

MINUTES OF WORKSHOP CELEBRATION COMMUNITY DEVELOPMENT DISTRICT

A workshop of the Board of Supervisors of the Celebration Community Development District was held Tuesday, March 16, 2010, at 3:30 p.m. at 851 Celebration Avenue, Celebration, Florida.

Present from the Board were:

Cliff Akey	Chairman
Paul Collins	Vice Chairman
Tom Sunnarborg	Secretary
Lee Moore	Treasurer
Bruce Carlson	Assistant Secretary

Also present were:

Gary Moyer	Manager: Moyer Management Group
Jan Carpenter	Attorney: Latham, Shuker, Eden & Beaudine
Brenda Burgess	Moyer Management Group
Brian Smith	Severn Trent Services
Residents and members of the public	

This is not a certified or verbatim transcript but rather represents the context and summary of the workshop.

FIRST ORDER OF BUSINESS

Call to Order

Mr. Akey called the workshop to order at 3:30 p.m.

SECOND ORDER OF BUSINESS

Roll Call

Mr. Moyer called the roll.

THIRD ORDER OF BUSINESS

Discussion Items

A. Review Options and Recommendations for Downtown Rails at Lake Rianhard

Mr. Smith stated I distributed proposals from Albritton Williams and William Stone for two options: (1) remove and replace the timbers around the bulk head at Lake Rianhard, and (2) remove the timbers, fix the loose railings and tex coat the top of the bulk head where it needs it. I am comfortable with both companies; they have done a lot of work downtown and throughout the community in the past. I have already removed some timbers and tex coated the top of the bulk head immediately to the right of the steps facing into the lake. The timbers are getting rotten and need to be removed or replaced. The timbers are around the edge of the wall, equivalent to a wood bumper if this were a real dock.

Mr. Akey stated I have looked at this extensively, including the areas where it is just painted and there is no wood. I am leaning to just remove them and not replace the wood.

Mr. Smith stated the lower price for that option is from William Stone for \$14,000.

Mr. Sunnarborg stated I reviewed this with Mr. Smith. I originally had a strong thought about keeping the wood since it is the original design theme, but as I was standing there, it did not have any impact at all.

Mr. Akey stated that is how I felt. It does not look that bad having them removed.

Mr. Sunnarborg stated I will defer to Mr. Smith as to what will make more maintenance sense. It was not thematically that important in my opinion from an aesthetic sense.

Mr. Smith stated we do need to replace them every 10 to 15 years. They do have a tendency to get bees nests and wasps nests behind them, and it is a huge savings not replacing the wood. I think it will look cleaner.

Mr. Akey stated I agree.

Mr. Collins stated when I looked at it, the decking on the floating dock is in bad shape. Do we need any of that material? One purpose for it is to have sailboats, which we have tried several times. If there is another purpose, we can consider more work, but the liability with that is significant. We have events downtown where people are drinking alcohol and there is nothing to prevent them from going into the water.

Mr. Akey stated no matter what we do with the floating dock, we still have to do this repair work. A second issue is what we are going to do long term with the floating dock.

Mr. Smith stated the next proposal I have will be to replace the decking on the floating dock, the bridge and the ramp.

Mr. Akey stated we will still have to address the dock, in addition to addressing the timbers on the bulk head.

Mr. Smith stated that is correct; you will need to address the dock at some point.

Mr. Collins stated we would not save any money if we tried to make these decisions at the same time.

Mr. Smith stated no. I will get separate proposals to replace the decking on the floating dock, the ramp and the bridge.

Mr. Moyer stated they are not related but clearly, if you do not do the dock, you would not do the rail.

Mr. Moore stated people use the pier for fishing, and it is not for boats or paddle boats anymore.

Mr. Sunnarborg stated we may get a future request for the water ski event.

Mr. Akey stated someone sent material because they were interested in having a floating stage in the lake.

Mr. Moyer stated they have not asked for anything but just mailed some material. I sensed it was if the CDD wanted to buy a floating stage.

Mr. Smith stated the option just to paint and clean the wooden bumpers along the wall would be at a cost of \$14,500 with William Stone as the lower proposal. My recommendation is to award this work to William Stone for this work effort. If there is an outcry about the railings being gone, we can put them back up with the money we saved.

Mr. Moyer stated I do not think there will be many people who will even notice they are gone.

Mr. Sunnarborg stated about a quarter of the length on the outside of the hotel is gone.

Mr. Akey stated we will consider this as an action item at tonight's meeting with the option of removing the wooden rails and not replacing them.

Mr. Collins stated when we look at the existing decking, another option may be to rethink the whole idea. Maybe we still have a place to go fishing, but we can expand what we want to do with that. It is a long area. I do not think we need to do all 50 yards.

Mr. Akey stated we could perhaps shrink it down and have an area just for fishing.

Mr. Smith stated the majority of the cost of redecking the floating dock is for aluminum. Perhaps we can even deck it with a synthetic board rather than the pressure-treated board, which lasts three times longer. I will start working on that proposal.

Mr. Moore stated Disney is using synthetic wood in a lot of places.

Mr. Sunnarborg stated while I was down there, I was wondering how much underwater plant material and trash are collected between the fountain and the stairs and around the dock. At some point, can you get in there and clean it out so that it is not scummy?

Mr. Smith stated yes. The wind blows everything to the steps and into one corner where everything accumulates.

Mr. Sunnarborg stated it seems to be getting shallower, and over time it is not getting any better, especially on the fountain side.

Mr. Smith stated I will talk to the aquatic contractor to spray the underwater plant material.

B. Review Options and Recommendation for Downtown Pebble Replacement

Mr. Smith stated this request is to repair the pebble bands at the shade structures downtown in the amount of \$13,650 from William Stone as the lower proposal

Mr. Akey stated we will include this item on the agenda for action at tonight's meeting.

C. Downtown Maintenance

Mr. Akey stated Mr. Smith should walk the whole area and make a list of what you find. Email your findings to the Board, even things like shrubbery or mulch is needed downtown, condition of the benches, and pressure washing signs.

Mr. Smith stated plant replacement is part of my \$20,000 budget and that work will be started soon.

Mr. Akey stated the green rail poles that we solidified in concrete, there is one that is loose.

Mr. Smith stated that is included in the proposal for the railings to be repaired.

Mr. Moore asked is there a schedule for pressure washing for the shade structures?

Mr. Smith stated they are supposed to be doing that weekly in the downtown area. When you spray inside there, it is hard to get it all out underneath. That will be another proposal because both pavilions need some work. I have a proposal to clean and paint the two downtown structures and the one on Celebration Avenue. I would like to use Albritton Williams for that work to fix broken chunks of concrete on the steps into the lake and any other detail concrete work downtown. I will also talk to them about providing a proposal to do another facelift on the fountain where we stain the letters.

Mr. Akey stated on your walk through, include the Stetson parking lot by the bridge. It is probably time for a good cleaning.

D. Status of Girard Performing Landscaping

Mr. Smith stated Girard is doing pretty well. They are doing well downtown and they are keeping up with mowing. I setup a meeting with the supervisor onsite and his boss to discuss staffing levels. They are trying to create a pruning crew. Today they had only two guys, and I said they need three and they need a vehicle with a lift and a chipper. They cannot do it the way they are today. They will bring in an outside fertilization crew to do

turf fertilization in March. They are working to get a detail crew. They are doing pretty well on trash and the two guys seems to be responsible, but their bed and plant detailing does not seem to have a crew for that work. The onsite supervisor, Fred Dorsey, is good and he will come to me and tell me what he needs. We will see what we can do to get proper staffing prior to spring and summer. If he gets behind when summer comes, then he will be behind all summer. I have a good feeling about them. They are helping out and looking at things in the field. The supervisor is the key, and getting him the proper staff and equipment is important.

