

# MINUTES OF MEETING CELEBRATION COMMUNITY DEVELOPMENT DISTRICT

The regular meeting of the Board of Supervisors of the Celebration Community Development District was held Wednesday, July 16, 2008, at 7:00 p.m. at 851 Celebration Avenue, Celebration, Florida.

Present and constituting a quorum were:

|                                  |               |
|----------------------------------|---------------|
| Cliff Akey                       | Vice Chairman |
| Paul Collins                     | Secretary     |
| Richard Quinn                    | Supervisor    |
| Tom Sunnarborg <i>(by phone)</i> | Supervisor    |

Also present were:

|                                     |                                      |
|-------------------------------------|--------------------------------------|
| Gary Moyer                          | Manager: Moyer Management Group      |
| Jan Carpenter                       | Attorney: Shuffield, Lowman & Wilson |
| Mark Vincutonis                     | Engineer: Hanson Walter              |
| David Orosz                         | CROA Safety Committee liaison to CDD |
| Jim Parker                          | Walt Disney Imagineering             |
| Brian Smith                         | Severn Trent Services                |
| Brenda Wright                       | Moyer Management Group               |
| Residents and members of the public |                                      |

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

## FIRST ORDER OF BUSINESS

### Call to Order

Mr. Akey called the meeting to order at 7:00 p.m.

## SECOND ORDER OF BUSINESS

### Roll Call

Mr. Moyer called the roll and stated a quorum was present for the meeting.

## THIRD ORDER OF BUSINESS

### Pledge of Allegiance

Mr. Akey led the *Pledge of Allegiance*.

## FOURTH ORDER OF BUSINESS

### Approval of the Meeting Agenda

Mr. Akey reviewed the agenda and requested changes.

There being none, the next order of business followed.

## FIFTH ORDER OF BUSINESS

### Public Comment Period

Mr. Bill Pelaia stated I reflected on the year I had between 2006 and 2007 as President of CROA, and I decided to bring up this topic. Do I understand that at your last

meeting, you approved a five-year contract to continue with the present management company?

Mr. Akey stated yes, with Severn Trent.

Mr. Pelaia asked was it unanimous?

Mr. Akey stated yes.

Mr. Pelaia stated I asked myself, where is the outrage? Where is the dissent? I have not come up with an answer. I am not upset with the CDD Board; quite the opposite. When CROA rebid our management contract, I said that I didn't think it was necessary to rebid to get the proper information. Our attorney said the same thing. I agree with what you did last month, and based on the information I have, you decided what was best for the community based on cost and based on delivery of services. I have no problem with that. The rhetorical question is not meant for you but for others in terms of, if the feeling was that way, why did it not surface when you were doing the same thing in the same community? None of what I said was meant in anyway to criticize what you did because I did the same thing not too long ago as a member of CROA.

Mr. Akey asked is your question why the CDD Board did not go out for bid?

Mr. Pelaia stated no. You were perfectly within your rights to do it and I assume you did it because it was the right thing to do. That is the position I took as a member of CROA.

Mr. Quinn stated we basically reapproved the contract with the District manager without going out to bid, and no one in the community raised an eyebrow. I have no idea why.

Mr. Pelaia stated I am not saying they should.

Mr. Quinn stated we have been extremely happy with the work of the District because fundamentally we have the person managing the District who created Community Development Districts. When you work with the best in the business, it is hard to find someone to replace them who would do the job better.

## **SIXTH ORDER OF BUSINESS**

### **Action Items for Board Approval**

#### **A. Minutes of the June 18, 2008, regular meeting**

Mr. Akey reviewed the minutes for June 18, 2008, and requested any corrections, additions, or deletions.

Mr. Quinn stated I have one correction that I will provide to the Manager's office.

Ms. Carpenter stated I have a clarification on page 2 where I was quoted on a 1920 bankruptcy case as well as another correction that I will provide separately.

On MOTION by Mr. Quinn, seconded by Mr. Collins, with all in favor, approval was given to the minutes of June 18, 2008, meeting as amended.

**B. Invoices and check register**

Mr. Moyer reviewed the check register and invoices as contained in the agenda, which are available in the District Office for public review during normal business hours.

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

**C. Proposals for videotaping CDD meetings**

Mr. Akey reviewed the proposals regarding videotaping the CDD meetings.

