee Mahabir stated I am here about the gym. The TVs do not work and several machines are not working. The opening hours are not 6:00 a.m.as stated. Last week it was 7:00 a.m. This week it was 6:15 a.m. If I arrive at 7:00 a.m., there are no machines to work out on because there are a lot of people.

Ms. Incandela asked which machines are not working?

Ms. Mahabir responded the bicycles.

Ms. Incandela asked just one or more than one?

Ms. Mahabir responded one. Sometimes the treadmill does not work. It has to be unplugged and plugged back in to get it to work.

Mr. Smith asked all of the TVs or just one does not work?

Ms. Mahabir responded some days all of them. They are old TVs.

Ms. Brenda Jennings stated in regard to the gym, I did bring up the TVs to CDD staff several months ago. At the time I thought that I understood that the TVs were going to be replaced because they are very old. It does not cost that much to replace them.

A Resident stated we had *No Parking* signs up between the hours of 10:00 p.m. and 5:00 a.m. We should try to enforce it throughout the entire community. Regarding the basketball court lights, people are playing basketball in the dark. The park is supposed to close at dusk. I see people out there at 10:00 p.m. Maybe we can turn off the lights at 8:00 p.m. That way kids will disperse sooner.

Ms. Alba Sanchez stated I am the HOA property manager. We are here to show our support. A few of our Board members are here and would like to extend our services. One of the ways that we can do that administratively is to provide the CDD with a report every month with new home owners and individuals who sold their homes. That would allow the CDD field staff to cross check that information and make sure that any of the residents in here belong here. We want to extend that olive branch to you.

Mr. McGrath stated that would be great.

Ms. Sanchez stated we have a dynamic HOA Board, and we always want to have open communication with you in any way that the CDD feels we can administer, whether administratively or on the management side. Please let us know.

Mr. Larry Payne stated I recently sent an email regarding an event that happened in the community a couple of weeks ago. I just want to present to the Board what we can do to help in regard to security in the community, how we can support you, and how we can partner with you to contribute financially to hire off-duty police officers. I am here this evening with the HOA attorney, Mr. Fred Grossman.

Mr. Grossman stated I will give you my card so if the CDD attorney wants to correspond with me regarding this matter, to work out something contractually or otherwise, we can do that.

Mr. Payne stated as the President of the HOA, I heard the voices and concerns of the community at the last meeting in regard to this issue with security. If there is any way that we can help and anything that we can do jointly together, we are here for you. If there is an olive branch that we can grab a hold of, we would love to help you.

Ms. Incandela stated I appreciate it. Mr. Payne had requested to meet with the CDD Board to bring the CDD Board and HOA Board together so we can discuss issues and how we can better the community, which was very much appreciated by the CDD Board. Unfortunately, we cannot meet outside of these public meetings due to the Sunshine Law. That is why we invited Mr. Payne to come tonight. We are limited to these public meetings because that is the way elected officials have to operate. We very much appreciate you coming down here to participate, and we look forward to working with the HOA Board members on any issues that we can.

Mr. Payne stated we would like to discuss some options or possibilities and work contractually or have some partnership in regard to the security and safety so the residents feel safe in the community. As the President, I do not have all of the answers, but I think all of us together collectively can come up with a solution to what a lot of residents and I see today is a safety concern. That is why I am here to address the Board. I appreciate it in the future if you can have further discussions.

Mr. McGrath stated thank you. For those who may not know, the HOA was kind enough to give us a \$3,000 new machine for our exercise room. We are all profiting from that and we appreciate that.

A Resident stated in regard to the exercise machine, I would not mind exercising, but none of that equipment is feasible for me. I could imagine that there are others who would not mind being able to exercise with some kind of handicapped equipment.

Ms. Incandela asked do you have any ideas on specific types of equipment?

The Resident responded I was just researching this company called New Step. They offer the same type of equipment as the elliptical machine.

Ms. Jennings stated last night I attended a crime watch meeting, and a security officer said that there was an incident where 30 or 40 teenagers with weapons were piled up in cars getting ready to cause some ruckus. He was able to have them go away without any disturbance. I am very concerned about the safety issue, not only for the community, but also for security officers who do not have the authority to use any type of weapon. This needs to be addressed. We do not need to delay it. We need to come up with some type of solution. I would like to have some type of solution tonight to prevent something like this before someone gets hurt or a number of people get hurt.

Mr. Domingo De Oleo stated my concern is about security. The security guard, Gary, lets everyone in. He does not ask any questions. Anyone can come in. No one is safe. Secondly, when a security guard is called on a Monday or Tuesday, no one is here. I always see a young man after school sit over by the pool. I saw it several times. No one complained. These young people have no respect.

Mr. McGrath asked was it this past Monday and Tuesday or all Monday and Tuesdays?

Mr. De Oleo responded when security is not here. I do not see them in the afternoon from 4:00 p.m. on. That is when I saw a young man and woman take off all of their clothes.

Ms. Mariette Vixama stated I am concerned about street lights. I do not know who is responsible for replacing broken street lights.

Ms. Incandela stated KUA is responsible for the street lights.

Ms. Vixama stated I called them many times.

Ms. Incandela stated unfortunately, we do not have control over KUA. They are the ones responsible for maintaining and changing those lights. We can possibly assist by calling KUA. Can we follow up with KUA?

Mr. Smith responded you can go online and put in an online work ticket and provide the number on the pole. They will come out and fix it. That is the best way to do it.

Ms. Incandela asked is that a faster response than calling it in?

Mr. Smith responded yes. If you call in, you will get lost. They actually generate a ticket from the online work ticket, which prompts them to go out and fix it.

A Resident stated I called KUA on Wednesday and gave them the pole number. I asked them for the work order number. Within three days, they will respond.

A Resident stated someone came out to fix it and they never came back.

Mr. Smith asked did he come out to look at it and then left?

The Resident responded they came out to fix it but it is still out.

Mr. Smith asked where is this pole?

The Resident responded on Brighton Lakes Boulevard by Sevan Way.

Mr. Payne stated I would like to know if the CDD Board would be amenable to the idea of partnering with us or considering a contract option to manage security at the clubhouse. It is just an idea. I have the HOA attorney here and he can address the parameters with you if you are interested.

Ms. Incandela stated not just yet. Before we get deep into security issues, instead of waiting until we get to section 9, I would like for Ms. Mackie to give an overview for the residents of what the CDD scope is in terms of security.

Ms. Sandy stated the CDD has security powers; however, there is no power to enforce or a policing power. You can have security guards who can watch but cannot interfere.

Ms. Incandela asked if the HOA wanted to undertake additional security in the community, if they did so outside of the CDD areas, would they have any issues with respect to adding sheriff's officers to patrol the streets or around CDD areas? Would that require any contractual arrangement? Would the HOA be able to undertake that at will, if that is what they wanted to do?

Ms. Sandy asked would they be entering CDD areas at any point?

Ms. Incandela responded the HOA would not need the CDD Board's permission to hire additional security if they wished within the community, if they were patrolling areas outside of this specific CDD property. In other words, they are patrolling around the community center, around the parks and on the roads or wherever else the security detail would go. Would they need CDD permission?

Ms. Sandy responded no, as long as it is on their property.

Ms. Incandela asked what about the roadways and the sidewalks?

Ms. Sandy responded if I remember correctly, the roadways are public.

Mr. Moyer stated yes.

Ms. Sandy stated they would still be able to drive along them but they would not have any police powers. They would be a security guard. I would have to check with Ms. Mackie if there needs to be an agreement without having a license to go over the roadways.

Mr. McGrath asked if the HOA decides to donate an amount of money that the CDD could then use for additional security, would that be a cleaner way of solving the problem?

Ms. Sandy responded we would probably enter into a cost-share agreement and you would work out the terms, if the District would share the cost with the HOA if they covered areas outside of the District. Typically we have the cost-share agreement the other way around where the HOA would hold the contract and the District would provide a portion of the cost. I do not know what the HOA would be amenable to, but those are all discussions that we can have in negotiating the contract.

Mr. Mastromarino stated you mentioned that with security, we are able to watch but not intervene. Is that what you said? I am not sure if you mean the current security or a deputy.

Ms. Sandy responded I just mean that they do not have enforcement powers when they are under the District powers. If he is an off-duty police officer, he has his own powers under either the State or the County. A security guard does not have enforcement powers through the District.

Mr. Mastromarino stated understood. It would depend on the type of security we have which would allow them to enforce within their jurisdiction.

Ms. Sandy stated correct.

Ms. Incandela stated we are not ever going to have police powers. The only one who has police powers is the police.

Mr. Payne stated thank you for the invitation to come in front of you this evening. I just want to clear about what we are suggesting.

Mr. Grossman stated the options that you are outlining, I would very much like to discuss with you on behalf of the HOA Board. I think the last option you discussed about a fee for service for the HOA coming into contract with the CDD might be of help to all involved. I gave you my card so you have easy access to me. We appreciate the time.

Ms. Incandela stated the best thing to do would be to keep in touch with Ms. Mackie to discuss the details and come back at the next meeting with a proposal.

Mr. Payne stated I am employed by the State and am in law enforcement, and I am very familiar with the Statute and rules.

Ms. Incandela stated I just want to reiterate that we really do appreciate your input. We have struggled with security issues for many years and it has been a major struggle to balance what we want to have in the community and what we can afford to have for the community. I come from a law enforcement background. My dad is a retired officer. When I came on the Board, one of the things I was going to do was make sure that we had police officers on every corner. Then they gave me the cost to do that and I realized that it was not even close to being feasible, even on a part-time basis. We have struggled with what we want and feel and what would make us feel safe and secure versus what we are able to do. There may be a point down the road, even with the HOA's help, where we need to raise assessments in order to meet the security needs we have. Some wonderful ideas have been submitted by residents such as adding cameras. As far as I am concerned, if I had a camera on every corner and every building, I would be happy because I would love to know what is going on everywhere. Then they would submit the cost of those cameras, monitoring, repair and maintenance and I realized that it is not something that we can do. We are always willing to look at new ideas for security. One of the best things that we have in this community is an active crime watch. I hear all the time people coming and saying that they are concerned about security and they have never attended a crime watch meeting or looked at the minutes or gotten involved at all. I would encourage everyone to attend. They are a wonderful group of people who are very active. Deputy Beltran has been very involved and knows our community. If any of your neighbors and friends come to you and express those same concerns, I would love for you to let them know that there is a wonderful group of people who have done a lot for this community. The deputy has access to things that we do not know about, which is obviously something that our residents can use. Any suggestions that you have, anything that you want to share with us, you can share not only with us during these meetings, but you can email us. You can call the Board members. We cannot communicate with each other, but we can communicate with you. If you email an individual Supervisor, we can communicate back with you. If you communicate with Severn Trent, they can communicate with us individually. We very much welcome the participation and

appreciate hearing your voices. We will try very hard to balance going forward with our security issues and very much appreciate your willingness to work with our attorneys to do what we can for the community.

Mr. McGrath stated first we are working with Deputy Beltran and the sheriff's department. Brighton Lakes is the safest community up and down Pleasant Hill, based on the records that the sheriff keeps. We are looking at it all the time and thinking things are terrible, but that is a fact. The second fact is that right now, all of us are spending over \$100,000 a year on security. The CDD takes your money and our money, and we are putting it into security. If you feel that we are not doing anything, we are already spending over \$100,000 a year.

Ms. Incandela stated I think that the primary concern is if there are things that we can do better or if there are other areas that we can investigate and things that we can look at. Certainly I think it was a wake-up call for us that this violence occurred on the sidewalk outside of the basketball courts. Everyone was concerned about these outside residents coming into the community, and I think that it was a wake-up call for us to know that this was not perpetrated by outsiders. These were our own residents and our own children who did this. That is harder for us to accept. I think we all thought just keep the bad guys out and we will be secure. However, sometimes the people who live here are the bad guys and that is very difficult to see. That is why we are considering upgrades to our monitoring system and doing what we can within the limit of our non-policing powers. It is very disconcerting and very unsettling, especially to those who have young kids to hear about these things going on in our own community. Yes, it is something that as home owners, we are all concerned about because we do live here. We are not outside Board members. We just want you to know that we are taking these things very seriously. It is not something that we think about lightly.