Mr. Moore asked where are they parking?

Mr. Smith stated they are parking their private vehicles next to the Issa building for now. They are driving in with their trucks and they have dumpsters on the civic corridor. That is where they stage during the day, on the civic corridor.

Mr. Moore asked have there been challenges with Davey? Davey seems pretty professional so I would not anticipate any issues.

Mr. Smith stated no, they are working together well.

Mr. Moore stated the first little white sign on Campus Street that says No Soliciting has algae on it.

Mr. Smith stated it is a CROA sign but I will have one of my staff members clean it.

Mr. Collins stated the trash pickup is pretty good. I go down Celebration Boulevard toward the high school pretty often, and I saw someone running across the street who picked up something in the median. I do not think he was on the trash detail so they have the word out to their crew to pickup trash if you see it, even if it is not your job. I think their equipment is great. They have a lot of people working downtown and they seem to have them working in big shifts. Riding my bicycle around the lakes behind the homes is where they should be cutting the pampas grass back at this time of year. I did not see much maintenance being done in the hidden areas. I had not seen a tree detail crew, but I saw a crane parked across the street from the District office. I had a conversation with someone in town who had a close relationship with Davey. The last time a new contractor came in for CROA, they did not last very long. I raise my concern because I thought this person raised some petty issues. This may be a whispered campaign to discredit Girard, but I think summer will tell. I think we need to watch out for that coming from people who are closest to Davey.

Mr. Carlson stated I have been pleasantly surprised in how they handled maintenance. They are very visible, the equipment is new and it looks good. I have not looked at maintenance in the back areas but they are cleaning up the areas that are most visible. The last time a contractor failed, my belief is the CROA Board did not do our due diligence properly. It was not the same due diligent that Mr. Smith did to be sure they were qualified to handle the job. They came in with no supervision and the wrong equipment. I do not see us getting off to the same start that CROA ran into.

Mr. Sunnarborg stated I agree with Mr. Carlson completely. I was part of that process on the CROA Board as well. I have been a little worried about the point Mr. Collins raised, about people taking shots at Girard unfairly. I am prepared to say anytime that issue is raised that I want Girard to be successful and I will do what I can to help them be successful. My first impression is very good and I am comfortable that Mr. Smith is managing them well. If you see them stumbling, tell us how we can help them.

Mr. Smith stated generally you can tell by attitudes with the supervisor and how his boss helps him. He has been very open. We meet three times a week. We will start looking at the corners village by village because they are missing corners right now. He understands and they are getting into a pattern. They are learning the project and I have a good confidence level with that. It just depends on how his supervisor will treat him and give him more staffing.

Mr. Sunnarborg stated I had a couple questions on their report. For pest control, item 4.1.5a, it says “old damage from previous services is apparent” and I am not sure what they are talking about.

Mr. Moyer stated it might be the sod replacement that Davey is taking care of.

Mr. Smith stated Davey is responsible for quite a bit of sod replacement along Celebration Avenue from U.S. 192 to the bridge and they will be replacing that sod, even south of SR 417. The reason it has not been done up until now is the sod has been burnt from the freeze and it is not coming back green. They are waiting until they get a good load of sod. There are some Bahia areas that have gone to weed and over time because of the savings we have with Girard’s contract, we will address these area by area. I will create a list of areas we can resod if it makes sense, or we can overseed with Bahia to try to get a good product back.

Mr. Sunnarborg stated I just want to make sure Mr. Smith is on top of these issues and that there is no finger pointing between the two contractors.

Mr. Smith stated there is none of that.

Mr. Sunnarborg stated regarding their pruning procedures for oaks, magnolias, crepe myrtles, and others, I want to be sure they have Mr. MacCubbin's recommendations, especially for crepe myrtles. CROA must not have gotten that information and they cut them back severely in Artisan Park but there are other parts of town where they did not prune them that severely. It is not that hard. If the crepe myrtle is up against a building or will poke someone in the eye, trim it back. But if it is standing by itself and is supposed to look like a tree, then let it be a tree. I want to be sure Girard is not looking at what CROA is doing and think that is how Celebration wants them trimmed.

Mr. Smith stated I gave a copy of that report to Mr. Dorsey and told him to read it and understand it as our policy for tree pruning. I met with him and his tree pruning crew to make sure they know what they are doing, and that will be a continual meeting. I will have Mr. Dorsey attend meetings with Mr. MacCubbin, as well, and start that relationship. A lot of residents want the crepe myrtles pruned and I do not know how to answer them.

Mr. Sunnarborg stated I was in my office looking out my window when Davey came by to trim Ashbee Park. I watched them severely prune the first tree, and I called Mr. Garth Rinard to ask him if this pruning policy was a mistake. He said they have instructions to prune the park the way they used to do it. I asked him to explain where we are disconnected, and he said that is the way CROA wants it. They finished the park and took off everything green. I told Mr. Rinard that there is a scientific disagreement and told him the CDD has Mr. MacCubbin as our consultant and an expert that we trust, and we are going to follow his protocol. There is science to it and there is common sense. If a crepe myrtle is up against a building like the service area units by Spring Park, then you cut them back so they do not scrape up against a building. If they hang over a sidewalk and might poke someone in the eye, cut them back. If they are blocking someone's premium view, then trim it a little more, but other than that, just give them a slight haircut, not a shave. He understood that and said he will discuss it with Jerome about doing it differently their next pruning cycle. The problem with the inconsistency is the residents do not understand. Their contractors do not see consistency throughout the community, and they will see all these trees in this park pruned way back and they will assume that they need to hack all their trees on their lots, when there is no scientific

reason or common sense reason for doing that. The more we can share Mr. MacCubbin's recommendations, the better off we will be.

Mr. Smith stated I will talk with CROA and see who I can contact about seeing if they will use what the CDD consultant is telling us to do. I would like the Board's authorization to do what Mr. MacCubbin suggested we do, which is to tip the crepe myrtles, remove the seed heads and remove suckers. I would like to go back to that because it gives us more product in the long run. The crepe myrtles in Lake Evalyn will get too big if we do not cut them some. This way we can control them.

Mr. Akey stated Mr. MacCubbin is coming out on Thursday and we can look at Lake Evalyn and South Village. I mentioned to Jerome at CROA and suggested if they have questions, they can utilize Mr. MacCubbin and he will provide some direction, so then we can get some consistency.

Mr. Moore stated I am very happy with Girard.

Mr. Akey stated when they were here in December, I did visit their headquarters in Sanford. It is a very impressive operation: fleet vehicle maintenance, how they log in equipment, how they maintain their equipment. During their first 45 days, the only problem I have seen is garbage. You will see the small things but it is getting better. Next week, I will take a couple hours and go down the main streets. I know they will get better at it. When Davey was our contractor, I remember organizing a community wide cleanup six years ago where we, the residents, went out and picked up trash. The other thing we will have to discuss, which I do not think is part of their scope, is looking for garbage. I do not want to see garbage because everyone will notice it. You may not notice if something is not trimmed or cut, but you will see garbage. Do they have a schedule where they go down the back streets?

Mr. Smith stated yes, they are learning a routine.

Mr. Akey stated they are here each Saturday from 7:00 a.m. to 4:00 p.m. What is their scope of work for Saturday?

Mr. Smith stated they empty all the trash cans downtown and police the entire downtown area. When they are complete downtown, they move to Water Street, then Celebration Avenue out to U.S. 192, picking up trash and cleaning up. Then they go up Campus Street to SR 417, then Celebration Avenue down to Artisan Park, all the main feeder roads. Then they go back to the high traffic areas, such as Lake Evalyn, where

people are walking on the weekends, to make sure the trash is gone on the boardwalks and trail system.