Mr. Pelaia stated I want to commend you for having this on the agenda and I want to encourage you to go ahead with this. Being on the CROA Board for the past three years, it is heartening for me the number of people in the community who indicate to me and my colleagues that they see us on television. Many families cannot be here on Wednesday night but they can watch it on Saturday morning or in the middle of the night when it is being played. Communication seems to be the most frequently used word that I hear, be it during the election process and afterward, a lot of effort goes into streamlining communication. This would put sunshine on what you do and educate more people on what you do. I am sure it will be very well received by members of the community. The costs are nominal and would not be prohibitive. I strongly encourage you to approve this. I do not see a down side on this.

Mr. Collins stated it seems to me the CROA meetings we see on television are condensed. Sometimes our CDD meetings will go two or three hours and I worry that people do not have the patience to sit through a whole meeting. It seems like your meetings are concise. Is that right?

Mr. Pelaia stated lately our meetings have been shorter than they have in the past. Whatever you do is important. The schedule of broadcast times goes on the Front Porch as to when it is being televised. Many people will watch pieces at different times. At least

you are putting it out there for them to see. It demonstrates making every effort to get the information to them.

Mr. Quinn stated it is also streamed on Front Porch Theater. If you do not have access to Channel 5, you can go to the website and pull up the meeting.

Mr. Collins asked do you have an outside company who tapes the meetings?

Mr. Pelaia stated we do it in-house.

Mr. Quinn stated at last month's meeting, I made the request to get a hold of the people at CROA to submit a proposal to us and I do not see a proposal in the package.

Ms. Wright stated I did contact Tim Duncan at CROA and he said that right now he has too much on his plate. He also indicated that when he submitted a proposal previously, it was cost prohibitive, but he uses Jonathan Lewis to record the CROA meetings and he heartily endorsed Mr. Lewis's work. He said at the current time, he could not provide a proposal.

Mr. Pelaia asked what would the cost per meeting be?

Mr. Quinn stated Jonathan Lewis proposed \$450 per meeting and Monkey Fist, who tapes the Osceola County Board of County Commissioner meetings, proposed \$700. Monkey Fist also has a full post-production proposal of \$1,200 per meeting.

Mr. Collins stated I got the impression that the \$450 proposal was pretty bare bones. Does it provide everything we need?

Ms. Wright stated it does not include any editing if you want to edit or condense the meeting. They will tape the meeting and deliver whatever we need to get it onto the television station.

Mr. Pelaia stated you will want to strongly consider editing.

Mr. Quinn stated I am not in favor of editing.

Ms. Carpenter stated I prefer that it not be edited.

Mr. Quinn stated if we are going to have a public meeting, it needs to be a public meeting in its entirety.

Mr. Collins stated this says all equipment will be provided by the District. We do not have any equipment.

Mr. Quinn asked does Jonathan Lewis do the CROA meetings? Or does he just provide the production for the meetings.

Mr. Orosz stated the equipment can be made available to you. You just need someone to physically film the meeting.

Mr. Akey stated we do not have many residents attend our meetings. If you look at Osceola County, whose budget is approaching \$1 billion, you do not see many residents at their meetings. They do stream their meetings, but I do not know how many watch the meetings. Fewer than half the people who are eligible to vote in this country do not even vote. I can see investments where we need to spend money and communication is essential but part of it is the home owners' responsibility. Key things are in the newspaper and I do not see a significant interest to justify spending up near \$12,000 a year. I agree we need to communicate but my experience says that they will find us. Mr. Quinn made a good point about getting them to let us know about street lights that are out and we cannot get them to do that.

Mr. Peliaia stated some see that as a greater need. They may not be here but sending it into their homes will at least inform them of what is being done.

Mr. Quinn stated I originally proposed this several years ago. One thing that I have always been concerned about is, there are a lot of things that residents of the community really need to understand. The variety and frequency with which traditional communication vehicles get to those residents is poor at best. One newspaper came out every two weeks and one every month. The deadline for the monthly paper is six weeks prior to its delivery date. Much of it depends on a reporter showing up at the meeting. Many times we will make decisions at meetings and I will get a phone call two months later from a resident telling us we need to make a decision on something we already acted on. Unless there is an effective communication vehicle that reported activities of the Board on a routine and prompt basis, there is not a compelling reason to do this. The newspaper that was published twice a month is now down to once a month, and we have not seen anyone from that newspaper for the past several meetings. There has literally been no coverage of anything the District has discussed the past three or four months and the only communication vehicle we have right now is the website.