Mr. Mastromarino stated just think about what might have happened had we not had security here yesterday. Thirty to forty guys showed up with sticks and bats. The security guy was here, as we had requested based on feedback from residents to have security here when the school buses arrive at the community clubhouse. It could have gotten a lot worse. We were fortunate in that regard.

Ms. Pieters stated I would like to make some comments about security. First of all, Deputy Beltran has asked for residents to volunteer to do community patrol. Not all officers are able to do that. I am sure that there are able-bodied people who can volunteer

to do that. I think that would help with the security problem. I feel that we need some classes in behavior modification for kids. Maybe we can send out a letter to parents who are having trouble controlling their children. We can have an expert come here to do some behavior modification. I would love to work with someone like that. The community can come together and try to correct behavior that is becoming so awful.

Ms. Incandela stated I love your train of thought and the reasoning behind it. That is so far beyond our scope as a Board. Perhaps there is something that you can do privately to reach out to the community and find some programs that we can educate or post about. That would be great.

Mr. McGrath stated one final thought for all of us who are residents, anytime you see anything happening, if you are on the street and see something, it is just a simple call. You do not have to give your name or anything. It is anonymous. That gives the sheriff's office a reason to come back into our community. Visibility is a wonderful thing. If they see the sheriff's car driving around here, if they are going to do bad things, maybe they will do it somewhere else. The more we call, the better it is for ourselves.

Ms. Incandela stated in regard to issues not related to security, Mr. Smith, there are treadmills and TVs that are not working.

Mr. Smith stated in regard to the TVs, I did not get direction to replace them because they were all working and my electrician has been working on them. I think two remotes had dead batteries. I asked Miguel if we received any complaints about equipment not working, and he told me that everything seems to be working fine. We can replace the TVs if I get direction from the Board.

Mr. McGrath asked are they the original TVs?

Mr. Smith responded yes.

Mr. McGrath stated I say that we replace them.

Mr. Smith stated we have an equipment contractor that does monthly checks on the equipment. From his last report, everything was repaired since that period of time. Once they start getting old, they run quirky. Some days they will work and some days they will not work and have to be reset. We end up pulling the plug and plugging it back in. I will make sure that the electrician is out here first thing next week to do a full review of the equipment to make sure it is all working. I will look for direction from the Board to purchase the TVs.

Mr. McGrath asked what will a new TV cost?

Mr. Smith responded probably \$250 to \$300, depending on the size.

Ms. Incandela asked how many are in there?

Mr. Smith responded four. We only need to replace two.

A Resident stated you need another bicycle.

Mr. Smith stated I have that on my list.

Ms. Incandela stated as Mr. Smith said, we have someone who is supposed to come out monthly to inspect and make repairs to the equipment. I do not want you to feel that you have to wait for these meetings. If you have an issue with the equipment, contact Mr. Smith immediately.

Mr. Smith stated the phone number to call for repair and replacement of the equipment is 407-566-4122. That will get a work order generated. You can speak to Mr. Danny Gonzalez.

Ms. Incandela stated that might be a good thing to post on the website saying if you have a problem with gym equipment, please call 407-566-4122.

Mr. Smith stated the website has the main number, 407-566-1935, which goes to Ms. Rosemary Tschinkel and she will forward it to Mr. Gonzalez.

Ms. Incandela stated if you call and report the equipment in need of repair, sometimes it is a matter of ordering parts or having the machine replaced. Either way, if you make the call and it is not followed up on, we will never know that your needs were not addressed. Please feel free to call the Board members and say that you called and it has been three weeks and the treadmill is still not working. Sometimes it is because a part is being ordered. We want to make sure that is being addressed, so please feel free to call us to follow-up and let us know what kind of service you are receiving.

Mr. Mastromarino stated before we replace the TVs, there are four in there. Based on my observation and logistics of where they are, one of them is useless. It is facing your back if you are on the equipment. It might even be the one in the back right hand corner.

Mr. Smith stated we can replace the ones in the two corners to see if that works.

Mr. McGrath stated we can try that. I think we should.

Ms. Incandela asked when you are in the gym, are all of the TV in use?

A Resident responded no. Two are always on.

Mr. Mastromarino stated the two back ones are not on, but the front ones are.

Mr. Smith stated when you are on the treadmills, you are watching them.

The Resident stated yes.

Ms. Incandela stated if two are still working, leave those in those areas and replace the ones that do not work with new ones.

Mr. Mastromarino asked will 32-inch ones be fine?

A Resident responded yes. Are you going to donate the old ones?

Ms. Incandela responded not if they are working, which is the reason we are replacing them.

A Resident stated you can donate them to the Salvation Army. They will take them.

Ms. Incandela stated in regard to the fence, it is scheduled for completion soon.

Mr. Smith stated we are still waiting for the County permit. We are getting closer. We are sending back comments. I am hoping that the permit is issued tomorrow or early next week. The contractor is ready to start working.

Ms. Incandela stated right now we are at the mercy of the permitting department at the County.

Mr. Smith stated yes.

Ms. Incandela stated we waited a long time to get the flag permitted, if that is any indication of how long it might take for this. In regard to the lights on the basketball court, we changed the times at the last meeting for them to go off an hour earlier. They are set go off at 9:00 p.m.

A Resident stated I would like them to go off at 8:00 p.m.

Mr. McGrath stated we already decided to turn them off at 9:00 p.m.

Ms. Incandela stated we changed them from 10:00 p.m. to 9:00 p.m. Are you saying that they are not on?

The Resident responded they are on until 9:00 p.m.

Ms. Incandela stated they are supposed to be on at 9:00 p.m. We shut them off at 9:00 p.m.

The Resident stated okay.

Mr. McGrath stated if we did not have any of these amenities for the kids, we would not have these occurrences at the community center. They would happen in front of your house. Our thinking is if you have young people out and about and active, they are going to burn off some steam. It is better to have it lighted and public instead of having it happening down the street over in the corner. It is going to happen somewhere. That has been our theory in offering these things for people so they will have an outlet.

Ms. Incandela stated the underlying theory in offering these services is hopefully not to draw hooligans. The idea is that we have somewhere for residents in this community who pay for these amenities to have access to them. That is why we try to keep them safe, offer extended hours in the gym and lighted basketball courts so the kids who want to play who are here and have a right to be here, have opportunities to use them. We do not want to limit the opportunities of residents because there are some kids who are causing problems. There is an overwhelming number of really decent, wonderful people who live here and pay to use these services, and we want to make sure that they have access to them. In addition, there was an issue where the gym was not opening on time in the morning.

Mr. Smith stated ACT is supposed to have that programmed into their system, but it changed as daylight savings time changed. They were supposed to change that. We spoke to them and the last thing that I heard is that it has been changed.

Ms. Incandela asked has that only been a problem after the time change?

A Resident responded it was before the time change. It was open at 7:00 a.m. This week I thought it was going to open at 6:00 a.m., but it did not open until 6:15 a.m.

Ms. Incandela asked Mr. Smith, can you follow up with ACT?

Mr. Smith responded yes. I do not know why that would change by itself. We have gotten with ACT to work on this matter.

Mr. Payne stated I would like to thank the Board for listening to our concerns.

Mr. McGrath stated thank you, Mr. Payne. We appreciate it.

Ms. Incandela stated thank you for coming, Mr. Payne.

Mr. Mastromarino stated I have one other audience comment for the meeting. There is a very respectful and active member who asked me to share her comments with the Board, from Ms. Donna Slack: *"I would like to see the lights kept off until the fence is completed. After the fence is installed, I would like to have security increased to seven days a week for the first six to eight weeks. I believe this will keep some of the people from returning. Outsiders know when the guard is off. Maybe those days can be filled by a deputy. I would also like to give the guard more authority to have people removed. Few of the residents feel safe going to the courts."*

Ms. Lucille Mastromarino stated at the last HOA meeting, there were some residents who were talking about the access to the basketball courts and the pool and that we should be more strict with how many people come in on a person's key card. There was

a gentleman who said that he would even volunteer. We need to come up with some kind of sign-in sheet or some way to keep track of kids coming in with ten of their friends. It needs to be more controlled with a record of it.

Ms. Incandela stated I want to get together later with Mr. Smith to discuss some of the equipment for the gym. Perhaps we can change out some equipment to where it is more accessible. Is the person here tonight primarily been the security guard?

Mr. Smith responded yes.

Ms. Incandela stated I think we need to sit down and go over procedure with respect to who is coming in and letting them in and not opening the gate. Is he relatively new?

Mr. Smith responded yes.

Ms. Incandela stated we are going to have Mr. Smith get with Mr. McCartan to go over the manner in which we are instructing him to check people and make sure that they have their cards. There has been some transition and every time we have new people in the community, whether they are working the gatehouse or here, they need to be brought up to speed in terms of what we expect of them. For those of you who do not know, Mr. McCartan is the head of our security company. He attends all of these meetings and keeps as involved as he can. He is always taking care of issues that residents have. With respect to his staff, I have personally seen Mr. McCartan filling in to make sure that if someone is out, this community has coverage. We had security companies in the past that we were not happy with, and Mr. McCartan's company has done everything possible. He is very hands-on in terms of addressing resident concerns and making sure that we have monitoring and getting the system down to where they are checking the way that we want them to check. We will work with Mr. McCartan to get these issues addressed.

Mr. Moyer asked just for clarification, are we saying that no guests are allowed?

Ms. Incandela responded no. Residents are allowed to have guests with them. The concern that I am hearing is that we have no idea if 15 people are attached to one person. What is the number of guests allowed to come with a resident?

Mr. McGrath responded the rule is four guests with one resident, but the resident should be over the age of 18. Maybe we need to modify that at some point.

Ms. Incandela stated what I am concerned about right now is that cards are not being checked. If a well-behaved resident comes in with five people, I do not think the Board has an issue with that. We want to make sure that they are checked to make sure that

they are residents and they are coming in with friends and that the guard is monitoring them, not just opening the gate.

A Resident stated it is not just the security guard. I have seen residents open gates for other people. I do not know if they live here or not. We cannot blame it just on the security guard.

Ms. Incandela stated you are right. One of the other frustrations we have is that we had this issue come before us before and we thought it was the kids in the community. We found out that it was not just the kids; it was adults who were opening the gate. It is difficult for us to enforce that. We can have the guard go around and do spot checks. If there are 20 kids, it is unlikely that all of them are residents. We want to make sure that we have balance so we are not overly interrogating our own residents who are using the facilities that they pay for and that they are enjoying them peacefully, but also keeping an eye on non-residents. That is a difficult balance for us, to be honest with you, when our own residents are contributing to the problem. We can have the guard check every card that comes in here, but if people come in while he is using the restroom, that is hard to prevent. We want the guard to keep an eye on the behavior of the people that are here. We will get with you and have you and Mr. Smith work with the new guard to make sure that he is more diligent about checking cards.

The Resident stated yesterday the guard diffused a situation. He does a very competent job. Presently, I keep an eye out and I watch the guard. He is doing an outstanding job.

Ms. Incandela stated Mr. McCartan is very hands-on and appreciates feedback about his employees, but he is obviously not on the property 24/7. If you have comments or see that his staff is doing an excellent job, let the CDD Board know that and we will let Mr. McCartan know and he can reinforce the good work his officers are doing.

A Resident asked can we give them a Christmas bonus or Christmas money from the residents?

Mr. McCartan stated if you want to appreciate them like that, you may want to consider donating money for a fallen police officer or recognize them individually on the website. You pay for the service and you want to see your dollars used in the best way and the best way that we, as a vendor, can provide to you, within the limitations of the law. Believe me, we provide it all, including being proactive on behalf of the CDD. The HOA is looking for us to be more proactive.