Mr. Akey stated this past Saturday morning at 7:10, he was on Celebration Boulevard blowing, but I did not see the point of blowing that roadway at that hour. There is a lot of garbage out here from Friday night, but Girard is getting a lot better. To the comment about some people complaining, I have received a couple calls and no one wants to leave their name, and that is fine. One comment was they were not turning the blowers off and other things. I went jogging downtown Tuesday morning and the moment I approached them, they shut them off immediately. Last Thursday when I was jogging about 3:30, there were two in the road and when I came upon them, they shut the blowers off immediately. That leads me to Mr. Collins's comment that I think we are getting some of those conspiracy comments.

Mr. Collins stated they seem very similar to the Davey crew: nice guys, hardworking.

Mr. Smith stated I told Girard that I would be out watching them, and one of the concerns I had was when they are using the blowers, if a female is walking or jogging by, you do not stand there and gawk but you turn your head away and wait for the person to go by. I have been watching them, and they have been very good about doing as we ask.

Mr. Akey stated I give them a good rating, but we will continue to watch them. They began work in February. Is the contract executed and in our possession? Do we start paying them at the end of every month and are they paid through an electronic transfer?

Mr. Moyer stated we issue checks.

Mr. Smith stated we receive their invoice that is reviewed and approved, and then we issue a check for all our vendors.

Mr. Akey asked can we consider doing electronic transfers? At some point, we should be thinking about doing that, perhaps for next year.

Mr. Moyer stated it is an internal control issue and we cannot have one person sending the payment and signing the check. We probably are excessively cautious, but I think the Severn Trent staff does a good job in that regard. All the field invoices are approved by Mr. Smith and the administrative invoices are approved by me. In this technological age, there is perhaps something we can do to eliminate the paper waste, and I will talk with the auditor about it for next fiscal year.

Mr. Akey stated it adds up with mailing, postage, paper for checks and it can even be considered for fiscal year 2012.

Mr. Moore stated Mr. Moyer can approve and sign the invoice and then payment is sent electronically. That is how we do it in my office, but there has to be a signature on the invoice, and then we wire transfer immediately. I am interested in the bandit signs. Girard asked if they had authorization to pickup bandit signs around town. I have seen a couple the past couple weeks. Are they picking them up?

Mr. Smith stated yes.

Mr. Moore stated I tend to pick them up when I am driving out of Celebration.

Mr. Akey stated we have a resident, Steve Marinaro, who also picks up bandit signs on the weekend.

Mr. Smith stated it is in their scope to pickup bandit signs, but on weekends they do not do it as much. I told them that I want them picking up signs during work hours Monday through Friday, and if some appear on weekends, they pick them up as well.

Mr. Collins stated I pick them up occasionally. You can tell if they are selling something or advertising.

Mr. Smith stated if it is a civic group, I ask them to call me.

Mr. Moore stated they tend to appear on weekends along Celebration Place where people are trying to sell their house and non-civic signs up there.

Mr. Smith stated the only ones I tell them to ask me about is for civic issues, like baseball or the Boy Scouts.

Mr. Sunnarborg asked do we have a policy, using good judgment about signs in the rights-of-way?

Mr. Smith stated we do not allow signs on the CDD right-of-way.

Mr. Sunnarborg stated when the issue came up with the film crew issue, I was a little zealous in my reaction to that. But the more I thought about it, I think it is important that we are consistent over the long term in how we feel about our right-of-way. We ought to have a consistent policy.

Mr. Akey stated we should have a policy where we give the Boy Scouts, the Rotary pancake breakfast, and K-8 school certain privileges.

Mr. Sunnarborg stated perhaps we can consider a one-day license.

Ms. Carpenter stated you can adopt a formal rule as part of the rules and regulations. I can check to see what is in deeds and plats, because I know there are signage rights retained by The Celebration Company. I am not sure what else is in there, if there is something that prohibits any other signs or not.

Mr. Sunnarborg stated from a legal point of view, I want to protect ourselves so we can exclude someone in the future.

Ms. Carpenter stated as long as you treat everyone the same way.

Mr. Smith stated that is what we are doing now; no one is allowed to put signs in the rights-of-way. I remove them during work hours during the week. If a sign goes up over the weekend, it may be there until Monday when I come to work.

Mr. Moore asked are we allowed to selectively allow some groups to put up signs, giving preference to those that are Celebration related?

Ms. Carpenter stated no, they are public facilities and once you treat someone differently, you have to be very cautious that you are treating everyone the same and not having different classes. That is why you have to be very careful in allowing some people to do it and others not.

Mr. Moore stated perhaps it is better not to allow them at all.

Mr. Sunnarborg stated our policy should be that we do not allow them, period.

Mr. Akey stated I would like Mr. Smith to check the scope of services for Girard for Saturday. Blowing should be done during the week.

Mr. Akey stated at the memorial garden, where the pool is by Mr. Moore's house, I discussed this sidewalk with Mr. Smith as being an extra area for Girard. They may need to bring in a couple extra guys to pickup trash in that area. It needs to be walked since you cannot drive in there and trash sits there.

Mr. Smith stated that is a CROA park.

Mr. Sunnarborg asked do you mean to hire them once or twice a year to do a walking detail in that area?

Mr. Akey stated yes, once or twice a year, they can bring in two or three and have them walk way back to get stray cans, cups, bottles and other trash. A lot of people walk back in there, and we have no trash cans there. There is not a lot, but there is some.

Mr. Sunnarborg stated I agree, and they can cleanout the skimmers.

Mr. Moore stated where you are talking is a CROA park, but as you go down, the buffer is CDD property and everything ends up there.

Mr. Collins stated we could consider paying the Boy Scouts.

Mr. Akey stated we thought about that, but there is a risk of liability if they get hurt. We can hire Girard maybe in April or May and then again in October.

Mr. Sunnarborg stated I think that is a great idea.

E. Mosquito Control Contract RFP Timeline

Mr. Akey stated this contract comes up for renewal this year.

Mr. Smith stated Ms. Maria Fuentes and I are working on the scope of services for the RFP and we are putting bid packages together. I expect to have it ready to go out for bid June 1 and receive them by July 1. That will give staff a couple weeks to review them and put information together for the July meeting for the Board to consider. That will give us August and September to work through any other issues we may have.

Mr. Moyer stated that means you need to wrap it up by May 1 to send to Dr. Parsons for his review.

Mr. Smith stated I want to setup a meeting with him in April to get it finalized. If we go out to bid in June and the Board decides in July you want to reject all bids and rebid everything, we will have time to do that before the contract expires.

Mr. Collins asked are there a lot of high quality mosquito control vendors?

Mr. Moyer stated there are a few.

Mr. Smith stated RCID could bid it. Southern Mosquito does not have the same quality as Clarke, but there may be another one or two that is as reliable as Clarke.

Mr. Moore asked does RCID do areas outside their District?

Mr. Smith stated when I discussed it with them before, they showed some interest.

Mr. Sunnarborg stated they might be interested because it affects the environment that they are responsible for downstream.

Mr. Smith stated they are also very helpful.

Mr. Collins stated for something like this, I would be really worried not getting a high quality vendor. If you know any, contact them and encourage them to bid on it.

Mr. Smith stated this process will be the same as what we did for landscape maintenance but it will be more technical.

Mr. Akey stated we talked about having some educational things for the community; I need to call Tracey Prever and Dr. Parsons. I think we should table the educational components for now.

Mr. Moyer stated we had planned on having Pete Deglomine from Clarke to do the same type of seminar they provided at a previous meeting, about what they do, how they do it and the history of their company and videotape it.

Mr. Akey stated I would like to table that until I meet with Ms. Prever and Mr. Parsons.