Mr. Sunnarborg stated I brought this up a couple months ago for the Board to consider. Since then, I am more convinced that we should do this but there is not an urgency to vote on it tonight. I was hoping we would get at least one more bid. I think we should table this for this month and spend the next month on getting another bid to make sure we know who is providing the equipment and make sure the provider is providing all the services including being able to play it on the CDD website. I would like to defer this item for this month, get that information for next month, and vote on it next month,

including a deferral not to implement this until after the CDD election. I do not want this to be viewed as an opportunity for grandstanding before the election.

Mr. Collins stated that sounds good to me.

Mr. Quinn stated I support that. I cannot make a decision on the information that was provided in these two proposals.

Mr. Akey stated I would like Mr. Moyer to provide a blueprint from the vendors of exactly what we will be getting. Are you aware of any other CDDs who videotape their meetings?

Mr. Moyer stated no.

Mr. Akey stated for the next meeting, I want to see a blueprint of everything that is included in their proposed fee, with the quality and presentation similar to what CROA does. The person providing the estimate can look at their meeting for an example. If it is a similar product to that, then we can expect that same level of service.

Mr. Moyer asked is there any interest in having me invite these people to the next meeting?

Mr. Quinn stated I am not sure that is necessary at this point. I would like to see this storyboarded out as to how they are going to do this.

Mr. Orosz stated besides the meetings being taped, the President gives a snapshot of what was passed. If you want to streamline it, you can have that kind of summary, which is less than five minutes. Then if someone is interested in viewing the whole meeting, they can make that decision to watch it.

Ms. Carpenter stated as long as it is limited to what is on the agenda and what motions were passed with no editorializing.

Mr. Quinn stated I want to make sure that what is said on tape is factual, scripted and approved by the Board so that we are in agreement, which might take longer than viewing the tape.

Mr. Collins asked do you own the equipment?

Mr. Orosz stated yes.

Mr. Collins asked would it be possible for the CDD to use your equipment?

Mr. Orosz stated I am sure when it was brought up that we said that you could have access to our equipment.

Mr. Collins stated that might reduce the costs.

Mr. Sunnarborg stated getting one more proposal may give us more confidence on a realistic price. I want the implementation deferred until after the November election. Should we include this in next year's budget? Then it will not be a burden on this year's budget.

Mr. Moyer stated if you do it in November, then you are in the next budget cycle. Next month is the hearing to adopt the budget. If we can get a good idea of the cost, we will add it to the budget for 2009.

On MOTION by Mr. Sunnarborg, seconded by Mr. Quinn, with all in favor, approval was given to defer this item until the next meeting.

**D. Purchase of a segway for patrolling CDD trails and other common areas**

Ms. Carpenter stated when it came up the first time, the thought was this would be purchased and donated to the sheriff's department with an agreement that it will be used for Celebration only. We looked into that to make sure we could structure it appropriately, and the concern is if you give something to someone with enough strings attached, under Florida Law it can be seen as not really given as a gift. There could be some inherent liability left to the District. The time those issues come up is when the recipient complains that they want to use it as they choose but they have no control over it. We are looking to avoid liability. The safest way to structure it is to give the money to the sheriff's department for them to purchase it. Then you have the issue of how do you control the sheriff's department. The concern I have is that any type of agreement that says we will give this to them but we have a list of conditions could have some liability.

Mr. Quinn asked was the intent to be used by a sworn deputy or the Citizens Volunteer Patrol?

Mr. Orosz stated the Citizens Volunteer Patrol.

Mr. Quinn stated if they are the group who is utilizing this, then I suggest that instead of donating it to sheriff, we donate it to CROA to be used by Citizens Volunteer Patrol.

Mr. Orosz stated there is no place in the County that has the trail system that we have here. That is why the sheriff's department would use it here, because there is no other use for it anywhere else in the County.

Mr. Akey asked did anyone ask for them to buy one and provide it for the Citizens Volunteer Patrol?

Mr. Orosz stated they will not purchase one because of their budget crunch and they do not want to spend the money. They would cover the insurance but they want us to purchase it. They will not use it outside of Celebration.

Ms. Carpenter stated the big issue is who can and will insure it.

Mr. Orosz stated we are covered under the sheriff's insurance plan. There is nothing to do with CROA or the CDD since we are covered by the sheriff's department. We work for the sheriff's department as a volunteer.

Ms. Carpenter stated so the CDD is looking to donate the money to the sheriff's department. That will work.

Mr. Sunnarborg asked have we had any idea of how we will pay for this?

Mr. Moyer stated there is sufficient money in fund balance for this current fiscal year to make this purchase.

Mr. Sunnarborg asked are there any other additional funding sources other than the CDD who can contribute, such as the Foundation or a grant? Has anyone looked into that?