Ms. Incandela stated we have companies that we are very happy with at the moment, but they appreciate your input. Anytime you have any questions, you can submit them. Please do you feel that you have to come to meetings, although we would love to have you. You can call on anything. Any feedback that you give us, Mr. McCartan, and the landscaping company, they appreciate hearing from the residents because they are trying their best to make sure that they are meeting our needs and making us happy, and it is important to them to get that feedback. Whether it is positive or negative, they want to hear it all.

A Resident asked are non-residents allowed to use the gym?

Ms. Incandela responded no. They are not supposed to use our facilities unless they purchase a pass or are brought in with a resident. That is one of the issues we are struggling with enforcing and have been struggling with for years.

Mr. Mastromarino stated we are hoping when we install the fence, that will help enforce it even more because you will need to have an access card to gain access to the basketball courts. Right now, you can just park your car out front and walk right over to the courts.

A Resident stated there is no security at the gates. People come in from outside the community.

Ms. Incandela stated we do not have the right to keep anyone out of the community as our roads were built with public money. We do not have the right to stop anyone who is not a resident. Anyone from the public has the right to come into the community and drive on our roadways. They do not have the right to use our facilities. The guard is not legally allowed to stop them from entering.

A Resident stated everyone should show their ID at the gate.

Ms. Incandela stated at one point, we thought about making the residents show ID upon entering the community. We talked about it, but at the time we thought it was not the best option to make the residents prove ownership. Also, a lot of kids do not have IDs. Generally our guards are good and when they are checking cards, if they are following procedures, they can generally tell who belongs here and who does not. A bigger problem that we have is when the guard is not there, people are letting in multiple people. Having the guards check your ID when you pull out your license to prove who you are does not stop those 15 people from coming in 10 minutes after you.

A Resident asked where can I review the minutes from this meeting?

Ms. Incandela responded our minutes will be available for you to review online. You can go back and read them so you do not miss anything and can submit comments to the Supervisors at any time. At this time, we are closing the public comment section. We appreciate your participation.

## **FIFTH ORDER OF BUSINESS**

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

#### **A. Aquatic Weed Control – American Ecosystems**

Mr. Smith stated Mr. Craig provides aquatic weed control services for all of our ponds. We recently went through a transformation of the ponds. We had some hydrilla and because of the temperatures, we had some problems. Mr. Craig has been out here working very hard.

Mr. Craig stated it is no surprise that we have had issues with hydrilla and algae blooms for most of the summer. It was a struggle with nature. We treated the plants that are in there and the herbicides we used were affected by heavy rains all summer long. Right now, the ponds look a thousand times better than they have in the past three months. There are no excuses or rhyme or reason. We just got beat down this summer by the vegetation. There are herbicides that we cannot use or are restricted from using that work more effectively than ones we are permitted to use. It was not due to lack of effort. There was a two-week period where guys were treating, and nothing seemed to work. Now they are back to a manageable state. We are on a two-week maintenance service, not the monthly service. This is nothing that we charge for. It is our responsibility to do this. This is why I am keeping this on a two-week maintenance schedule. Hopefully we can have minimal growth and keep things the way they are right now. Unfortunately it happens almost every summer, and we try to keep up with it. Sometimes we lose and sometimes we win.

Ms. Incandela asked how are we doing with our fish? In years past, we had an issue with the fish.

Mr. Smith responded that was the grass carp, which we are not using anymore. We are just using chemicals. These ponds are irrigation ponds, and the contractor is limited because they are used to irrigate our landscape. There are probably still some grass carp.

Mr. Craig stated there are fish in the ponds for sure.

#### **B. Landscape Maintenance – Girard Environmental**

Mr. Smith stated Mr. Murphy works with me in Celebration. Mr. Carlos Sanchez was here occasionally and we were having a minor communication problem. I talked about

this with Mr. Murphy. We have worked together for 15 years. It is nice to have him here. We work well together. The turf is our biggest concern right now.

Mr. Murphy stated October was an extreme transition month for us. I did not know the condition of the turf up until the first week in October, when I came back on board. I do know what we have been doing since October. We have had our horticulture team out here three times this month handling weeds and fertilization. We are hitting everything very hard. We are waiting for some rain. Irrigation is great, but we need a good rain. We have the chemicals and fertilization in the ground just waiting for the rain to hit. You may have noticed when you came in that we are replacing some sod out front. It was not going to recover so we made a decision on our own to put in new sod and hope for the best. With our irrigation manager, who keeps us up and running, we will be in good shape

Mr. Mastromarino stated I noticed in our financials that we incurred \$10,000 in irrigation repairs. Is that something that we should have been doing all along?

Mr. Murphy responded three or four of your clocks were hit by lightning. The clock out front alone cost \$3,000. We had quite a few mainline breaks. The irrigation system is old and starting to fall apart. Normally we would expect one mainline break, but we had five.

Mr. Mastromarino asked should we expect more costs beyond the \$10,000 that was spent?

Mr. Murphy responded if it was not for the clocks, the cost would be half. Mainlines are \$300 or \$400 each. Electronic equipment is fairly costly.

Ms. Incandela asked do we need to consider budgeting for an entirely new system or can we repair sections as we go?

Mr. Murphy responded probably sections as we go because the cost for a new system is astronomical because you have so many trees. Trying to trench through them would be cost prohibitive.

Ms. Incandela stated since our system is so old, we probably should anticipate having to purchase a new one.

Mr. Murphy stated this is something to think about in the future, but I do not think it is that bad yet.

Ms. Incandela asked in terms of what we can expect per year, with a system that is this old, are we looking at a few thousand dollars each year?

Mr. Murphy responded yes.

Mr. Smith stated you have a good system, and repairs have come in on budget, but you are going to have those big expenses. For example, we had one break out in front where we needed to do a directional drill under the road. We sent Mr. Russ Simmons out here who did the work for us for \$1,500. With Girard's help and Mr. Simmons out here, who knows our system well, I think we should be okay. We are going to get those breaks. Our pumps are working well. It is sufficient.

Ms. Incandela asked did you perform a walk through of the sprinklers?

Mr. Mastromarino responded no one contacted me or Mr. Gerry Frawley.

Mr. Smith stated Girard provided an irrigation report. If you would live to have a meeting, we would be more than happy to schedule one.

Mr. Mastromarino stated I do not recall saying that. The only thing I received was some notes regarding the monthly meeting with Girard.

Mr. Smith stated this was quite some time ago, shortly after our last meeting. I thought I provided a copy to you and Mr. Frawley, but I will provide another copy.

Mr. Mastromarino stated last Saturday, I noticed a broken line. It might have just saved Mr. Smith a trip out if I knew where the shut off was because I just happened to be there. Mr. Smith ended up having to come in on a weekend to shut it off.

Ms. Incandela stated if you still want to do the walk through, contact Mr. Smith.

Mr. Mastromarino stated we will meet with Mr. Simmons, not Mr. Smith.

Mr. Smith stated correct.

Ms. Pieters stated today they were removing grass. You need to put a cone out so someone would know that there is someone there. As I was coming into the community, I did not see them until I was close to them.

Mr. Murphy stated we have three cones in each truck.

Mr. Smith stated when I first saw them, they had three cones out. Then they moved and did not place any cones.

Mr. Murphy stated I will make sure our crew places cones.

Mr. McGrath stated thanks for the new sod coming.

### **C. Security – Keep Safe Security**

Mr. Mastromarino responded I have a couple of comments on security at the guardhouse. It still has a lot to be desired. I brought this up on more than one occasion. I actually had words with one of the guards last Friday. I was 30 feet from the gate when

it was opened. If I go through the gate 10 times, maybe one time I will approach the gate and have to stop my vehicle. I also received comments from other residents.

Mr. McGrath stated several weeks ago, I had a situation. I pulled up and the gate was down. I stopped and went through and from my rearview mirror, I could see that the gate was still up. The car behind me went through. That is game changer. We are paying to have the gate down every time to make cars stop. If the folks want to keep working, they should follow procedures.

Mr. Mastromarino stated at the last meeting, we also stated that we would help facilitate that with a sign and that sign is still not there.

Mr. McGrath stated the sign is up as of today.

Mr. Smith stated we received the sign late last week and put it up today.

Mr. Mastromarino stated that was two months after we brought it up.

Ms. Incandela asked when you said that you had words with the guard, what was the response?

Mr. Mastromarino responded they said that they were sorry and would not do it again.

Mr. McCartan asked was that a male guard?

Mr. Mastromarino responded yes.

Mr. McGrath stated my instance was with the female guard.

Mr. Mastromarino stated the female guard also raises the gate several feet before I get there. It might be because they know my vehicle. I do not mind being inconvenienced. I would rather sacrifice my inconvenience and every other resident's inconvenience for the sake of acting as a deterrent.

Mr. McCartan stated this will be addressed with the guards. It is human nature if you watch people approach the gate to open the gate.

Mr. Smith stated you are not going to get a huge impact with that sign.

Ms. Palmer stated I noticed it today as I was pulling up.

Ms. Incandela asked have you manned the guardhouse and lowered and raised the gates when cars are approaching?

Mr. Mastromarino responded no.

Ms. Incandela stated you need to be in their shoes and experience when those cars are speeding through. The tendency is to open the gate.

Mr. Mastromarino stated I am not saying that it is not a challenge if you have three or four cars behind you, but when I am the only car at 10:00 or 11:00 p.m. and the gate opens five to seven feet before I get there, I have an issue with that.

Mr. McCartan stated from my point of view, it has gone on for too long. I heard this complaint at two meetings in a row. I was there at 5:55 p.m. one night, and by 6:20 p.m., 18 vehicles had been there, one after the other.

Mr. Smith asked is there a possibility to get a hand-held stop sign? I have seen that done at Solivita. With a hand-held stop sign, at least one car will stop while another is going through.

A Resident stated when I come in, usually I am behind somebody or in front of somebody and by the time I come through, by the time the gate is coming down, it is right near your car. Quite often he or she will raise it back up.

Mr. McGrath stated I think the advantage we will get out of having the sign is you will tell your security guards that this sign authorizes you to do what you are supposed to be doing all the time. In all the years we have been concerned about a gate falling on someone's car, we never had that happen. I say the guard is released from that. He is following his orders. If someone does crash through the gate because they thought that the gate should be open, then they are going to have to pay for the damage.

Ms. Incandela stated I agree but I still think that we need to look into putting in a speed bump. It forces you to stop before you get to the second speed bump. My thought is also for a better picture of the license plate because the vehicle has to stop. The problem that I see when I come through at rush hour is that the car behind me is tailgating and they are not stopping. Even if they raise the gate back up, it is not going to stop the other vehicle because he is right behind me trying to speed through. I think that would help the guards to have some control.

Mr. Smith stated there is a speed hump there.

Ms. Incandela stated put in another one. I went through a community where they had a speed bump, and another one was right before the gate. You cannot follow a car. The speed bump makes you stop.

Mr. McCartan stated I did notice that as soon as I let a car through, the next one sped right through the stop sign to beat the gate.

Ms. Incandela stated the second speed bump will stop the other driver from speeding through.

Mr. McCartan stated if you want an illuminated stop sign, we will arrange that.

Mr. Smith stated we can try that.

Mr. McGrath stated I do not think we should spend the extra money. Where would you put it?

Mr. Smith responded we had some conversation about it.

A Resident stated I would say if there is more than one car coming through at a time, that is when he should use them. With the additional speed bump and stop sign, maybe we can get speeders to stop.

Ms. Incandela asked are you talking about a hand-held one?

The Resident responded yes.

Ms. Incandela stated I think that would help. My concern is what the guard would be doing. Will they be leaning half way out of the guardhouse and hitting the button?

Mr. McGrath responded I would like to get a hand-held one. Part of the reason is it requires the guard to be physically outside of the guardhouse, and maybe that is not a bad thing.