Mr. Moyer stated that is fine.

F. Staff Resources for 2011

Mr. Akey stated Mr. Smith has a request for one staff member to be considered at tonight's meeting. Going into fiscal year 2011, look at what we have for staffing and see if we have the right resource levels and support office levels for people who are here. I think we need to take a hard look at it. If we need to add staff or supplement staff or have temporary staff, let us know as we go into next year's budget so we can make that a budget line item. Mr. Moyer might want to lead that agenda item and work with Mr. Smith for things like a backup for the phone or wherever you need it because emergencies come up and someone will be out of the office. From what I can see, you are maxed out on staff.

Mr. Moyer stated that is an issue. We have a fairly small staff and if someone is sick or absent, there is a hole.

Mr. Akey stated consider if you have other items, because now is a good time to look at it. As we prepare the budget for fiscal year 2011, we can consider that. If we do not have money and cannot do anything, then we live with the way it is, but at least we have taken an assessment of where we are.

Mr. Moore stated I think maintenance will be harder to keep up as the community gets older. Sidewalk grinding will be a perpetual activity.

Mr. Smith stated when we grind them and they get to a point when we cannot grind them anymore, they need to be replaced. My concrete guy is very good and I would like to move him into this supervisor position. He was hired at a low dollar amount, he is very good with concrete and he is a very good worker. I would like to bring in someone to help him. Mr. Russ Simmons manages all the irrigation throughout the project and does many other things in the community, and he is my assistant as well. He is helping doing concrete. They are both very good with concrete, but I need to get Mr. Simmons off the concrete projects. I would like the new person to be the assistant to the concrete supervisor, and also use the assistant on grinding and painting and other projects.

Mr. Sunnarborg stated we have added two full-time positions in the past two years, one to do painting and one to do concrete. You are now proposing to add one more?

Mr. Smith stated yes, as well as one mule so that he will have a vehicle. I am looking to get a heavy-duty four-wheel drive mule. As we deal with pond maintenance and water quality issues, I am looking to purchase a boat with a tank to do alum treatments on the

ponds. We did that in North Village and lowered the phosphate level by 80%, so we achieved our goal. We installed pumps up there for an ongoing treatment, and it runs six hours each night, which basically flows water over flock locks which goes out into these ponds. We have a good system setup but nothing to put a boat in the water. I will have that request at tonight's meeting.

Mr. Sunnarborg asked is that for the assistant?

Mr. Smith stated this third position I will request at the meeting is for the concrete Supervisor. I will move up my current staff member into this position and then hire someone for his position to be the assistant.

G. Fiscal Year Budget for 2011

Mr. Akey stated as you look at staff resources, fold in those requests for next year's budget. Then we can look at what increases we may have.

Mr. Moyer stated even with the additional staffing, you will be saving several hundred thousand dollars from what we budgeted this year, which is a lot of surplus money. The challenge is what to do with that. Do we lower our budget and thereby lower our assessments? Do we assume that we may have a problem with our contractor and for at least the next year, levy the same rate we did last year until we have more history with Girard and if they perform satisfactorily, we will address this next year? There is a point when we need to be sensitive about collecting people's money and just putting it in the bank.

Mr. Moore asked can we pay off the bonds faster with that money?

Mr. Moyer stated you can use that money for any lawful purpose, and paying off bonds is a lawful purpose.

Ms. Carpenter asked have you had a reserve study recently?

Mr. Moyer stated we could do that, but I can tell you what the results will be. We carry very healthy reserves and it is a wonderful position to be in.

Mr. Collins stated this is a good transition period to think about planning out five and ten years. The biggest savings I see for residents is that the Celebration Village bond payments will be done in a few years. When those bonds are paid off, I do not want to continue to assess for the debt payment. I think there are some instances where a CDD will pay off their bonds but they will continue to assess at the same rate to grow the capital reserves. I would like to be able to say that when the bonds are paid off, your debt assessment is done. To me that was part of the contract when I purchased my lot, and

once I have paid my 20-year bond payment, I do not want to pay it anymore. For most people, that will be a huge reduction in their assessments when they have no debt assessment. If we do not have that available for capital reserves, then we need to get it in our operating budget. We do have a lot of money in our operating reserves. In the early years when I was on the Board, we were able to use interest and income from those reserves to fund some capital improvements, but now we receive virtually zero interest. Now we are spending that money straight from the reserves and we are not adding anything to our reserve accounts. I think we need to look at some of the savings this year to accumulate into reserves, at least the amount that we spend from capital reserves. Even though people are used to paying it, I do not want to just keep charging it, as long as we are in a position where we do not have to keep assessing it.

Mr. Moyer stated I think we are at the level that, in good conscience, we can tell our residents that keeping our maintenance assessments at the same level is a good idea given the fact that we have a new landscape maintenance contractor and we need to go through a period of time to determine at what level he is going to perform. If something happens, we will not be able to get a contract for \$900,000 since we have done that exercise and we know it will be at least \$1.3 million to \$1.6 million. Maybe next year we consider what to do with that savings.

Mr. Akey stated we may see some costs go up for general maintenance, like painting the street lights and poles.

Mr. Smith stated I need to replace all the acorn globes and they are very expensive, maybe \$500 each. We have about 1,000 of them. We have already spent \$20,000 over the last several years replacing them as we go along.

Ms. Carpenter stated those might be some things to put in the budget to do at the end of the year.

Mr. Smith stated we do have a capital projects budget, and I will be updating that. We will also need to replace a lot of boardwalks and they are expensive.

Mr. Moore stated sometimes when you look at a reserve study, it helps to have one as a guidance to tell you when to replace some items. For example, the acorn globes, you may not want to replace them all at one time but do them by village. I do not think we need to fund 100% of our reserves, but you have to find a balance. We can put off some work elements if a crisis arises, and we should at least have a plan to refer to. A reserve

study is expensive and time consuming if a third party prepares it, but it may help for staff to put together a three-year or five-year plan.

Mr. Smith stated we did a five-year capital improvement plan and included the alleys, the boardwalks and fixture replacement. We can update it. I have had reserve studies done in the past and most of the time, they give me information that I already know, and they are very expensive.

Mr. Moore stated CROA did one and now has to decide how to fund it. They are looking at things that are scheduled for replacement but they actually look fine, so you can delay some things, but it is a good guidance tool and will help us budget. We do need to figure out what we are going to do with this extra money, but now is not the time because Girard is so new.

Mr. Carlson stated we have a maintenance plan for the community. If there are some things where it makes sense to accelerate, that is fine, but do not accelerate them just to do maintenance and spend the money. My suggestion is to pay down the bonds across the board with the excess funds if we do not need it for maintenance. We need to make sure we have the right reserves and the right maintenance schedule, and I presume that we do. Do not budget unnecessary items just to spend money.

Mr. Collins stated there have to be 20 priority items for replacement. We do not need to be concerned with small items, like light bulbs.

Mr. Moyer stated we have been fortunate and have done the capital program in increments every year. Because Mr. Smith brings in the other parts of his budget generally under budget, we have been able to pay for many of those capital items out of operating money. We really have not used capital funds much at all.

Mr. Collins stated this year we will be making a payment to the County for the roads.

Mr. Smith stated we also need to look at the maintenance facility on the civic corridor.

Mr. Moyer stated my recommendation on the interlocal agreement with the County for the roadways, we have monies available in construction accounts that I think are suitable for that purpose that we can use instead of using our operating reserves.

Mr. Akey stated there is a good portion of the poles along Celebration Boulevard that need power washing. The ones in South Village that have been done look really nice, and that is something we will have to schedule.

Mr. Moore asked will we need to budget money for the maintenance facility on the civic corridor? We will need to improve that property and we have not budgeted for that item.