Mr. Orosz stated no. It is a State contract with this company so you purchase it for the contracted price.

Mr. Collins stated I do not think the Foundation will contribute. Their money is dependent on homes sales and they are struggling financially

Mr. Orosz stated we discussed adding a deputy to cover the trails. This is a less expensive alternative and the volunteers will patrol the trails. We have radios and if we spot something, we can call the deputy that is on duty in town.

Mr. Akey asked will you be patrolling the trails at midnight or 1:00 a.m.?

Mr. Orosz stated yes.

Mr. Quinn stated if this program starts doing routine sweeps, the trail system will cleanup quickly.

Mr. Orosz stated we are most concerned about the trail to the high school because it is so long. If someone had a heart attack out there or fell, no one will ever know they are out there unless someone goes by. I am looking at the most cost-effective way of doing this without hiring deputies to patrol the areas.

Mr. Akey stated Davey is doing cleanup on trails. If they see a fire was set or collection of beer bottles, do they communicate that to you?

Mr. Smith stated yes.

Mr. Akey stated on the trails, I do see some new spindles and new rails. Some of that may be due to trees falling and breaking them, but some of the spindles are from vandalism.

Mr. Smith stated those spindles are the biggest damage that we have.

Mr. Sunnarborg asked do we need an agreement if we are going to do this?

Ms. Carpenter stated it makes sense to donate the money to purchase it as opposed to an agreement.

Mr. Sunnarborg asked if it is a cash donation, how do we ensure from a fiduciary responsibility that our donation has a high degree of correlation to the protection of the trails? I do not have a strong opinion on whether we should purchase it or donate the money. Somehow, we need an assurance that the money will be used to patrol CDD properties.

Ms. Carpenter stated that is exactly the issue I am concerned about. If we have an agreement, then we will possibly have liability because we will have control over the vehicle, that it only can do certain things, and then it can be looked at as not a donation.

Mr. Sunnarborg asked is there such a thing as a donation agreement?

Ms. Carpenter stated it would probably be looked at as a donation with strings which is not totally a gift. If CROA can enter into that agreement if we donate the money to them, does the Citizens Volunteer Patrol work through CROA?

Mr. Orosz stated no, it is totally separate from the safety committee, CDD and CROA. It is for and through the sheriffs department on its own standing.

Ms. Carpenter stated if we look at doing an interlocal agreement with the sheriff's department, we need to make sure we have not setup some potential liability

Mr. Akey stated it needs to be made with no strings attached in good faith that they will do what we are asking them to do. As employees of the Citizens Volunteer Patrol, I am sure they will require some kind of training.

Mr. Orosz stated this company does the training and they can do demonstrations.

Mr. Collins stated you have limited resources but I personally prefer the resources be used on the alleys and where we are seeing vandalism. What we have seen so far is the cost of vandalism has been for spindles and things like that. If you go out and drive people off the trails, they will just go somewhere else, perhaps back into the community. I am willing to go along with this but I am worried about being asked to do more. This needs to be a gift and any maintenance issues or ongoing costs are not our responsibility.

Mr. Quinn stated I would like to see a clean quotation with numbers that add up. I want to see a quotation for exactly what we are being asked to do.

Mr. Sunnarborg asked can we pursue the idea of a letter of understanding with the County that we will send them a check for \$10,000 with a letter attached indicating what we would like them to do with it? Do you have any recommendations? I hate to see this money end up doing something other than what we intended it to do.

Ms. Carpenter stated we can make a request offering the money with the understanding that they are looking to use it in Celebration but we cannot condition the money and say we are going to take it back if they do not do what we ask. That is a donation with strings. Is there someone who can talk to the County to request a donation from the CDD that if we donate the money to buy it, they will put it in our community for our use? That way we have not conditioned our gift but it is a solicitation from them in that amount, with the proposal attached. Then it is a response to their request and we have not conditioned the use of it.

Mr. Akey stated the sheriff's department did talk about fund raisers.

Ms. Carpenter stated they can attach the proposal of what we are looking at coming from them to the CDD for the donation.

Mr. Orosz stated I will talk with them.

Mr. Akey stated if they provide us with a document requesting the donation, then we can consider making the donation.

Ms. Carpenter stated then you know what you are donating to and we have not made the condition. Then you have what you need without worrying about liability issues.

Mr. Sunnarborg stated that sounds better.