Mr. Moyer stated we will try that.

Ms. Incandela asked do you want them to use the hand-held stop sign every time a resident comes through?

Mr. Smith responded when there is one car at a time, they do not need to do that, only when there is heavy traffic.

Mr. Mastromarino stated you make a good point. If there are several cars in line, the people in the back can see that there is a stop sign.

Ms. Incandela stated the ones who are causing the problem are not going to care about a stop sign.

Ms. Palmer stated I do not think the hand-held stop sign is going to help. I think it is ultimately going to cause more problems. You have to find a way to stop those people from tailgating and going through behind the car in front.

Mr. McGrath stated Mr. McCartan has worked the gate. Do you have any feedback?

Mr. McCartan responded no. I think the issue is that you get to know some people, and with the decals, the guard will recognize vehicles. If everyone is in agreement that resident or not, they do not mind the inconvenience, it means getting something to close quickly enough to stop the other car from following.

Mr. Smith stated another thing we can look at is getting another gate arm and stage the arms so one car is let in at a time.

Ms. Palmer asked will that be a problem if you have a really long car?

Mr. Smith stated no, we can make it large enough.

Ms. Palmer stated I would prefer another speed bump instead of another arm.

Ms. Incandela stated when I experienced tailgating, I had no choice. I am not just concerned about the guard letting the gate up and down. I am also concerned about the fact that we always had issues with blurry license plates of cars that are speeding past the cameras. The guards can only do so much. There has to be something that they are forced to do outside of the guard's control that is going to require them to slow down that vehicle. I know that there is an expense, but we have been struggling with this issue for years. The problem that we have is partially the guard's control, but partially residents' control because they are speeding. It is a problem.

Mr. McCartan stated I am happy to do the stop signs, but if you have another physical barrier, like a speed bump, it will give them an amount of time to stop the first car.

Mr. Smith stated I estimate the speed bump costing \$3,000 to \$3,500.

Mr. McGrath asked are we suggesting that the speed bump we bought and paid for was put in the wrong place?

Ms. Incandela responded no. We are suggesting that we have two speed bumps close together so the car that going over the speed bump cannot speed to get through the gate. They have to stop before they get to the second one. It creates a small section of space that forces you to slow down to allow the cameras to get a better picture.

Mr. McCartan stated one vehicle would be trapped between the two inclines so the guard can make eye contact with the driver and the camera will capture the license plate.

Mr. Mastromarino asked is it possible to borrow or rent a temporary speed bump for 30 days to see if it works? You can pretty much rent anything you want.

Mr. McGrath stated I think that we can probably look at the dollars and say that we can get a hand-held sign for significantly less than \$3,000. If we get a hand-held sign and find out that it has made an improvement, maybe it is enough. If we find out that it makes no difference, we can always spend \$3,000 later.

Ms. Palmer responded in two months, we are going to have this same conversation before, and we are going to gerry rig something to try to fix the problem. We keep thinking if we do the same thing over and over again, we are going to get different

results. We are not getting different results. When we installed the first speed bump, we got significant improvement. I am not saying that is the answer, but I think it is a lot better than anything else we have come up with. If it is working in other communities, then I think that we learn from other people.

Ms. Incandela stated we have different guards in the guardhouse; some operate one way and some operate another. If you have a physical barrier, you are not leaving it up to the control of an individual behind the gate. The physical barrier is what is in control. The guards are the eyes and ears, watching and monitoring by being there. The physical barrier is what is going to get those vehicles to stop. That is what is going to get our cameras to capture the license plates. It takes it out of the guards' hands to a certain extent, although I am not saying that we do not need them to man the gate. It is going to make it easier for them if that vehicle is slowed down by some other reason. Fortunately, we have people who are obeying our signs and will pay more attention to them, but there are ones who do not. A speed bump is not going to discriminate. You are going to have to stop for it, whether or not you pay attention to the signs.

Mr. McGrath stated if the Board tells me that installing a second speed bump will resolve the problem, I will vote for it for sure.

Ms. Incandela stated you never have to vote for anything you are not comfortable with.

Mr. McGrath stated that is right, but if it is something that you are confident that is all we need to do to solve the problem, I am in.

Ms. Incandela stated I do not think that is going to solve the problem entirely, but it will make it easier for our guards and will force vehicles to stop when they would not otherwise stop. I think it would be more effective than a sign because it has taken the human element out of it. The guard in the guardhouse is needed, but he is not the only thing that is causing that vehicle to come to a stop. It is the physical barrier, and that is where I think that will help. That is why I think it is different. It is not a replacement for the guard; it is an enhancement. In terms of getting those vehicles to stop, I do think it is more effective. That is my opinion as a Board member, but you should vote however you wish to vote.

Ms. Pieters stated I do not agree with the hand-held sign because the guard has to be using both hands to control the gate, and that is not good for them. We will lose guards if we do that.

Mr. Mastromarino asked Mr. McCartan, just based on your experience and what you are hearing and your familiarity with the guardhouse, do you feel an extra speed bump would work?

Mr. McCartan responded it will assist the guards. The problem that you have is that people know you are limited. The ideal scenario is that you keep the barrier down until the guard is completely satisfied as to who the person is and that they have a valid reason for being here, but we understand that we cannot do that here.

Mr. Moyer stated yes, you can. That is not an unreasonable restraint.

Mr. McCartan stated in other communities we are involved with, we have physically spoken to the drivers and held the barrier and asked whether they are a resident or a visitor. In some cases, you do find negativity because residents think that they know the guard since that is the only guard they see, but we do get to know people. In other communities, we ask the driver if they are visiting or if they are a resident and then we record the details.

Mr. Mastromarino asked do you do this in similar communities that have public access roads like we do?

Mr. McCartan responded yes, VillaSol.

Ms. Incandela stated it was never discussed that we could not do that. I think we were doing that for awhile. I think what we decided to do was we did not have to ask them or our guard was not even inquiring. They were just saying, "Welcome to Brighton Lakes." The purpose was to get them to stop so we could record the license plates. After awhile, we deviated from that and just said that we wanted the gate to close. I think that Mr. Moyer is saying is that we are allowed to have the gate close and force the driver to stop before entering. There is nothing to prevent us from doing that.

Mr. McCartan stated I thought that we were asking people whether they were visitors or residents, and then someone complained to Severn Trent that we were not within our rights to ask that question, so we stopped.

Mr. Moyer stated you can certainly ask if there is anything that you can help them with.

Ms. Incandela stated I remember at one point, the guards were instructed to stop cars and say, "Welcome to Brighton Lakes. Is there anything that I can help you with?" Our point is that we want to get the driver to come to a stop so we can get their license plate recorded because we cannot exclude anybody. Our purpose was to make them stop so we

can get their license plate number so if we needed it, we had it. Our focus is to really make the driver come to a stop, and that is what this all has been about. What I am hearing complaints about is the guard is not stopping cars and drivers are just speeding through. I am just looking for what solution is going to get that vehicle to come to a stop so we can get those license plates recorded.

A Resident stated during the day before 6:00 p.m., the other side is open and no one is recording tags. Where are the recorded tag numbers sent to?

Mr. Smith responded there is a DVR, which records for about three days. There is a computer in the guardhouse. After three days, the information is copied over.

Ms. Palmer stated there is no camera on the other side, and we cannot have the driver go through the inside lane because emergency vehicles cannot go through the inside lane.

Mr. Mastromarino asked Mr. Smith, do we get any information from the camera that is recording during the day?

Mr. Smith responded yes. You can see what was recorded. I have a proposal to install another camera.

Mr. Mastromarino asked based on yesterday's incident and the timeframe, do we have any video?

Mr. Smith responded we have video from the other incident, but the sheriff came back to us and said they knew who it was.

Mr. McGrath stated your comment about the gate is that it is not being manned 24 hours a day.

The Resident stated cars are coming through at night. Most of them are generally residents. During the day, anyone can come through.

Mr. Smith stated it is still recording. You are still going to see different types of cars going through, not necessarily license plates.

The Resident stated you are recording most of the residents who go through at night, but during the day, anyone can come through the gate. All I am saying is that if anybody is able to come through and you are recording at night, it is almost like you are not doing anything.

Ms. Incandela stated right. That is one of the things that we are looking at. We are looking at the cost to upgrade our camera system.

The Resident asked is it possible to mount a widescreen camera?

Ms. Incandela responded we have a lot of different possibilities, and the Board has received a lot of proposals and is going to discuss them.

A Resident stated if you force the individual to stop, they will stop. Once they are forced to stop, you can speak to them.

Mr. Mastromarino stated I really think Roberto, the guard here, is very conscientious and he wants to do the right thing. Regarding yesterday's incident, what should he have done?

Mr. McCartan responded I would expect him to do the right thing. I think there was some miscommunication. By the time Roberto got here, the front gate was pretty much crowded with vehicles. He did not mention to me whether or not weapons were involved.

Mr. Smith stated it was a stick. A high school student came here after school. There was an issue between one gentleman and his girlfriend and another gentleman. They came to the basketball court and played loud music. The attendant told them to leave or he was going to call the sheriff. Then the security guard came and told them to leave immediately. It all happened over a short period of time. Then security showed up, and they all went to their cars and went to a different location. The two who did have an altercation were both residents. On Monday, a young man had an altercation with his uncle or father and threw something through a window. He ran into the woods. One of the gentlemen in yesterday's altercation was the same one.

Mr. Mastromarino asked do we know if it was related to the stabbing?

Mr. Smith responded no. The stabbing did not actually happen here or start here. It happened on Brighton Lakes Boulevard. It did not have anything to do with the basketball court.

Mr. Mastromarino stated I heard that we did not have a guard here. Is that not correct?

Mr. Smith responded no, there was a guard here.

Ms. Palmer stated there was a guard here on Wednesday for the HOA meeting.

Mr. Smith stated there was a scuffle on the basketball court. Both the guard and Mr. McCartan had an emergency so there was no coverage here for a time, during which time there was a scuffle at the basketball court, but it was diffused fairly quickly.

Mr. Mastromarino asked were we billed for the time the guard was gone?

Mr. McCartan responded no. Our thought about the basketball court is there are issues with reserving the court.

Mr. Smith stated let us have a point of control on who the attendant lets into the basketball court. If someone is here without a card, their 18-year-old friend has to show their card to get in. That will limit it to residents at least 18 years old and their guests, but their guests can be underage. The rules indicate that the resident has to be 16 in order to be unaccompanied by a parent.

Mr. Mastromarino asked by the installing the speed bump and the position of the camera, is the camera where it needs to be?

Ms. Palmer stated when I stop at the guardhouse and look at the monitor, I can clearly see my license plate.

Mr. Mastromarino asked will we incur any other expenses?

Ms. Palmer responded no. I stop there intentionally and it comes into focus after about one second.

On MOTION by Ms. Incandela, seconded by Ms. Palmer, with all in favor except Mr. McGrath, approval was given to authorize the installation of a second speed bump at the guardhouse in an amount not to exceed \$3,000, as discussed.

## **SEVENTH ORDER OF BUSINESS**

### **District Manager's Report**

#### **A. Financial Statements**

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

Mr. Moyer stated these financials are through September 30, which is the end of our fiscal year. This is 12 months of activity. We collected \$7,300 more in revenue than we budgeted. On the expenditure side, we were \$89,000 under budget. Keep in mind when you add all of that together, we ended up with \$96,000 to add to the fund balance, but we budgeted \$93,000 to carry over to fund balance, so we are \$3,000 better than we thought we were.

Ms. Palmer stated I am good with that.

Mr. Mastromarino stated this pays for the speed bump.

Mr. McGrath asked why did our dissemination agent cost 50% higher than we budgeted? We budgeted \$1,000 and it was \$1,500. Is this the trustee who handles our bonds?

Mr. Moyer responded no. This is part of having a bond issue. There is a company that is either DAC or Prager Sealy. They accumulate information to give to bondholders.