Mr. Moyer stated that is correct, and that is a good item to budget for next year to absorb some of our savings.

Mr. Moore stated at the CROA meeting, they discussed the ball field area and CROA said they do not have any money for it. In order for us to get utilities to our site, we have to go through and past their site. I recommend that we dialogue with CROA and The Celebration Company (TCC) for the CDD to purchase that land and have it be a CDD purchase. When they decide what to do with it, they can operate it for us like they are doing with the school use agreement. We should at least discuss it. They will not do anything with that land and the only way we can get it done is by us taking over the purchase of it. We can get County parks and recreation money since we are a government, and it can sit vacant, but at least we can move in utilities to our property.

Mr. Collins stated TCC wants to sell it, and we can express to them our willingness to purchase it if CROA does not want it.

Mr. Moore stated we need to start that conversation.

Mr. Collins stated TCC does not want to force anyone to do anything.

Ms. Carpenter stated they are in the process of drawing up the contract, but if that property is available, it is easy to add it to the purchase.

Mr. Carlson stated it is a clear issue that if CROA will not pay for it, then we will end up doing something. The underlying issue is if the parks are for private Celebration resident use or public use. Whoever purchases the land determines that use. It was originally envisioned for CROA to buy it so that it would be for private landowner use. When they make that decision, we can make ours in concert with the community.

Mr. Moore stated if we purchase it, it is not a park until we improve it as a park.

Mr. Carlson stated but it will be a public park when we create it as a park.

Mr. Moore stated if we purchase it, it is just unimproved land and there is nothing but utilities running through it. Until we decide to do something with it, then it becomes a park.

Mr. Carlson asked can we lease it to CROA as a community park if we own it?

Mr. Moyer stated one thing other communities have done is we need to make the facility available to the public, but it can be done under certain rules and conditions, one

of which is to charge a use fee. Generally they do not do it on a daily basis but they do it on an annual basis. If you want to use our parks, you will pay for the use of that park, just as if you were a resident.

Mr. Moore stated with the school fields, it is a County field, but CROA has the first right of refusal and they have the school use agreement, so they schedule the fields even though the School Board owns it. They pay \$5 per player to CROA for maintenance of the field. It is a public field but yet CROA operates it.

Mr. Collins stated we could do the same if we owned the park.

Mr. Moore stated that is why I do not think it will be a big issue. Right now it is an unimproved piece of land, but when we do something with CROA, we can create those rules and conditions.

Ms. Carpenter stated you can hire CROA as a manager and charge a fee.

Mr. Moore stated I think we should discuss it with CROA, but I do not think they will act to purchase it. We might as well just do it.

Mr. Akey stated we discussed this at the joint workshop with CROA, as well as the use permit process, and having a group of people work on it. I called Ms. Wasson to get with Mr. Collins and four others to talk about options about this issue, sooner versus later.

Mr. Collins stated we need to do something now. TCC wants to get rid of the property and if CROA does not do it, then give them the options.

Mr. Akey stated I can talk with Mr. Don McDonald to participate, as well as Mr. Moyer, Ms. Wasson, Mr. Collins, Mr. Parker and perhaps another person to discuss this.

Mr. Moore stated at the end of the day, the usage will be between the CDD and CROA because no one is paying for improvements right now. Until someone is going to pay for improvements, that will be a discussion at that time on what goes there, not now

Mr. Akey stated we will have this group be separate from the one for use permits.

Mr. Moore stated regarding the use permits, they should just be going to the CDD. It is not County property.

Mr. Akey stated at least they can meet and confirm it. I want to get moving on this group with Mr. Collins so we can move on the maintenance facility.

H. Emergency Numbers for After Hours

Mr. Akey stated if I have any issues after hours, I will now just call the District office.

Mr. Smith stated that is correct. That message has an emergency phone number as well as my number. Before hurricane season, we update all our phone numbers with all the entities in town.

Mr. Akey asked if a resident calls the emergency number, will someone answer that phone?

Mr. Smith stated yes, it should always be answered. One person lets it go to voicemail and then returns the calls, so we will fix that to make sure they pickup the phone calls.

Mr. Akey stated I prefer to have a live voice answer the phone on the weekends.

Mr. Sunnarborg stated that will happen now and then, but I have received a couple calls from residents who called the emergency utility number, got voicemail, hung up and called me. I called the District office phone number last week and listened to it to hear what it said, and it was changed and the message is pretty good.

I. County Interlocal Agreement Regarding Roadways for Celebration Boulevard and Acadia Terrace

Ms. Carpenter stated the County attorney is looking at the comments we submitted on this agreement. I need some plats from our engineer since the County does not know exactly what pieces of the road are included so they want something to attach to the agreement.

Mr. Akey stated they seem very anxious to resolve this.

Ms. Carpenter stated yes, they are. I sent several emails to the County attorney, and she responds immediately.

Mr. Akey stated the other item Mr. Smith and I have discussed with the County is minor repairs, like the repair by the church that we just did because it was no big deal. There are some in North Village that the County is going to repair and they will be here tomorrow. I told them that they need to come up with a dollar value and tell us if they want to give us back some of the money we are paying them, or we tell them the County is responsible for all maintenance and we will send them information about everything that needs to be repaired.

Mr. Dan Tomsick stated they thought there was some wisdom in packaging some small resources to us.

Mr. Akey stated if their number is reasonable, I said I would ask the CDD Board to match it and we will put it in the budget for 2011. Recently when I have called them, they

have responded pretty quickly. Eventually they will have a lot of major work to do but I would like an agreement about smaller repair items.

Mr. Moyer asked can in-kind services be our match? We will provide labor but they will pay us for materials. That way we are not out of pocket for any money since we have staff who can do that.

Mr. Akey stated I will keep that in mind when I talk with them. That is a good idea.

Mr. Moore asked are we doing some of these because we just want to get it done?

Mr. Akey stated yes.

Mr. Moore stated it is their responsibility.

Mr. Akey stated that is correct, painting the curbs in front of the church and other things we have done.

Mr. Moore stated we take on a burden for things the County is responsible for.

Mr. Akey stated they will provide D level service.

Mr. Moore stated we pay a certain amount to them and they should give us a dollar amount, like 60% and we can do that work ourselves.

Mr. Sunnarborg stated they will give us level service D for perhaps \$50,000, and we want level service B.

Mr. Akey stated we should at least get the amount of money for level D service.

Mr. Moore asked are they doing it on a case-by-case basis?

Mr. Akey stated yes.

Mr. Moore stated I think we should go to a higher level of service but do it at one time where we get the money for the improvements instead of each time.

Mr. Akey stated we would only do it once a year, at the start of the budget year. We are going to ride the roadways with them and come up with a plan. I will ask them in a week what they have done.

Mr. Moore asked is something happening to the roads? Is it trees or water or erosion? It keeps happening to some roads.

Mr. Collins stated where the roadway sections meet, there is a seam and I think water gets in there. I have also noticed sometimes where they meet is worse. Against the curb is cement and sometimes that is worse, and they keep that cement going all the way across.

Mr. Smith stated that is correct, and where they meet is generally where cars are turning, which tears the asphalt. We installed the continuation of a flat curb gutter across the intersection to get the water to move across. Water will get under the asphalt or

between the asphalt and the base, and it will slide a bit. Where you have an old seam and a lot of vehicles, they start pushing that asphalt and you get that ridge.

Mr. Moore asked is there anything we can do to prevent it from happening?

Mr. Smith stated no, it is the nature of asphalt and the base.

Mr. Moore stated I was not sure if our roads were different than elsewhere. It seems to be happening more frequently.

Mr. Moyer stated this was primarily built using soil cement, and when it cracks and breaks, it is not a flexible base. We could have used lime rock, which is a flexible base. With soil cement, it is very rigid and that is what makes the asphalt break and pop up.