Mr. Akey stated once it goes to them, it is in good faith. We cannot tie anything to it and they will not let us.. I agree strongly with Mr. Collins. It is a one-time contribution to enhance the trails that will enhance the entire community. It will be a tool for the volunteers. If we can finalize this, I am supportive of it.

Mr. Collins stated I am also supportive of it.

Mr. Quinn stated I support it.

Mr. Sunnarborg stated I absolutely support it. I appreciate Mr. Orosz's and the safety committee's efforts but I do not want to send \$10,000 to the County and have it end up in their general fund.

Mr. Moyer stated we will carry this item over to next month's agenda

**SEVENTH ORDER OF BUSINESS**

**Staff Report**

**A. District Manager**

**i. Financial Statements**

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

**ii. Discussion of Fiscal Year 2009 Revised Budget**

Mr. Moyer reviewed the budget proposed for fiscal year 2009. We will be able to continue the current work program and level of service without any increase in assessments. Your hearing is scheduled for next month's meeting.

**B. Field Operations – Monthly Highlight Report**

Mr. Smith reviewed the highlight report that is included in the agenda package and is available in the District Office for public review during normal business hours.

Mr. Collins stated last month we discussed having an additional section of your report for green initiatives for you to include.

Mr. Smith stated I discussed this with Garth Rinard. He did not have anything from last month but we will think through what we are doing and we will put something together that makes sense to include for next month.

Mr. Collins stated I would like you to also include an update on the painting and sidewalk repairs in the report. I do not need a lot of detail, just areas that you are working on.

Mr. Smith stated we finished the boardwalk between Town Center and Lake Evalyn. We still have to pressure wash the railing and seal the railings. We are looking at putting a water system along the boardwalk to facilitate pressure washing that area. The contractor for the weirs was supposed to start a week ago but they had rain delays on other projects and they will start on these projects in two weeks. The tree well on Celebration Avenue in Artisan Park has been completed. We installed irrigation with a tree and sod. We are doing sidewalk repairs in North Village. We are doing a lot of grinding and he will stay there until he is done. He just came off Water Street. It took him a week just to do Water Street. He will complete North Village and then I will move him into Celebration Village and then into South Village. I will get the school area done before school starts.

Mr. Moyer stated we are doing test areas with Clarke in terms of spraying later and gauging the effects of that. This will take more than a month to monitor but we are doing the test to see the effectiveness of spraying at different times.

Mr. Collins asked when will we get started on the North Village alleys?

Mr. Smith stated the engineer is putting specs together. We have specs we will do and we will try to get another meeting. We met with the County out there already. I would like to have a draft by the next meeting and get the RFP out soon after that. Asphalt prices are unstable due to fuel prices.

Mr. Akey asked when do you see a target start date? Early next year or late this year?

Mr. Vincutonis stated late this year maybe.

Mr. Smith stated definitely by early next year. If I can get good specs and a good RFP, it should not take long. January is a good estimate and will give us a lot of cushion. I have received concerns from home owners about pot holes in the alleys in North Village so we are doing some cold patching on those areas.

Mr. Quinn asked have you had an opportunity to get with the person in North Village who is building the amusement park in his backyard?

Mr. Smith stated yes. The volcano looking thing is a slide and it is on his property. He has re-established the slope to the pond but he encroached on our property and did a 20x20 area of backfill that encroaches onto CDD property. Mr. Parker wrote him a letter and he thinks the resident is going to remove that.

Mr. Quinn stated when he made the presentation to this Board originally, he said it will not be a problem because it would be behind the house and no one would see it. You can see it on the bridge crossing Celebration Avenue. When he went to the County, they said he needed at least a 10-foot or 20-foot setback from the property line. It looks like it is well within 10 feet from the property line. If he is not in compliance with what the County said or we said or what The Celebration Company said, then rather than backfilling it, he should just take it out.

Mr. Parker stated we were all over this project too and we tried to discourage it from being built. Since others were built in town, we did not totally say no. However there were things that we mandated. Landscape screening is a requirement but has not been installed. We are concerned about the view from Celebration Avenue and from the golf course. He came to the Board and wanted to purchase the property and we knew what he wanted to do up there. The Celebration Company discouraged all of those things he wanted to do and we did not give him permission. I noticed the encroachment and wrote a letter to him with a copy to the CDD. The letter indicates he has to pull that back and restore it to its original condition. We copied the CDD so we can get your support on this

issue. When it comes to his setbacks, there is a setback that is governed in the pattern book. If it is on the golf course, our guideline is five feet from the property line. I am confident that setback is appropriate. I am not certain of the County's requirements.