It is a requirement. It was a certificate that we signed when we issued the bonds. I will find out why it was higher. It may be like the trustee where they kept the same fee for a period of time.

Mr. McGrath stated we are 100% collected on our non-ad valorem assessments.

Mr. Moyer stated Mr. Stephen Bloom is Severn Trent's accountant who worked with Mr. McGrath and Mr. Mastromarino on the investment side. I believe the Board received some material.

Mr. McGrath stated yes.

Mr. Moyer stated we follow the simple investment policy that is authorized by the State under Chapter 218, Florida Statutes. Mr. Bloom provided you with a longer investment policy. If we follow something like that, the Board would have to hire a financial advisor to administer those funds on our behalf. We do not make very much in interest, but they identified safe securities where we are protecting the principal. In terms of what is recommended, such as CDs from a bank paying a higher interest, if they are qualified public depositories, we can follow up on that for you, but not all banks are qualified public depositories. Mr. Bloom goes out to shop for that.

Mr. McGrath stated I did some research and emailed some information to Mr. Moyer. The alternative investment guidelines on page 2, section C, refers to Section 280.02, Florida Statutes, and it includes banks, brokerages, credit unions, savings and loans, trusts, and so forth. It is only money, but if we were earning that kind of interest for the past 15 years, we would have had a lot more money. No argument that it has to be safe and it has to be liquid. In my mind, I do not see how we can go into the open market, whether it is FDIC insured or other. If we have \$100,000, we should maximize our money safely.

Mr. Moyer stated we will check it out. Let me put this into perspective for the Board. The State of Florida invests hundreds of millions of dollars through the State Board of Administration. One of the investments that we have is through the State Board of Administration, which is earning .31%. They invest an awful lot of money and are making .31%. They do have people who are sophisticated investment advisors.

Ms. Incandela stated I appreciate this.

Mr. Moyer stated if we can put our money into a credit union, we will see if this can be done.

Mr. McGrath asked what does the rest of the Board think about the interest we make?

Ms. Palmer responded if it is something that is completely safe and easily accessible, then I do not have an issue with it. When it is someone else's money, I am very conservative.

Mr. Moyer stated thank you for providing that information, Mr. McGrath. We will take a look at it.

**B. Check Register and Invoices**

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. Mastromarino stated according to page 106, we transferred \$100,000 due from other funds to the main checking account. What was this for and why was the money transferred?

Mr. Moyer responded the tax collector only gives us one check. We allocate that based upon debt service that goes to the trustee or the operating account. Initially it goes into the operating account and that is why it shows up on your check register.

Ms. Palmer stated we probably do not have this yet because it is the beginning of the fiscal year.

Mr. Moyer stated in that timeframe, the money is probably from tax certificate sales.

Mr. Mastromarino asked is this something we would see periodically?

Mr. Moyer responded yes.

Ms. Palmer stated right now we have the money allocated, but have not collected it all right now. We have money, but it is in other accounts and there is nothing in our operating account because we have not received any assessment money since the tax bills were just sent out.

Mr. Mastromarino stated there was a \$2,000 bill for All Florida Septic to locate a pipe.

Mr. Smith stated it was for the storm drains on Stargrass.

Mr. McGrath stated we paid \$875 to bush hog. Is that something we do on an annual basis?

Mr. Smith stated yes.

Mr. McGrath asked would it make sense for us to include that as part of our landscape contract or purchase it ourselves?

Mr. Smith responded we do not have anyone experienced to drive the equipment.

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

**C. Consideration of Engagement Letter with Carr Riggs & Ingram to Perform the Audit for Fiscal Years 2014 and 2015**

Mr. Moyer stated the engagement letter was included in your agenda package. The fees are in line with what we have paid in the past.

Ms. Sandy stated I provided some comments to Mr. Moyer earlier. We just want to limit the engagement to fiscal year 2014, with the option to renew for 2015 and change the date by when the audit draft is due to two months prior.

Mr. Moyer stated this is District counsel's recommendation. The fee for 2014 is \$4,600.

Mr. McGrath stated it was \$4,500 last year and the prior auditing company was \$9,000.

On MOTION by Ms. Palmer, seconded by Mr. McGrath, with all in favor, unanimous approval was given to the engagement letter from Carr Riggs & Ingram to perform the audit for fiscal year 2014 in the amount of \$4,600, with the option to renew for 2015 and to change the date for the draft to two months prior.

**D. Motion to Assign Fund Balance as of September 30, 2014**

Mr. Moyer stated I request that the Board formally allocate your fund balance to the reserves that are identified. That would still result in the Board having an unassigned fund balance of \$186,000.

On MOTION by Ms. Palmer, seconded by Mr. McGrath, with all in favor, unanimous approval was given to assigning the fund balance as of September 30, 2014, as presented.

**E. Website Statistics**

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

**SEVENTH ORDER OF BUSINESS**

**Staff Reports**

**A. Attorney**

There being nothing to report, the next item followed.

**B. Engineer**

There being nothing to report, the next item followed.

**C. Field Operations**

**i. Field Management Report**

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

**ii. ACT Service Calls**

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

**iii. Action Items List**

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

Mr. McGrath stated I contacted Mr. Gonzalez several weeks ago asking him how many cards were out. He did not respond other than to say that he would get back to me. Can you tell me how many cards we have out?

Mr. Smith responded I do not know, but I will find out.

Ms. Palmer asked are you referring to the access cards for the recreation center?

Mr. McGrath responded yes.

Ms. Palmer stated I had a meeting with the HOA members out in the parking lot. One of the issues that they brought up is they would like to provide a monthly report of who moved out and who moved in. They did not get any reaction from the Board, so they thought it was fine to send it and I agreed. If Mr. Gonzalez does not receive it, he should contact Ms. Sanchez for that list.

Ms. Incandela stated she did offer that, and Mr. McGrath said it would be great.

Mr. McGrath stated we will get the number of access cards that are out. It should not be more than 750 times two.

Mr. Smith stated we just went through the list about two years ago.

Ms. Incandela stated Mr. Frawley raised the issue of people being able to call to get additional passes if they were a renter. I do not remember the specifics and I went through the minutes. It was some time ago. What was our policy regarding giving additional cards to renters?

Ms. Palmer stated renters need to have permission from the home owners.

Mr. McGrath asked should the home owner only give their cards to their renters?

Ms. Palmer responded yes. I am in the process of getting a list of new renters from the HOA.

Mr. Mastromarino stated there will always be 750 times two, and no more.

Ms. Palmer stated yes. We need to figure out how to audit it.

Ms. Palmer stated there should be 750 codes. My house does not have two separate codes.

Mr. McGrath responded yes. There can be any number of cards, but we only want to know the number of ones that are activated. If Mr. Gonzalez has extra time to look at Ms. Sanchez's report and sees a home has a new owner, he can deactivate the old one.

Ms. Palmer asked how about we make a motion to give Mr. McGrath authorization to work with Mr. Gonzalez on the list to see if there are any changes that need to be made, and he can deactivate the ones that need to be deactivated instead of waiting?

Mr. McGrath responded I would be happy to do this.

On MOTION by Ms. Palmer, seconded by Ms. Incandela, with all in favor, unanimous approval was given to authorize Mr. McGrath to audit the access card list with Mr. Gonzalez.

Ms. Incandela stated I suggest when we have to reissue cards, the next time we should issue them in a different color so we can tell whether it is a recently issued card or a deactivated one. Right now they look the same and someone could have someone's old card.

**iv. Resident Call Log**

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

Mr. McGrath stated I contacted Mr. Gonzalez after a couple of residents mentioned that there was dead sod on Brighton Lakes Boulevard and when it would be replaced. An update was not provided on the log.

**v. Girard Environmental 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.

**vi. American Ecosystems Report**

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

**vii. Discussion on Drainage Proposals**

Mr. Smith stated I provided drainage proposals to the Board. There are some issues out there. Because of the complex nature, these proposals are only for the initial work.

You have a storm structure and a hole in the road, which was caused by a storm pipe under the road that got some infiltration. As we go through these, you will notice that Wright's was the cheapest. I have worked with them before. Because of the type of the repairs that are necessary, it is hard to find a company that would do this kind of small work that also has the ability to do the bigger work.

Mr. McGrath asked where is the location of this pipe?

Mr. Smith responded Stargrass. I have narrowed it down to Wright's and they are in St. Cloud. The repairs are all apples-to-apples. The first repair is the catch basin. The concrete structure has fallen away due to a crack in the pipe. Wright's suggested removing the entire pipe and moving the structure back because it is hard to get stabilization in water. They have to move it back out of the water and try to get stabilization. They will pump the water out and build a wall of dirt. The second repair is to the roadway. In Wright's proposal, they are looking at digging down into the road to see what they have to deal with. The price is \$8,000, but it may not be \$8,000. It depends on what they find. If they can get down to the pipe and make the repair easily and repair the road easily, then it will cost \$8,000 or probably less.

Ms. Palmer asked is that a worst-case scenario?

Mr. Smith stated yes. They do not know what is down there.

Mr. McGrath asked are you comfortable with Wright's?

Mr. Smith responded yes. The other issue that we have is, there is a pipe going out to the pond. At the end of this pipe, there is a minor concrete structure about eight feet deep in those pond. There is about three feet of dirt on top of it. One way to repair it is to pump the entire pond down and pump the water into another pond, make the repair and pump the water back into the pond. However, just the gasoline cost for the pumps is astronomical. The other way to do it is try to get a diver down there and get it suctioned. That is how we are leaning. However, if they cannot get the suction to get the dirt out of there, then we have to go with the other alternative. Mr. Simmons has been discussing this with them, and we are leaning towards the diver. They think they can get the diver to make the repair. We are wondering if this is the direction we want to go in.

Mr. Moyer stated in Coral Springs, we had a diver come in every year to do that.

Ms. Palmer asked what does a diver cost?

Mr. Smith stated about \$12,000.

Ms. Palmer stated it is better than the pump that is in there right now.

Mr. Smith stated right now we are not getting any rain and the roads are not flooding. We have a dry time and we will get this work done in the dry time.

On MOTION by Ms. Palmer, seconded by Mr. McGrath, with all in favor, unanimous approval was given to the proposal from Wright's Excavating for drainage repair work in a not-to-exceed amount of \$15,742.64, as discussed.

Ms. Mackie stated we would like to put the proposal into the District's standard form contract.

Mr. Moyer stated that is fine.

Mr. Mastromarino asked what are the particulars as far as the logistics? Does it inhibit home owners from entering onto their driveways or their street?

Mr. Smith responded no.

#### **viii. Discussion on Security Cameras Proposals**

Mr. Smith stated we went out for proposals for the security cameras. The second page from the back of the proposal shows the cost associated with this. We just installed these cameras at VillaSol. It is not perfect by any means, but it works fairly well. However, I do not think that it works better than an attentive guard. VillaSol does not have much use other than their facility. They do have the cameras and every weekend, my phone goes off at 2:00 a.m. with someone reporting that there are kids in the hot tub. There is a speaker there telling them to get out of the hot tub. There is a kiosk with sensors so if someone walks through, they can see them on camera.

Mr. Moyer stated they are in Sarasota, and they have someone in the room monitoring the cameras 24/7.

Mr. Smith stated for the gates, there is a kiosk and whoever is operating the gates would talk to the person at the kiosk and the kiosk person determines whether or not the person at the gate gets in. Today, my guys went out to VillaSol to do some work and it took them half an hour to bypass the kiosk. We are still working out the kinks. For the cost associated with that, there is training. You get the same value.

Ms. Incandela stated what changed from the last is the HOA has now offered to contribute financially to increase guard presence in the area. If that is the case, I think that would be a better option than upgrading the cameras since we cannot afford to do this anyway.

Mr. Smith stated in Celebration, we went to the sheriff's department and got our own deputy. If you are not willing to pay that much, that may not be a good option.