Ms. Carpenter stated it is happening everywhere.

Mr. Collins stated where you have put in that curbing might be one solution.

Mr. Smith stated it is not very wide and you will still get the same problems we have there. We will need to remove the entire intersection and re-asphalt that, which will last a while but eventually it will come back up.

Mr. Akey stated I will have Mr. Dave Barber and Mr. Dave Collins come out for a ride around and ask them to provide us with a report.

Mr. Smith stated they still have that list that Mr. Simmons prepared, and they started doing some of it.

Mr. Akey stated Celebration Avenue going into Artisan Park is supposed to be striped by the end of this month.

J. Update on U.S. 192 News Racks

Mr. Sunnarborg stated you all heard our County Commissioner's report at our last meeting. I do not recall what he said, other than their conversations continue. A couple weeks ago, the County Manager called and asked me to meet with him, which I did. The report he had was the handing off of this from the County Attorney and County Controller. All that has stopped and it is back with the County Manager and he will personally see this through. He is having his own negotiations with the vendor. He has met with the beautification Board. He understands our position. He wanted to discuss our limits of negotiation and he wanted to test a couple scenarios on me. I told him that I am not authorized to negotiate this since we are a five-member Board, but he can certainly ask my opinion on some things, and he did. What if they will remove two of the four? If that is his proposal, I will present it to the CDD Board but I will probably vote against it. I said I will bring any of his offers. He asked what I thought if they removed three out of

the four. I said if the one that remains is the one at the overpass, I might even vote for that. If the one that remains is at Celebration Place because it is clearly the most valuable to them, I said I will present it, but I do not support it. His objective is to follow up with a personal meeting with the vendor and he said he would take a very hard-line approach that they are in violation of their contract on multiple points. What he will offer them is to remove all four of these signs and in return he will draft an amendment to their contract to be considered by the County Commission that would remove our four signs and in return get all the existing signs grandfathered, about 20 that they want to install. The deal for our four signs is that those that have current advertising contracts, which two or three do, whatever the length of the contract is, at the end of the contract, the sign gets removed, even up to a year. If that is the proposal, I am happy to present it and I think that is reasonable. We have never wanted to hurt the vendor. Yesterday, Beth Knight emailed Mr. Freilinger's letter to me, which was emailed to the Board, that he sent to Street Outdoor outlining his proposal. Now he is proposing to remove three of the four signs, and the one that is not included is the one at the overpass, which I verified using the sign numbers. They will remove the three most important to us. There would be a prohibition in the new contract that they cannot come back to this area, and between I-4 to SR 417 on the south side is a "no sign zone." I-4 going west to the edge of Disney property is not part of this deal. That is a concern I discussed with Mr. Moyer and Ms. Carpenter.

Mr. Moyer stated I emailed Matt Kelly as Chairman for the Enterprise CDD and asked if he, in his roles as Chairman or at TCC or Disney, had any concerns about not addressing the north side of U.S. 192. I did not talk with him about west of I-4. He did not care about those signs east of I-4 and north of U.S. 192. I will get back to him about west of I-4. I would think they would have a different response.

Mr. Sunnarborg stated the reason the three of us were concerned is, although this is a good proposal, we could be criticized that we did a good thing for us but not for our neighbors. We do not want that to happen.

Mr. Moore stated it is not good for Osceola County.

Mr. Sunnarborg stated Ms. Carpenter will tell us how our response should be worded.

Ms. Carpenter stated the issue is you are doing it to protect what you have spent money on for the beautification process. As any other resident of Osceola County, you have the right to submit input on not having that contract complied with.

Mr. Sunnarborg stated they indicate the acceptance of all other signs on the list that has been proposed.

Ms. Carpenter stated I requested a copy that I have not received yet.

Mr. Sunnarborg stated we should see that before we respond in case it does include the other side of I-4. Another item acknowledges that the signs are bigger than provided for in the contract, and they will approve the 56 square feet instead of the 40 square feet that is allowed in the contract. Apparently there are four news racks that are not only bigger in square feet but they are even beyond that. The basic configuration is that they are two racks welded together. I have seen a few that are three racks, which is 50% bigger than the others. They will give the vendor a five-year extension of the contract. There was a provision about power that must refer to them using power from the County's lines, and that is not an issue for us. I think this is good progress compared to no progress over the past eight months. I think any response from us should come from Mr. Moyer or Ms. Carpenter. I talked with Mr. Freilinger this morning and asked if there has been any response from the vendor yet and whether or not they are ready to accept this, and there has not been any response yet. We do not know if they will accept it or not. My only concern is what the rest of Osceola County will think and what Disney will think. Otherwise, it is what we wanted.

Mr. Moore stated one of our arguments was that the CDD maintains the rights-of-way in those areas. Does the CDD maintain the area where the fourth sign is?

Mr. Sunnarborg stated it ends at the end of our property, which is right across from International Drive at the 7-Eleven. The point about us maintaining that area is not about the maintenance of the sign in anyway. It gives us a thread of standing that we have the right to have an opinion about this.

Mr. Moore stated the other ones are visual impacts and they are still on our right-of-way.

Mr. Sunnarborg stated we just care less about that sign.

Ms. Carpenter stated it is technically not the District's right-of-way; it is the State's.

Mr. Collins stated I appreciate all the work Mr. Sunnarborg is doing on this. I was pretty skeptical and I did not think we had a chance of getting any signs removed. Without Mr. Sunnarborg's tenacity, it would not have happened.

Mr. Sunnarborg stated I appreciate that and I should apologize for the article that was written and was directed at us. It was really uncalled for and for my own venting, I

drafted a point-by-point response that I will withhold. I assure you that everything other than the first sentence is absolutely wrong and it can all be rebutted.

Mr. Collins asked does the record need to be corrected?

Ms. Carpenter stated due to the fact that there was a public records request that threatened litigation for members of the CDD potentially getting involved in a contractual relationship, it would not be wise to rebut it right now. There is the freedom of the press which anyone can write in the newspaper. Since this is something the Board is looking at and is giving input as a Board, any member of the community may have input. For one Board member to rebut something in the newspaper, it could be seen as a Sunshine Law violation. It would not really be a violation but if someone put something in the newspaper, it could be looked at as a way of getting their opinion to the other Board members. It does not appear that the County has taken the position of responding to public outcry to heart but they are doing something to remedy the problems they have had with their contractor. The bottom line is they had issues with their contractor. Though it is irritating, I think it is wise to let that article go by until this is resolved.

Mr. Sunnarborg stated I do not need to do it for my ego.

Ms. Carpenter stated you can simply make the statement that you do not wish to rebut it at this time. The vendor thought they needed to threaten litigation and I do not think they would proceed with it, but if they do not get what they want, if they do not accept the terms of this proposal or if they feel unduly pressured, they might.

Mr. Collins stated I think we should wait until everything is resolved. I think there is a way to respond that can be reviewed by Ms. Carpenter that makes our point clear.

Ms. Carpenter stated once this is no longer an issue that will come before you as a Board, you can draft a rebuttal.

Mr. Moore asked what will happen after they sign a five-year agreement with the County?

Mr. Collins stated that may be the time to respond.

Mr. Moore stated it would seem to me the issue would be dead at that point.

Mr. Sunnarborg stated we do not know if they will accept this. The timing of this editorial concerns me. If this was sent last week and the newspaper is not in the mail yet, just on the newsstands, and my speculation that Alex Morton did not write this, what are they trying to do? Are they trying to provoke us to succumb to a Sunshine Law violation?

Ms. Carpenter stated they may be wanting to persuade the County Commissioners.

Mr. Moore stated I have not read the article yet.