Mr. Quinn stated in the documents that he provided to the District originally, he said he could not build it because of the County setback so he wanted to buy the land to the edge of the pond so he did not have to deal with the setback issue.

Mr. Parker stated he wanted to extend the property and put a gazebo on it. We tried to discourage that from being built.

Mr. Quinn stated in the original drawings, unless they change something, the peak of the volcano was encroaching over the CDD property line.

Mr. Parker stated the approved drawings that Mark Jones did for us have to meet our guidelines, and he assured me that they did from The Celebration Company's perspective. We support the CDD and he needs to get it screened. His landscape package is not installed yet.

Mr. Quinn stated I do not care about the volcanoes on Eastlawn either but you cannot see them from the road.

Mr. Sunnarborg asked is he on our property?

Mr. Smith stated he does not have the structure on our property. He has a retaining wall that is just off our property line. But he did put some fill onto our property and into the edge of the buffer. The construction is not on CDD property.

Mr. Sunnarborg asked will any of the screening be on our property?

Mr. Smith stated no, he can put plantings on top of the retaining wall.

Mr. Parker stated the intent is that all screening has to be on his property, not on CDD property.

Mr. Smith stated we received concerns about trees on the boardwalk going to the high school. We are cutting down all the dead trees that are leaning over the boardwalk. Some will have to drop onto the boardwalk. We will take some preventive measures and we will do our best not to damage the boardwalk.

Mr. Quinn stated Davey is trimming the street trees. Are you doing it systematically or when they get a complaint?

Mr. Smith stated they are doing it systematically. They are in South Village now. It is 14 feet above the street and 7 feet above the sidewalk. They have started on the edges of Spring Park Loop. They will come around the back side and finish Spring Park. They will

send the sidewalk crew into East Village and Artisan Park and then move back to Celebration Village and the roadways.

**C. Attorney**

Ms. Carpenter stated I want to provide a follow up on foreclosures. There was a local bankruptcy case where a judge ordered a property sold and relieved of the assessment liens. They were able to convince the judge to turn the order around and revise that. He did not realize what he did or the impact. For now it looks like assessment liens are in good shape and it looks like they will stand up in court.

**D. Engineer**

Mr. Vincutonis stated Mr. Smith and I met with the County at Acadia regarding roadway acceptances. We turned in a plan for Eastpark and North Village Street. The plan is processing with the County and we received the permit application check for that. We received the list from County showing what roads are now accepted. Acadia Terrace is one of those roads. Acadia Court has been accepted. Eastpark and North Village Street are pending. Beak Street showed up on their list but they are scheduling it at the next available Board of County Commissioners meeting to be accepted.

Mr. Quinn stated I thought it was accepted a year ago. Construction was completed 18 months ago or more. It should not be on the list.

Mr. Vincutonis stated that will be accepted with no strings. The surprise to me was Celebration Boulevard. The portion of that roadway is not defined in the list and there is no description why it has not been accepted.

Mr. Smith stated there are sections going to the high school have been repaired. They walked them and accepted them. They are now saying they have not gone to the Board of County Commissioners for approval. I recalled they had been approved when we walked those roadways. We have written approval that the engineers have, but it did not go to Board of County Commissioners.

Mr. Quinn stated if it went to the County Commission, it would show up in the minutes of the meeting. They are always listed on the agenda either under the attorney's report or the Consent Agenda. If you have dates and times, it would be easy to check the County minutes.

Mr. Smith stated it was nice to have Charlie there because he remembered some of the roadways and knew they had been accepted.

Mr. Vincutonis stated they are saying phases 2, 3, and 4 in Artisan Park have not been accepted.

Mr. Smith stated I walked those and went through the punch list.

Mr. Quinn stated Mr. Walter went through them individually and I know they were accepted by the County.

Mr. Smith stated I do not think they have the right list. St. Joe was not going to leave the property until the County accepted those roadways. We had meetings with St. Joe and the County and their acceptance was pretty obvious. We will keep meeting with them and reminding them as we work to get all these roadways accepted.

Mr. Collins asked does the County understand we are trying to move this along?

Mr. Smith stated yes.

Mr. Vincutonis stated they were supposed to provide a punch list for Acadia Terrace. I have not seen it yet, but I will keep after them.

Mr. Sunnarborg stated it sounds like there is enough uncertainty on what roads are signed off and which ones are not, that it seems we should get a report with more clarity on what is left. Can we ask engineer to do that?