Ms. Palmer stated we have to remember, when you have off-duty officers, there is a liability involved with that, including worker's compensation and health insurance. If I am patrolling this area, that is fine and I am under our workers compensation. If I pull my gun out because something is happening, I now become part of the county. However, there is a gray area where if I pull a gun out and something happens, even though I am trained, it can come back to this District.

Mr. Smith stated if the HOA wants to bring the sheriff in, it is under their policy.

Ms. Palmer stated I have issues with hiring off-duty sheriff's deputies.

Ms. Incandela stated we are going to have the HOA attorney speak with Ms. Mackie and come to us with proposals and issues regarding liability that can be addressed by Ms. Mackie with them and tell the HOA attorney if it is not a direction that the Board wishes to go in. They did not specify that it would only be limited to a sheriff. One of the things that Ms. Mackie can discuss with them is increasing the use of our own security to add additional hours. That would give us additional security that would not affect our budget if the HOA is willing to do this for us and we can avoid those liability issues.

Ms. Palmer stated we are putting the fence at the basketball courts. If we had two more security officers, would that have prevented or stopped either of the situations that happened over the last couple of weeks?

Ms. Incandela responded no.

Ms. Palmer stated I think the fence is going to do more than anything and we have to be careful. If they want to spend money and help us out, I think that is great, but sometimes we are throwing good money for bad things and I do not know if adding more bodies is necessarily the answer.

Ms. Incandela stated it may not necessarily be adding more bodies, but it may just be extending the time for the bodies that we have. The incident that occurred, from my understanding with the kids in the parking lot, was diffused by the fact that we had a security guard well within his authority and he handled it very appropriately. If they are willing to provide us with a guard to increase the service that we have, then I think we should extend their hours. I have heard residents saying they wish there was a guard here. I think that would be a nice way to go than having to affect our budget, which would give the community a sense of increased security.

Ms. Palmer stated I am fine with that, but I want to make sure that we are looking at it completely. I would like to see how the fence affects our problem. If this helps, then we need to look if we want this person here in the morning when our kids are getting on the school bus or make sure that they are here when they get off the bus. We may not need them once we start controlling what happens over here.

Mr. Mastromarino stated I agree with what you are saying, where certain things will happen and we will do it in phases. The only issue we face is that it takes two months before we get together and another month or two before it is in place.

Ms. Palmer stated we can say as a Board that we give our authorization for the Chairman and attorney can work with the HOA. One person out of all of us can speak on our behalf and work on this for us.

Ms. Incandela stated we do not have time to notice a workshop before the holiday. We need two to three weeks.

Mr. Moyer stated we need two weeks.

Ms. Palmer stated we can work with Ms. Sanchez, Mr. Payne, and Ms. Mackie to perhaps adjust the guard's hours once the fence is up. We can do those things as a Board and we need to do more of that. We need to identify the situation and give authorization for someone to work on our behalf. We trust each other and trust them to make a decision for us that is appropriate.

Ms. Incandela stated here is where you run into an issue. When it comes to things like security or big issues for our community, you are waiting eight weeks until the next meeting for us to have input on those decisions. As soon as you give the authority to another Board member, we can have the greatest intentions, but it may lead to something where you say you wish you had the opportunity to have input on that before that decision was made because I know this and that other Board member did not.

Ms. Palmer stated but then you have the obligation to say you do not want to be in that position if you think there are too many variables to have to make a decision.

Mr. Mastromarino stated at that point, we would channel our concerns to staff to solicit feedback.

Ms. Incandela stated that is the problem. I understand the frustration because even if there are issues with landscaping, we have to wait until the next Board meeting. It is a long time.

Ms. Palmer stated I think we have some critical seasons coming up. Ms. Incandela has a good handle on this. I would be willing to say that we give Ms. Incandela the authorization to meet with Ms. Sanchez, Mr. Payne, and Ms. Mackie to come up with a test solution during the holiday period when the kids will be off from school to see if additional security helps. They will report back to us in the two months. We will tell the security company we want to bring someone in on a temporary basis to see how extending these hours work. Then we all come together and we have even more knowledge of how the temporary period has been worked out. We can take that and say how it works and what feedback we received.

Ms. Incandela stated the problem is that before we can even do any of that, we need to have Ms. Mackie work with the HOA attorney.

Ms. Palmer stated we need to give somebody here the authorization to speak and make a decision on a temporary solution before we leave here. Otherwise, you are going to go through the holiday period, when the kids are going to be off for the entire week of Thanksgiving and for two weeks in December, without having any resolution. Right now, we have people within the community who are very upset about the things that are happening. I heard some people say that they are not letting their kids go out for Halloween. These were not random acts of violence. I think we need to show the HOA Board and the community that we know that we have these restrictions, and we know that aggravates everyone. We need to tell them how we are going to work about that and say we know that this is a hot button so we are giving one of our Board member's authorization to work with you so we can try some of these things, so we do not have to wait for two months. It can be just be a test period.

Mr. Mastromarino stated we have two situations. One is that we have to look at a long-range plan and the other is to look at what we need to do today. Are we satisfied with what we have in place today?

Ms. Palmer responded I personally am, but that is just me.

Mr. McGrath stated you think that we are operating in a reasonable level.

Ms. Palmer stated yes.

Ms. Incandela stated we are also operating within our budgetary constraints.

Ms. Palmer stated yes. We can tell Ms. Mackie what we are looking at and direct her to talk with their attorney and report what our feedback is on maybe doing something temporarily in this period. She can tell their attorney that the CDD Board has a prime

opportunity during this holiday season to task some things out and ask if the HOA Board would be willing to take something out to work with our current security company to figure out something for this holiday season. She will have all of this information.

Mr. Mastromarino asked do we need two weeks to notice that?

Mr. Moyer responded yes, if the Board gets together, but not for the attorneys to get together.

Ms. Incandela stated as all of these contractual issues and other issues come up, I am not comfortable in having the HOA involved in even providing trial security, but there are a lot of things that I want to know first. I am not entirely comfortable. If you want a trial period that quickly, then I suggest that we undertake it on our own trial basis. Then we can present the results to them. If they choose to at that point that there is going to be a collaboration, we would only be incurring the additional expense of whatever the temporary trial period was and we would go back with our own information. I am not ready at this point to initiate any sort of anything on a temporary basis until I can see how things are going to work.

Ms. Palmer stated maybe they give us the money. They do not have anything to do with the contractual issues.

Ms. Incandela stated in order for them to give us the money, you have to do it by a contract. We cannot accept the money for services.

Mr. McGrath stated we already did with the \$3,300 piece of machinery. We cannot abrogate our responsibility to the HOA Board taking care of security because it is our location. We cannot take a gift or money.

Mr. Moyer stated yes, you can.

Ms. Palmer asked can we take a gift that they dedicated towards the security and safety of the community that they earmarked?

Mr. Moyer responded the gift can be targeted.

A Resident stated we made that proposal at an HOA meeting to hire more police presence. The security guard covers just one little area, and what happened was not in this area so the security guard would not have been of use anyway. The HOA feels that a police presence, where they can patrol through the area up and down streets, is more of a deterrence in the entire Brighton Lakes area.

Mr. Mastromarino asked can they do that without our permission?

Ms. Incandela responded the reason why I asked the question is because if they want to hire police to patrol the community, if they are not patrolling our property, they can patrol the roadways without permission from us.

Ms. Palmer stated we spend money throughout the course of the year and came in at budget. We have things coming up that cannot wait. We cannot afford hiring off-duty officers. As a Board member, I have some serious reservations about doing that. I do not like it. Like you said, we can vote however we want. I would vote against having off-duty officers. We have the security guard. Let us just leave it as is. Let the two of them talk. In the meantime, Ms. Mackie can let them know that we have the security guard and if they wish to hire someone to patrol the streets, those are public streets and that is well within their rights. They can bring back anything additional to us. I do not think we have the funds to hire deputies. It is expensive.

Ms. Pieters stated my sense is that the HOA wants patrols throughout the community.

Mr. McGrath stated we will find out what they are talking about when we receive their proposal. Let us see what happens then. In the past, we have given Christmas bonuses to our employees.

Mr. Smith stated I would like to complete my report. All of our DVRs are getting old and we need to replace them. The ones down at Kariba Court and Volta have radio feeds that do not work and the DVRs are bad. The cameras still work. I received a proposal from ACT for \$9,000, but it is for three DVRs. In addition, we need internet access to these DVRs. I need to move ahead with that and get upgraded cameras as well.

Ms. Palmer asked is this to bring the system up to where it should be optimally running at right now?

Mr. Smith responded yes.

Mr. Mastromarino stated that seems expensive. Did we get more proposals?

Mr. Smith responded I can keep researching this. To tell you the truth, we do not need the extra cameras. I think we just need the DVRs.

Ms. Palmer stated we need the cameras. How will they know when someone is there?

Mr. Smith responded we need internet access so they all communicate back to the guardhouse. The guard can see these cameras. What we have right now is a radio feed to the guardhouse.

Ms. Palmer asked what do you really need and how much will it cost?

Mr. Smith responded right now, the cameras and the DVR are working, so the cameras here can be seen by the DVR, but they cannot be seen by the guard. The guardhouse's cameras are working. The DVRs at Kariba and Volta are not working, but the cameras are working. At this point, I need to get Kariba and Volta back up and running.

Ms. Palmer stated the cameras that are here should be able to be seen there and they cannot see them.

Mr. Smith stated that is correct.

Ms. Palmer stated that is bad because if there is something going on down there, they cannot see what is going on.

Mr. Smith stated then I need to replace all of the DVRs in the community.

Mr. McGrath stated it will cost \$24,950, but if we need it, we should go ahead with this.

Ms. Palmer stated I think this is a dangerous situation because they are not able to see what is going on up there and they are not able to communicate with those two areas.

Mr. McGrath stated they are charging us every month and it is their system.

Ms. Palmer stated we could authorize a not-to-exceed number and ask Mr. Smith to obtain another proposal. If it comes back \$10,000 less, he needs to go back to ACT and tell them that the Board has been told that the cameras here, although they record, cannot be seen at the guardhouse.

Ms. Incandela asked Mr. Smith, are you comfortable getting another estimate or is ACT the only one who is going to be able to repair the equipment?

Mr. Smith responded I will shop ACT's price and see what barebones equipment we can get. If I can upgrade the DVRs at Kariba and Volta, they should be able to communicate with the guardhouse. That is my goal. They are telling me I need new cameras, but I need proof that I need all these new cameras. There is nothing wrong with the cameras we have.

Ms. Palmer stated if you do not get cameras, then that amount will go down.

Mr. Smith stated yes.

Mr. Mastromarino asked will whatever system you put in there allow us to look at license plates?

Mr. Smith responded we can do that now.

Ms. Palmer stated it is just not recording.

Mr. Smith stated the ones here are recording, but the ones at Kariba and Volta are not recording anything.

Mr. Mastromarino asked will whatever system we put in allow us to expand to other places?

Mr. Smith responded yes.

Mr. McGrath asked do you have a sense that the new technology we will be buying will be less trouble to repair?

Mr. Smith responded it is like having a VCR that is outdated and does not work anymore. The DVRs work the same way. They only last so many years.

Ms. Palmer made a MOTION to authorize Mr. Smith to go back to ACT with a not-to-exceed number for three DVRs and to obtain another proposal to compare to ACT's proposal.

Mr. McGrath seconded the motion.

Mr. Smith asked what is the not to exceed amount?

Mr. McGrath responded \$24,950.

Upon VOICE VOTE, with all in favor except Mr. Mastromarino, authorization was given for Mr. Smith to go back to ACT with a not-to-exceed number of \$24,950 for three DVRs and to obtain another proposal to compare to ACT's proposal.

Mr. McGrath stated I am wondering if the HOA would be interested in funding part of that. That would be a one-time cost for them as opposed to an ongoing monthly expense.