Mr. Carlson stated neither have I.

Mr. Sunnarborg asked do we care anymore?

Mr. Carlson asked is it because it was reported inaccurately what we did?

Ms. Carpenter stated it is an editorial, which can say whatever the author wants to say.

Mr. Moore asked is the County Manager waiting for a response from us?

Mr. Sunnarborg stated we are not part of this. Mr. Freilinger wants to know if this is acceptable to us, then will we stop agitating them. At some point, we will say yes.

Mr. Moore stated I think Osceola County is getting a bad deal from this. They are increasing the size of the sign and the size of the advertisements on U.S. 192. Celebration residents are getting what we want by getting our signs removed.

Mr. Collins stated signs will go up in front of businesses that I think want more signage. If it was going up in front of a residential community, I would be concerned.

Mr. Moore stated I think the difference is beautification of U.S. 192, which is adding more signs and more advertising than there is currently. In the process, we learned that they did not just remove the newspaper racks; they created more billboards and the actual signs are much bigger than what the contract provides. I think the residents of Osceola County are getting a bad deal. The County does not want to fight with the vendor and they are hoping that after the five-year contract is signed, everyone will just go away. That is probably what will happen.

Mr. Sunnarborg stated in the rebuttal I drafted, I was disconnecting the idea that our settlement increases the number of signs. They are not the same issue. The number of signs is part of the contract to be resolved between the County and the vendor.

Mr. Carlson asked why do we need to rebut the article?

Mr. Sunnarborg stated I am prepared to but I am going to refrain.

Mr. Carlson stated you have impressed upon the County what our wants are, and I do not have any issues once this is resolved.

Mr. Sunnarborg stated I agree with Mr. Carlson that rebutting the article will make things worse. The prime objective is to get this passed and get those signs out of the right-of-way. I wrote it partly so that I could explain it to the Board and so you would support me in this, which I appreciate, that it is all wrong. I am prepared to explain why if you want to know.

Ms. Carpenter stated I have asked the County Attorney for the locations that should have been attached to the letter, which started this process because we did not have approved locations. They discussed amendments in a recent draft that I have not seen. I suggest that the Board thank Mr. Sunnarborg for what he has done and agree that this Board, as a Board, does not appear before the Commission regarding this issue because the County now will finish what they should have done in the beginning with the vendor's contract.

Mr. Moore stated I would like to know when the advertising contracts expire on the three signs. One is the car show, which will be here soon. The County should know that information.

Ms. Carpenter stated I can request those dates.

Mr. Sunnarborg stated I would like to know if they will remove them at that point or if they will wait until the last one expires.

Mr. Moore stated they are installed on concrete. Will we need to restore that area?

Ms. Carpenter stated we need to address all that.

Mr. Carlson stated if we receive a question at our meeting about the editorial, I would just say everyone is entitled to their opinion.

Ms. Carpenter stated there are some factual statements that do not seem to be true, but it is an editorial and they have their opinion. If I receive anything else from the County, I will provide it to Mr. Moyer to distribute to the Board.

K. Traffic Signs and Speed Devices

Mr. Akey stated two of the signs are up on Celebration Boulevard, and the ones from the County will be placed on Golfpark and Celebration Avenue, and on Waterside. Mr. Joe Bitar has come out to look at them, and he was comfortable in where those two are going. We will paint them all green.

Mr. Moore stated I was following a car who was clearly speeding, and when he came upon that sign and it flashed his speed, he hit his brakes immediately so they do work.

Mr. Akey stated the purpose for purchasing four signs is so they can be movable, rather than them moving their big sign that needs to be pulled behind a vehicle, which was at the County's suggestion. When they wanted two of them to be permanent, that did not make sense to me. My plan is to mention to Sheriff Bob Hansell that we just spent \$20,000 on signs and we want to know what traffic enforcement is going to enhance those signs.

Mr. Moyer asked do we want to budget for a couple more signs?

Mr. Akey stated we can see how these work. Two are in high traffic areas.

L. Fishing in Ponds Behind Homes

Mr. Akey stated some people walk behind a driveway to fish in the pond in North Village.

Mr. Smith stated the resident put up a No Trespassing sign on the edge of his lot. I can understand him not wanting people behind his house.

Mr. Akey asked did the sheriff come?

Mr. Carlson stated I live on a lake and I fish out my back door once in a while, but there are no riparian rights around the lakes because they are CDD property. For me, the land that is opposite the other side of the lake is public land and you may get irritated seeing people walking back there, but they are allowed to do so as well as fish there if they want to. People come right behind my house and start fishing and having a party on my back lawn, and I do not like that, even though it might be on CDD property. Legally I suppose they can do it, but can I request people not go directly behind people's houses or to cut through their property to get to that land? At my end of the lake, they have to access that lake by going on my property or my neighbor's property, which sometimes people do. Most people go to the boardwalk and fish on the other side.

Mr. Akey stated I told that resident to call the office and we can keep a log on it.

Mr. Moyer stated I have been confronted with this issue for 30 years, and this is how I have addressed it before. Yes, it is public property, but it is public property for a specific purpose. That purpose is drainage and water management. Unless you are there draining or managing, which is under our jurisdiction, it is not a recreational amenity in which the public can use that property.

Mr. Akey stated where the issue is, when they are walking on the driveway and people coming in are taking too many liberties, we will have to look at something. Are we keeping that gate locked at the DOT pond on Celebration Avenue?

Mr. Smith stated yes.

Ms. Carpenter stated I think we would be hard pressed to prevent people from walking around the lake. Maybe we can for people sitting down and picnicking because that is beyond what is contemplated by the Water Management District. If someone is fishing or standing, I think it might be a stretch to prohibit that.

Mr. Moyer stated I cannot prohibit fishing. Only one agency in the State of Florida can prohibit that activity.

Ms. Carpenter stated if people are picnicking, the odds are there will be garbage and noise and other reasons why they should not be there.

M. Artisan Park Fencing Along Retaining Walls

Mr. Sunnarborg stated Mr. Joossens has concluded his neighborhood tour. He provided us a summary in the agenda package. I believe he will attend the meeting tonight and give us a verbal report. I think the conclusion will be that he received more comments than any other not to do anything. He received many comments not to install any fence at all, not just one type versus another. Some people will accept a landscaped solution, and I think he may recommend the landscaping option. Several residents have forwarded emails to Mr. Moyer and if they attend the meeting, they can speak for themselves or their comments will be read into the record. In my conversations with neighbors, I received some of those same responses. I also received comments that some people cannot see the lake now and they want us to cut the hedge down further. I explain to them that I think it is a safety problem and we should do something. We may hear those comments tonight. The house on Stickley that is on the same side as the wall, I went and looked at it from that resident's point of view. Part of the problem is the landscape bed that is there is insufficient but it also does not go down to the end of the wall. Whatever we do, we need to take it all the way down so that this resident does not have someone fall off near the edge of his property.

Mr. Carlson stated I know that resident and he was concerned that we were going to put up a fence around the lake. I explained we were not doing that but we were considering a wall, and he agreed that the wall would make it safer, even something like a heavy hedge that would prevent someone from riding their bicycle over the edge or chasing a soccer ball and falling. We put up guard rails on highways where there are steep drops for reasons. We have a green guard rail on Wilde Drive as you come around the corner, but we are not protecting the rest of the residents. I do not want something that is ugly, but I do want something that will prevent people from getting hurt.

Mr. Sunnarborg stated it is on the agenda for action tonight. If there are no other options brought forward, I will offer what I proposed last month.

Mr. Moore asked how long will it take shrubs to be a certain height to prevent someone from falling off?

Mr. Sunnarborg stated it depends on how much we budgeted.