Mr. Smith stated we met with them and received an email from them with this information. Mr. Vincutonis and I discussed it but we will meet with the County again regarding this list they have and then get a real list from them. I will make some phone calls to St. Joe and Mike Spurlock with PBS&J and we will have a solid list for next month.

Mr. Akey stated a couple months ago Dan Tomsick mentioned repairs and Mr. Smith agreed to coordinate that. We will have a status meeting with them. We were not speaking as representatives from the CDD but as residents. They replied with an August date. I will schedule a call next week with them.

Mr. Vincutonis stated we have a base plan put together and we are putting specs together for North Village alleys.

#### **E. The Celebration Company's Representative**

Mr. Parker stated the pond SV-1 located on Pritzker property is underway. They have done tree clearing and they will be putting that pond in. The pond supports the Duke C-5 construction across the street. It is on the fast track and we expect it to be completed by the end of September.

Mr. Quinn asked does it connect with the weir that needs to be replaced?

Mr. Smith stated no. There is a stream between the two of them. I imagine that pond will outfall into that stream as well, which goes into the wetland and out the back side.

Mr. Parker stated it is a totally separate and distinct pond. The Duke C-5 parcel will do the tilt ups of the walls within this week. The medical office building has been progressing very well. There have been no issues and no complaints. I think it is a powerful statement on the Boulevard. The Willmark senior housing project is ongoing. It was permitted once. They want to do a modification to their grade so they are back in permitting. It is located toward the end of Celebration Boulevard next to the stockpile, between the medical office building and where IKON would have been. I contacted IKON and got the owners to have the rocks removed and the sidewalks cleared. We had been frustrated with this for months and I expressed that frustration with them. I was finally able to get the boss's name and they thought it was done several weeks ago. He acknowledged that to me and there was some misunderstanding but he took care of it the day we were there.

Mr. Akey stated going toward the high school on the right side, it is blocked so we need to keep the left side totally open for the residents. There is a lot of traffic on that sidewalk, especially on weekends.

Mr. Parker stated the high school is doing some work on ball fields. That is ongoing. The fill that is coming out of pond SV-1 is going to parcel C-2, Willmark, or C-21 parcel across the street from the high school. It will take three weeks to move that fill.

Mr. Quinn asked what is the status on what appears to be a derelict project across from the church site that is on cinder blocks and has gone no where?

Mr. Parker stated there are communications going back and forth between us and the builder.

Mr. Akey stated we did make them mow and grass and weeds.

Mr. Quinn stated they have not protected the dirt fill and it blows in the wind.

Mr. Sunnarborg asked is there a bond at the County for any of that work to stabilize that fill and the foundation?

Mr. Parker stated I am not aware of any bonds at the County.

Mr. Sunnarborg asked is it derelict or just on hold?

Mr. Parker stated I would not say it is derelict. I would consider it a victim of the current economy. We have contractual obligations. We are documenting and discussing this with the builder. We are doing what we can to keep him moving forward. On Beak

Street, there are two lots where the parking lot was. David Weekley owns those lots. One has been sold and the other is still for sale. Some demo work has been done and you will see some construction work as well.

Mr. Quinn asked will they restore the alley to its original condition? They truncated the alley for their parking lot.

Mr. Parker stated that is designed to be that way. Those two homes have front load garages.

**F. CROA Safety committee liaison to the CDD**

Mr. Orosz stated there is a slight drainage problem when we have heavy rains on Celebration Boulevard coming from the high school in the right lane about one-quarter mile. There is a No Parking sign on the lot across from the Seminole building. I thought that was open for general public parking and people have asked me about it.

Mr. Quinn stated that was a question I was going to ask. There is also a tow away sign on the Carlyle parcels by Stetson. That is also public parking.

Mr. Moyer stated we will ask them.

Mr. Collins asked can we put up public parking signs?

Mr. Quinn stated I know there is a disagreement with Lexin about putting up public parking signs that point to their parking areas, such as behind the Seminole building. They said they cannot put up those signs because of their agreement with The Celebration Company. I would like to see us put public parking signs to point to the public areas we do have.

Mr. Parker stated we have had no discussion with anyone about that. I am not aware of that provision but I have not studied that agreement. You may want to question those two signs you mentioned for Carlyle. Maybe the condominium association put them up.

Mr. Quinn stated someone painted the areas in front of fire hydrants downtown.

Mr. Smith stated that is Enterprise CDD.

Mr. Quinn stated where is road and bridge on doing striping downtown?

Mr. Akey stated there is a new person at the County who is going to call me and come out here. We are going to start fresh with him.