Ms. Incandela stated we know that it is not feasible and we do not wish to be involved in funding any sheriff and they have the right to do that throughout the community without our permission. If they wish to do that and provide an expansion of CDD services, for example, a gift that can be used exclusively towards improving our camera system and allowing increased security, that would be a suggestion that Ms. Mackie can make when she meets with the HOA attorney. If they propose a 50-50 split for sheriff services, she can tell them that the CDD Board cannot do that for liability reasons and they have the right to do that on their own throughout the community and can suggest that they help us with our security so we can have increased security by considering

making a gift from any budgetary funds that they have toward improving our security cameras and installing additional DVRs throughout our community. I think that is a good idea.

**ix. Discussion on Field Services**

Mr. Smith stated the next item that I have is a spreadsheet showing how much work is actually getting done by field operations staff. On projects such as pressure washing the fencing, I put together the man hours and unbilled hours that are outside of our contract. Normally when I have an outside contract project such as striping or a sidewalk resurfacing, Severn Trent charges a 15% handling fee. I have not been doing that. Because I have not been doing that, I cannot manage more than one project at a time. I do not have the manpower to do it for free. If you want me to escalate the speed that I do these projects, I need to charge 15%. If I am doing trash removal, I am sending out a guy once a week. It is the same thing with the sidewalks. When we work on the sidewalks, I have to pull the guy who is doing something else. I cannot get it done immediately. I do not have the manpower. I cannot afford to do that. I am asking for the Board's patience. I am getting my guys out here to work, but it cannot get done immediately because for the past three weeks, I have not had a guy to come out here to do it who is not doing something else that he is getting paid for.

Mr. McGrath stated speaking for myself, I do not have any problem with that. We are very fortunate in that aspect and are very happy. Having said that, you told us two months ago that the fence would be up last month.

Mr. Smith stated I cannot give you a schedule. I have no power over what the County does.

Mr. McGrath stated I agree. When people tell me that we do not have a fence up and ask what is going on, all I know is that it will be up in probably two months. It was not up and I do not know why. We have three trees across the road. Did you know about these young trees? We did not put them in. They are just on the other side of the basketball court. I am assuming the home owner at the first house put three trees in the common area.

Ms. Palmer stated I think Mr. McGrath is saying, if there is a delay on something, let us know. in the same regard, if we see something, we need to let them know. Does Mr. Gonzalez know about them?

Mr. Smith stated I did not know about the trees and neither does Mr. Gonzalez .

Mr. McGrath asked has Mr. Gonzalez ever been out here on our behalf?

Mr. Smith responded I brought him out here. We are still transitioning our office and are not sure who is going to be doing what. Right now, we are moving people around. I do not know what Mr. Gonzalez is going to be doing.

Mr. McGrath stated I do not manage the employees; you manage them since it is your operation. My frustration is that I would like for a Severn Trent employee to come out in a week or two weeks to look at the trees. I do not know if this is doable. If someone came out and drove past, they would see those three trees.

Mr. Smith stated I was out here today and I did not see those street trees.

Mr. McGrath stated that is the type of thing that should initiate a letter if we did not plant the trees and are assuming that they planted them, and we should tell them to remove the trees because they are not on their property.

Mr. Smith stated I have guys out here constantly and I tell them to look around when they are out here. However, we do not see everything. If someone is walking their dog, they will see something we will not. Eyes and ears out here are very helpful to get information back to us. I know when Ms. Maria Fuentes was communicating with the Board, there was much tighter communication, but because of our transition to Mr. Gonzalez, she is not involved. Mr. Gonzalez barely knows what we do. We are not making excuses. Communicate to me by phone call or email.

Mr. McGrath stated on that subject, there were five instances where Severn Trent was notified that a car was parked in our parking lot.

Mr. Smith stated we responded. Ms. Fuentes was trying to locate the owner of the car, who was a resident. We wanted to give that person the opportunity to move their car.

Mr. McGrath stated I understand. Ms. Fuentes called me the day after the car was moved, but the security guard notified Severn Trent.

Mr. Smith stated I was out here the next day and looked into the car and then when I came back the next day, the car was gone. I spoke to the attendant who told me the car was there. It looked like someone had just been in the car. It did not look like an abandoned vehicle. At that point, I left and gave the license number to Ms. Fuentes. She went to the sheriff and asked them to locate the owner of the car. The sheriff said no, so I came back out and the car was gone. Then I left and when I came out again, the car was there. I asked the attendant how long the car was there and he said a couple of days. I got back with Ms. Fuentes and she pushed the sheriff harder. She spoke to the sheriff in

Celebration who researched it. That took some time. He got back to Ms. Fuentes and gave her the phone number of the owner of the vehicle, who was a resident. We contacted the resident. She was mad because she parks there all the time. We asked her to remove the car and not to leave it there a long period of time.

Mr. Moyer stated it would have been a lot easier just to tow it.

Mr. Mastromarino stated I wholeheartedly agree.

Mr. Moyer stated you put a lot of work in to protect a resident, and I think you should have towed the car.

Ms. Palmer stated Mr. Smith is in a thankless job. I am sorry that you feel that you have to put together something like this.

Ms. Incandela stated I asked for it. When we were going through another exercise, you asked us to keep in mind all of the things that you do for us that you are not charging for. I do not know if this was a formal response to that or not, but I am glad that you did it because I think it is important for us to be able to address with people how much above and beyond you go. I have seen that over the years. If I had an inquiry with you, I always received follow up. What I have seen from years of these meetings is we ask you do something by a certain date and you say you did it. It is not a matter of things not being done, but maybe someone did not get back with you. Personally, I would rather you do it yourself. I do not feel the need to micromanage you. For years and years, you and your staff have done an outstanding job. It has not been a matter of you not doing what we asked you to do. There are certain things that are not being done as quickly as we would like for them to be done, but the fact of the matter is we are not your only community. You are servicing other communities and making us feel like we are your only community, but we are not your only community and we recognize that you are running all over the place and your phone never stops ringing. I think we have to help Mr. Smith out also because he is being inundated with calls from residents or Board members from other communities, from his bosses, and from everybody. Everything is getting directed to him and we are asking why he didn't answer me on this. I am sorry because I have done that in the past because I feel like every time we have an issue that I am the only one complaining to you. I am sorry for putting you in that spot and I thank you for responding. I think we need to help you as much as possible. If it was something where we had to leave Mr. Smith five messages on the trees, I would have an issue with that, but that is not the case. I do not believe that we can afford to have more of a

presence here because they are already giving us a lot more than what we are paying for. If we are asking him to do more, I think we need to compensate him for that, but I am not willing to do that right now.

Mr. McGrath asked do we agree that the notice about the meeting should have been posted?

Ms. Incandela responded yes, you are right. I think there are certain things that are going to slip through the cracks that we wish would not slip through the cracks. That is something that we would like for you to remember to do.

Mr. Smith stated Mr. Gonzalez and the new gentleman here put the sign in front of this building. I came here and saw where it was placed and did not have time to put it out front.

A Resident stated the time of the last HOA meeting was posted incorrectly.

Ms. Palmer asked how much did we give last year for Christmas? Was it \$300?

Mr. Smith responded the person here has been here for a very short period of time. he is doing a good job, but I think you can go down to \$100.

Mr. McGrath asked should we consider giving anything for our security guard? Have we done that in the past?

Ms. Palmer responded I think we should give \$150 to Mr. McCartan.

Mr. McGrath stated I think \$100 is enough. Should we consider going back to meeting every month instead of every other month? This is something to think about for the next meeting. Will we get more done?

Ms. Palmer responded I think we should consider either having a semi-annual or annual meeting that is a joint HOA/CDD meeting. How many times do people say they cannot get an answer? We can rent a room in the library and have one joint meeting where residents can come and get the answers to all of their questions and both Boards have a united front.

Ms. Incandela stated I do not see the need to intermingle. I think it would cause more confusion having joint meetings.

Ms. Palmer stated I am not saying joint meetings all the time, but having a joint meeting once a year where we can all come together. We always hear from the HOA that we do not work with them. We all complain. It is just a suggestion to have one meeting where residents could get answers to their questions.

Mr. McGrath stated we cannot work with the HOA Board.

Ms. Palmer stated we can cooperate with them and answer questions. It will either be a CDD answer or an HOA answer.

Ms. Incandela stated I think it can be addressed by a representative of the CDD Board to address any comments at the HOA meeting. You can do that as a single member of the CDD.

Mr. Mastromarino asked do you know what the awkwardness of that is? Mr. McGrath and I attend most HOA meetings and we are both CDD Board members. If someone asks a question, we abide by the Sunshine Law.

Ms. Palmer stated if we had a public meeting, we could advertise a one-time joint meeting. I am just saying that with everything that has gone wrong and things being thrown back and forth, it is just a suggestion. It does not have to happen.

Mr. Richard Greene stated the HOA is only a few days from the CDD meeting. You need to stagger the meetings. One month have a CDD meeting, the next month have an HOA meeting and so on. Ms. Incandela brought up the gate signs. Are there signs saying that you are being videotaped? That might be a deterrent. If someone is coming in to do a crime, that may be a way to stop it.

Ms. Incandela responded I do not think signs change behavior, but I think that there are certain signs that provide notice such as *No Smoking*. This is an important sign because it lets you know that you are not permitted to smoke. When you work with the security companies on the cameras, can you see if maybe they will throw in some video surveillance signs as an incentive to upgrade? I am not opposed to getting signs saying that you are under video surveillance if we do not have to pay for it.

Mr. Smith responded yes.

Ms. Palmer stated I think for \$24,000, they can throw one in.

Mr. McGrath stated the Sweetspire park bench is damaged and a sign is missing.

Mr. Smith stated I had someone out there today.

Mr. McGrath stated this brings us back to the point of having to meet every month.

Mr. Mastromarino stated exactly.

Mr. Moyer stated it is cost driven to have monthly meetings. You will incur considerable attorney fees. For our fees, we are not going to do 60 pages a month at the same rate. There are cost implications.

Mr. McGrath stated I had not thought about that.

Mr. Smith stated I have two soccer nets and I am going to install soccer goals at an open area at the end of Brighton Lakes Boulevard. I took out that equipment for the soccer nets. There are berms on either side. You can sit under trees. That is what I am currently working on.

Mr. Mastromarino asked will there be a playground there as well?

Mr. Smith responded at some point. I am obtaining some costs. We have slides that are in good shape, but we would have to build a platform. I am thinking about having all the slides go off of it. I will put the soccer goals there first and look at the size of the field to see what can fit there. We can maybe have a small tot lot with a platform and four slides going off the platform. I will also put some benches there.

Mr. Mastromarino stated you had that area cleaned out. Did anyone report back to you about how the picnic tables were moved out and the playground equipment is broken?

Mr. Smith responded I saw the damage myself.

Mr. Mastromarino stated I review the lots every once in awhile. That seems to be the worst one in terms of after-hour activities.

Mr. Smith stated they are not there anymore.

Mr. Mastromarino stated as we add more and more equipment, people can hide behind the slide. Can we have a sign saying the park is closed from dusk to dawn?

Ms. Incandela asked is the person hiding behind the equipment going to obey your signs?

Mr. McGrath responded no, but it gives us some backing if someone is causing problems.

Ms. Incandela stated if our parks close at dusk, that is fine if you want to install a dusk-to-dawn sign, but it is not going to stop what someone is doing.

Mr. McGrath stated we have one on Brighton Lakes Boulevard.

Mr. Mastromarino stated yes, we do. We can tell the sheriff's department when people are trespassing or are there after hours.

Mr. McGrath stated the slide is a good use for that area.

Ms. Incandela stated because we do not communicate outside of meetings, when things get done close to meetings, keep in mind that Mr. Smith and his staff are staggering other communities as well. There is an action list for every community that they manage. I think their goal is to try to make sure everything is done by the meeting.

If we have meetings every four weeks, we will incur an additional cost and Mr. Smith will say that it will be done in another three weeks. Do you see what I mean?