Mr. Smith stated I priced three-gallon shrubs, which is a little higher than the existing plant material that is there. This would be one row between the existing hollies that we already put there. We installed the small hollies a while ago, and this proposal is for plantings that would go between the hollies. I went with viburnum because they grow fast and provide a thicker hedge. Hollies are not as hearty and do not last as long. Although hollies have the needles on them for a good deterrent, I think we will get a better hedge with the viburnum hedge.

Mr. Sunnarborg stated we are looking at one additional row on Wilde but two rows on Stickley.

Mr. Smith stated that is correct, but the proposal is for one row at each location. We will just need to double the price of \$4,800 for two rows.

Mr. Carlson stated it appears that people are more in favor of this instead of a white two-rail pvc fence, like we have around the parks in Artisan Park. The ones around the clubhouse are wood and painted.

Mr. Sunnarborg stated I think the view from the townhouses that surround that park over the fence to the grassy park is different from the view that the resident across the street on Stickley or Wilde who thought he had a water view.

Mr. Carlson stated I am comparing a thick hedge that you cannot see through versus a rail fence that you can look through to see the water. There is a difference in aesthetics.

Mr. Sunnarborg stated I recommend that the hedge we plant not be any higher than a fence we would install. You are correct in the aesthetic difference, but I think we will have one or two residents who will come to the meeting tonight and say they do not want a hedge or a fence and want us to cut down the hedge that is already there.

Mr. Collins stated the hedge that is there now was installed by the developer.

Mr. Sunnarborg stated that is correct.

Mr. Smith stated that was just spartina grass. We have planted a row of holly that we hope to grow up at some point.

Mr. Collins stated the pampas grass will grow tall.

Mr. Smith stated yes, if we let it grow and not cut it.

Mr. Sunnarborg stated we will get criticized no matter what we do.

Mr. Akey stated that is why I suggested we have a meeting with the Artisan Park residents. We will consider it tonight and make a decision. I recommend that we consider

this fencing/landscaping issue immediately after the presentation from RCID to accommodate those residents who will be coming to the meeting, instead of having them all speak during audience comments.

N. Use Applications

Mr. Akey stated we have one application for the downtown condominiums. Did they provide a scope of work and how long it will take to complete? I do not want them to come out for a day, then close the sidewalk for a week and return the following week for a day.

Mr. Smith stated I believe he requested a one-month extension. Once he completes the front, I believe that is his last repair.

Mr. Carlson stated last week I noticed his ladder was in the middle of the sidewalk and I asked him about it. He responded that he did not have a permit to close the sidewalk anymore, so I told him that he could not have a ladder in the middle of the sidewalk. He had no barricades, and I told him he could not do that.

Mr. Akey stated we are talking to the person who is actually doing the work. What about the manager who is managing the condominium?

Mr. Carlson stated they are usually pretty good and this group has done a fair amount of work. I am disappointed in how long they have taken on this job. It has taken an extraordinary amount of time. It is a very cheap contract, but it is taking a long time. It is not the first area, either. The building where the offices are will be done soon, perhaps this year. I do not think they are following the proper procedures for the contract they have for the front of the building in terms of making sure the public access is protected.

Mr. Sunnarborg asked what do we do about it?

Mr. Moyer stated one thing we can do is hope he completes his work within a month. On a going forward basis, I am happy to write the condominium manager and say that the CDD will not issue a permit under these circumstances.

Mr. Carlson stated I think that would be appropriate. They are usually pretty diligent about following this kind of thing, but they have not been with this particular contract job.

Mr. Akey asked when will the one month end?

Mr. Smith stated his original permit expired the end of January, so he could have through the end of March. At the end of that time, I will tell him to remove the signs.

Mr. Carlson stated he cannot do the work without having a ladder, and he cannot put up a ladder without blocking off the sidewalk. If he does not have a permit, then he cannot do the work.

Mr. Akey stated I think we meet with him and tell him he has a one-month extension and these are the guidelines he has to follow. We need to take the proper precautions.

Mr. Carlson stated the person who has the responsibility for overseeing this project is on the condominium association Board, is the facilities person and the architect, Art Andreas, and he is the Board member that the letter should be addressed to. Rob Mauer is president and you can address the letter to both of them, but Mr. Andreas has ultimate responsibility.

Mr. Akey stated we know they have work to do and the sooner it is done, the better. This is not the type of work where there is only one contractor who can do it.

Mr. Carlson stated the situation is the condominium association does not have a lot of money. They are still in litigation with the former developer and they may win the case. They are trying to piecemeal it where they have areas that are unsafe, and they are trying not to spend much money.

Mr. Moyer stated there is a letter in your agenda package asking for an eight-week extension.

Mr. Carlson stated I think what happened is they thought they were done with one section and then they found out they had to tear down the next section in order to finish the whole block. They have it framed in and they have a little more work to do.

Mr. Akey stated Mr. Smith and I will meet with the condominium association and make it clear that they need to complete this work.

O. Parking Overnight in Downtown Parking Lots

Mr. Akey stated we discussed removing the existing signs and replacing them with ones that reference illegal parking. The one parking lot across from the Seminole building has about 40 spaces. I have checked it twice early in the morning, and there are about 22 to 25 cars parked at that time. At Stetson, they had about 16 vehicles left overnight. The condominiums are using those spaces for overnight parking. I think at some point that this Board should consider charging them for parking overnight.

Mr. Moore stated we would need signage that indicates there is no overnight parking.

Mr. Collins stated you can include a short message on the parking sign that there is no overnight parking.

Mr. Moore stated I drove that way when I met my father for breakfast and he could not find a parking spot. I asked if he checked the parking lots, and they were completely empty. We can have the P parking sign and include a line about no overnight parking and see what happens. We can address that later and discuss enforcement. But the tow-away zone signs have to be removed.

Mr. Collins stated Ms. Gillian Walker wants to have the P parking sign and then the next line be tow-away zone.

Mr. Smith stated you cannot tow a vehicle if you have no towing sign.

Mr. Collins stated we have to know why we are towing a car. Those signs now just say no unauthorized parking. If I am not authorized, how do I get authorization?

Mr. Moore stated those lots are always full. The lot behind Starbucks has both signs we are discussing, but that is where people park. There is a Florida law that says you cannot tow a car unless you have a tow-away sign.

Mr. Sunnarborg stated we need to do the P parking signs, but we need a legal opinion on how to do it.

Mr. Smith stated we discussed putting the P signs up now, leaving our signs that say Illegally Parked Cars Will Be Towed. If a car is not parked in a parking bay, it is illegally parked. Our signs will be underneath it, and we can see what happens. I ordered the signs and they should be in by next week.

P. Other Miscellaneous Items

Mr. Moore stated we discussed about painting the curb at the catholic church, and I think that helped. When you come out of Eastlawn Drive and take a right, people are parking on Celebration Avenue right at Eastlawn Drive. There is no yellow curb there and I think we need to consider other areas.

Mr. Akey stated Ms. Joedel Zaballero will come out on Sunday and we will review the whole area. That is an issue at that intersection and it is hard to see.

FOURTH ORDER OF BUSINESS

Other Business

Mr. Sunnarborg stated I would like to add an item to the agenda tonight for an action item. I would like to formally appoint one of us to the community policing work group, as well as a member to the civic corridor group.

Mr. Moyer stated to clarify, they are not committees of this Board. They are committees of the community.

FIFTH ORDER OF BUSINESS

Audience Comments

There being none, the next order of business followed.

SIXTH ORDER OF BUSINESS

Supervisor Requests and Comments

There being none, the next order of business followed.

SEVENTH ORDER OF BUSINESS

Adjournment

The meeting adjourned at 6:00 p.m.

Tom Sunnarborg, Secretary

Cliff Akey, Chairman