Mr. Quinn stated for the safety committee and for your discussions with the sheriff, when I came into town, I followed a uniformed officer in a sheriff's car going slowly by at least a dozen cars illegally parked, blocking intersections and sidewalks, parked in crosswalks in the downtown area and he could not have cared less.

Mr. Akey stated that is officer discretion.

Mr. Orosz stated we have the same problem. It is up to the individual deputy's discretion. I will mention this again at my meeting tomorrow.

Mr. Quinn stated if we collectively as a community are paying money for their service in this town, we need to be getting the service. If they are not going to provide the service, then I seriously question why we pay for it.

## **EIGHTH ORDER OF BUSINESS**

### **Updates and Discussion Items**

#### **A. Update on Maintenance Facilities Group**

Mr. Collins stated Matt Kelly said they are trying to work out some final things on the library. He asked me to contact Mr. Parker in August in terms of moving toward the next step.

#### **B. Discussion of Utilizing a Consent Agenda Format**

Mr. Sunnarborg stated I read what was proposed and it looks great.

Mr. Quinn stated I agree; I think it was very well done. I think we had two or three things on tonight's agenda we could have approved in one motion. I propose that we try it.

Mr. Akey stated I would also like to see us try it.

Ms. Wright asked should I list the Consent Agenda first, followed by action items?

Mr. Quinn stated yes. The way the County does it, they have the Consent Agenda first, followed by other action items and then committee reports.

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| <p>On MOTION by Mr. Collins, seconded by Mr. Quinn, with all in favor, approval was given to implement the Consent Agenda format.</p> |
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Ms. Wright asked how does the Board think the agenda format we used tonight worked?

Mr. Akey stated I think it works fine.

Mr. Quinn stated I think it does what we need it to do. It gets the action items to the front of the process so the public can leave if they want to.

Ms. Wright stated then the only change for next month will be the addition of the Consent Agenda.

Mr. Akey stated that is correct.

**NINTH ORDER OF BUSINESS**

**Other Business**

Mr. Moyer stated we briefly discussed putting items on the agenda, and that came about when two of our Supervisors wanted to discuss the community garden issue. We have not discussed it and it has not been on the agenda. It is an issue that is pending. Mr. Sunnarborg provided us with some of his thoughts. Would you like to put it on a future agenda?

Mr. Quinn stated I would if the people who want to do it cannot find a piece of CROA property they want to do it on. Unless someone comes here and says they looked at all CROA property and they cannot find anything suitable, but we think we found some places that are owned by the District and we would like to talk about them, I do not see a reason to put it on the agenda if no one is asking.

Mr. Sunnarborg stated I checked with Ms. Wasson a week ago and she thought they had a CROA property for this purpose. I do not know if it is finalized yet but I think we should go with Mr. Quinn's suggestion.

Mr. Orosz stated I think somewhere on Waterside Drive.

Mr. Quinn I talked with Bob Schwartz who was putting a plan together on how to do that.

Mr. Orosz stated I told him they will need to fence off that area because they are planning a vegetable garden, which is different than a flower garden.

Mr. Quinn stated I need some clarification from Ms. Carpenter. I chose not to run and my term ends in October. I would like to offer myself to meet with the candidates who are running for the open seats to be able to answer questions they have about the District and the Statutes. Does that create a problem?

Mr. Akey stated if you file to run as a candidate, you are governed by Sunshine Laws.

Mr. Moyer stated it is not a violation of Sunshine Law to talk about previous Board actions that you do not anticipate coming before the Board for any future action. If you discuss the history of the District, where we have been, how we got to where we are now, and your knowledge of Chapter 190, Florida Statutes, that is appropriate but be very careful not to talk about an item that may come before the Board at a future meeting.

Mr. Quinn stated my intent was to talk about where we have been.

Ms. Carpenter stated that is fine as long they are issues that cannot come up again. I would leave it to general procedure, the history, and Chapter 190, that should be fine.

Mr. Moyer stated we do have some interesting history.

Ms. Carpenter stated the State Attorney is investigating a CDD a few Counties north of here for alleged Sunshine Law violations.

**TENTH ORDER OF BUSINESS**

**Supervisor Requests and Comments**

Mr. Sunnarborg stated I appreciate everyone letting me participate by phone for this meeting.

**ELEVENTH ORDER OF BUSINESS**

**Adjournment**

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| On MOTION by Mr. Quinn, seconded by Mr. Collins, with all in favor, the meeting adjourned at 8:40 p.m. |
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Paul Collins, Secretary

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Cliff Akey, Vice Chairman