Mr. McGrath responded yes.

Mr. Smith stated from now through the next two to three weeks, my staff's schedule is full. I am not even going to start here until three weeks from now. I can order equipment or supplies right away, but even placing an order or opening an account takes time. It does take awhile to get on a schedule.

Mr. McGrath stated there is an aggressive alligator here. Do you know if it was removed?

Mr. Smith responded no.

Mr. McGrath stated I texted Mr. Gonzalez and had not heard back. I went out fishing and saw a small alligator. As soon as he saw me, he headed right toward me.

Mr. Smith stated you do not need to call Mr. Gonzalez. You should call the Fish and Wildlife Commission (FWC). Mr. Gonzalez will just tell you to call FWC. They have to see the alligator.

Mr. McGrath stated I thought since it is CDD property that the call had to emanate from the CDD. If a resident has a problem, can they independently call FWC?

Mr. Smith responded yes. You also want to be careful because if FWC comes out here, he may not see the alligator and think that everything is fine. If he does come out, he will take everything he can find.

Mr. Greene stated you can call a trapper. I have seen them out here.

## **EIGHTH ORDER OF BUSINESS**

### **Submitted Resident Questions and Audience Comments**

There being none, the next order of business followed.

## **NINTH ORDER OF BUSINESS**

### **Supervisor Requests and Comments**

#### **A. Security**

Mr. Mastromarino stated we talked a lot about security. What we need to talk about is the kids being off for Thanksgiving and Christmas. With the security we have, regardless of what the HOA does or do not do, do we need to have security on the days that the security guard is off?

Ms. Palmer asked what days is he off?

Mr. Mastromarino responded Monday and Tuesday.

Ms. Palmer asked does anyone else come in on Monday and Tuesday for security?

Mr. McGrath responded the guards are there seven days a week, but not 24 hours.

Mr. Smith stated the attendant is here seven days a week.

Mr. Mastromarino stated I thought that we did not have security on Monday and Tuesday.

Ms. Palmer stated they are here seven days a week.

Ms. Incandela stated I thought a resident said that the guard was not here seven days a week.

Mr. Brian stated a resident said that.

Ms. Palmer stated it was reported at a crime watch meeting that there was an emergency.

Mr. Mastromarino stated there was no security that night.

An attendant stated there is no one here on Monday and Tuesdays.

Ms. Incandela asked is there a replacement for you?

The attendant responded not that I am aware of.

Mr. Smith stated someone is at the gate seven days.

Mr. McGrath stated thank you for the job you did for yesterday's activities.

Ms. Palmer asked can you check on this, Mr. Smith?

Mr. Smith responded yes.

Ms. Palmer stated according to our contract, there is supposed to be someone here seven days a week. If not, we need to revisit the contract.

Mr. Mastromarino stated we will ensure that there will be seven-day coverage here.

Ms. Palmer stated especially during these holiday periods.

Mr. McGrath stated perhaps the HOA would help us out with this.

Ms. Palmer stated we are already assessing the home owners.

Mr. Mastromarino stated we already talked about getting together with the HOA.

Ms. Incandela stated if you have any suggestions, submit them to Ms. Mackie before the meeting.

## **B. Contract Performance**

Mr. Mastromarino stated a lot of issues were brought to light in terms of the timeliness of issues getting completed by Severn Trent. In fairness to Severn Trent and our expectations, the contract is 11 years old and perhaps it needs to be reviewed regarding their scope of work and expectations. I believe the contract expires in May.

Mr. Moyer responded no, it is a continuing contract.

Ms. Palmer stated just be prepared this may hurt us. I think that we should review the contract because we receive a lot more services than we contracted for.

Mr. Mastromarino stated I have the contract and the scope of work is ambiguous as to what the requirements are. I find it ironic that we meet every two months and 90% of the work gets done just before the meeting.

Mr. Smith stated that is not true. We removed all of the tot lot equipment a long time ago for free. That would have cost you about \$10,000. We have been out here grinding sidewalks for four months. We are picking up trash constantly and pressure washing the PVC fencing and the front entrance on a regular basis. We are out here all the time. Mr. Simmons is out here almost weekly making irrigation repairs that Girard would be charging you an astronomical amount for. We are out here constantly.

Ms. Incandela stated the reason why we specifically continued our contract with Severn Trent is because there is a long-standing relationship that they have gone above and beyond their scope. You do not even have to look at the scope to know that this is something that they did not need to do and they do it on a continual basis. There is a relationship and a trust. I do feel that we are getting the scope of services and then some. I understand what you are saying that it seems everything being done right before the meeting. We have an eight-week period in between meetings and if they are getting everything we ask to get done eight weeks before the meeting, I am okay with that. Most of it is getting done ahead of time. Even if they are coming in at the last minute, I am fine with that because this company is managing several other communities, they are giving us top-notch service, and they are giving us so much more than we are paying for. There are a lot of facets to this company that perhaps you will not find in other management companies. In addition to having outstanding field work, we have outstanding management and legal services, and they work together.

Ms. Palmer stated you are not going to find anyone who manages CDDs in the State of Florida better than Mr. Moyer.

Mr. McGrath stated indeed.

Ms. Incandela stated when I looked at other management companies, if a community is going to be in trouble or if a community is going to fail or suffer, they are most likely not going to suffer because their landscaping is poor. They are going to suffer because that District was not properly managed. When you look at property management, you want to look at who is overseeing the legal aspects, the budgeting, and the financials.

The work that Mr. Moyer performs is outstanding. I do not trust anyone else in the country to run things the way that Mr. Moyer runs things. I understand why coming in you are saying that we are not getting things done and you want to look at other companies. I get that because you do not have a decade of history with this company.

Ms. Palmer stated when we were being sued and people were standing here screaming at us for hours upon hours, Severn Trent stood behind us. We had to have meetings at the library. We did not have a recreation center because the builder was not here. They were not defending the builder or the County; they were defending us and looking out for our interests. I believe that Ms. Incandela said it all.

Ms. Pieters stated they are outstanding.

Mr. Moyer stated to put it in perspective for you, I can tell you that there is no management company within 15 miles of Brighton Lakes. Do you think anyone will come from Tampa or Orlando to pick up your garbage? You have to keep in mind what you have.

Mr. Mastromarino stated I am not saying that Severn Trent is not doing a good job. The way I look at it is that it could be stepped up a bit from what I see. I go around the community.

Mr. Smith stated I can do that.

Ms. Incandela stated it is going to cost us a lot more.

Mr. Mastromarino stated if it is, then we need to review the contract.

Mr. Moyer stated in my communications to you, if you want something done next week, Mr. Smith can hire a day laborer, but he is not going to pay for the day laborer; you will. You either pay for the day laborer to do the job, or you wait for the two weeks until they get around to it.

Mr. Smith stated for example, I would call a sign company to install a sign and then I would pay them to make the sign and then drive out here to put in the posts. You have to pay for the posts, travel time, labor, and the concrete. They would charge you a lot for that. If I do the work, I order the signs and open a work order. Whenever a sign guy is coming in this direction, at that point, I will have him come out with the signs and install them. The sign may sit in the office for a week because the sign guy is not coming out here until next Tuesday.

Mr. Mastromarino stated for what you do, you do a great job. It is just that there are some things that I think slip through the cracks. If you are overwhelmed, then the Board needs to know.

Ms. Incandela stated we can address that, but we would have to pay more funds to get things done in a quicker fashion. Do you want to spend that money to get the sign installed two weeks earlier?

Mr. Mastromarino asked how long has the video equipment at Kariba Court been broken?

Ms. Palmer responded it has been fixed numerous times in between.

Mr. Mastromarino asked how long has the DVR been broken, four or six months?

Mr. Smith responded two months ago at the last meeting, I brought you a letter from ACT explaining what the problem was. It was right around before the last meeting when the equipment broke down.

Mr. Mastromarino stated for six months, we have not had the proper security for the Kariba and Volta gates.

Ms. Palmer stated at the last meeting, we did not take action to do anything. We did not approve to do anything tonight. That is not Mr. Smith's fault. That is our fault.

Mr. Mastromarino stated as far as I know, we brought it to his attention.

Mr. Smith stated no.

Mr. Mastromarino stated at the gates were broken.

Mr. Smith stated the gates were not broken. The DVR was not communicating with the guardhouse. At that point, it went from the DVR not communicating with the guardhouse to the DVR not working. That was during the same period of time. Over that period of time, several things happened. It gets convoluted and I understand. We are on top of it. In the last 10 years that I have been here, we only used the cameras or the DVR information from Volta once and it did not help us.

Mr. Mastromarino stated the gates were open three times just in the last six months.

Mr. Smith stated because it did not cost us anything to fix it, we just put them back on. I did not even call ACT to do it. I did it myself. What I am looking at is the financial aspect and the Board having enough money at the end of the year. I looked at the budget and it is tight. I am doing everything I possibly can to do this work under budget.

Mr. Mastromarino stated I appreciate that.

Mr. Smith stated my goal is to do as much as I possibly can get done with the dollars I have. If we have to strain ourselves and not get things done immediately, then so be it. Now if the Board wants to change that, we can do that. That is not a problem. I will call ACT and have them get on that gate right away and move things along. What happens is, as soon as I start doing anything, the cost of the repair increases, and it increases fast. That is my concern. I know that you have concerns and you are justified in that concern because you do not see the minutia of what is going on out there.

Ms. Incandela stated part of the issue, too, is if I asked you to explain everything that you are doing, the time that you are taking to explain it to me is taking you away from doing the work and everything else, which is where we have a micromanagement issue. Because Mr. Mastromarino is new to the Board, he does not have a decade of experience hearing this over and over again. I think that relationship will develop over time. If we did want those items done in a faster fashion, if we ask anyone from this company, they are absolutely right that we have to pay. At this time, I do not wish to do that. I am satisfied enough with what we have, but I do understand that there may be certain things that we need to wait for. I would rather wait for it than pay additional money to have the work done in a quicker fashion. I do not think another management company would do a better job. I think another management company would do a worse job, so I am not at all interested in shopping for other management companies or increasing the budget to have those items completed faster at this point.

Mr. Mastromarino asked is it unreasonable that we requested two months ago to have the lights turned off at 9:00 p.m.? It was not done until seven weeks after we asked.

Ms. Incandela asked as a Board member, if you were concerned about the lights and asked for them to be turned off and you see the next week that they were not turned off, did you follow up with them?

Mr. Mastromarino responded I did not want to micromanage.

Ms. Incandela stated if there is something that you specifically asked them to do and it was not done, that is not micromanaging. That is inquiring why a project was not completed. If you go back another week later and it is still not done, then you have a right to call them again. To me, micromanaging is going to another level.

Ms. Palmer stated micromanaging is questioning when they are going to do it, what time will you be there, how long are you spending there, what company are you using. Following up is different.

Ms. Incandela stated we need to help them by letting them know when issues slip through the cracks by calling them and following up so we can get the lights turned off. That is a different story altogether.

Mr. Mastromarino asked do those requests go directly to Mr. Smith?

Mr. Smith responded right now they should go to Mr. Gonzalez, and copy me on the emails. If you see something out there and something that has not been done, you are welcome to call me.

Mr. McGrath stated it seems to me that you guys are supposed to be out here and we do not see you.

Mr. Smith stated we are out here.

Ms. Incandela stated if there is a project, let them know if the date of completion changes due to permitting issues.

Mr. Smith stated Ms. Fuentes started emailing all of the conversations with the contractors.

Mr. McGrath stated the conversation was that they are waiting on approvals.

**TENTH ORDER OF BUSINESS**

**Other Business**

There being none, the next order of business followed.

**ELEVENTH ORDER OF BUSINESS**

**Adjournment**

On MOTION by Ms. Palmer, seconded by Mr. McGrath,  
with all in favor, the meeting adjourned at 9:10 p.m.

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Gary L. Moyer, Secretary

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Michelle Incandela, Chairman