

RE: WESTCHASE COMMUNITY DEVELOPMENT DISTRICT

## TRANSCRIPT OF: BOARD MEETING

DATE: August 4, 2015

TIME: 4:03 p.m. - 5:40 p.m.

PLACE: Westchase Community

Association Office

10049 Parley Drive

Tampa, Florida

REPORTED BY: Kimberly Ann Roberts

Notary Public

State of Florida at Large

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## APPEARANCES:

WESTCHASE COMMUNITY DEVELOPMENT  
DISTRICT BOARD MEMBERS:

Greg Chesney, Chairman

Jim Mills

Brian Ross

Bob Argus

Mark Ragusa

## ALSO PRESENT:

## SEVERN TRENT SERVICES:

Andy Mendenhall

Alan Baldwin

## DISTRICT ATTORNEY:

Erin McCormick

## DISTRICT ENGINEER:

Tonja Stewart

## WESTCHASE STAFF:

Sonny Whyte

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1 The transcript of Westchase Community  
2 Development District Board Meeting, on the 4th day  
3 of August, 2015, at the Westchase Community  
4 Association Office, 10049 Parley Drive, Tampa,  
5 Florida, beginning at 4:03 p.m., reported by  
6 Kimberly Ann Roberts, Notary Public in and for the  
7 State of Florida at Large.

8 \* \* \* \* \*

9 CHAIRMAN CHESNEY: All right. I would  
10 like to call the August 4, 2015 Westchase CDD  
11 meeting to order.

12 Would the record reflect that all  
13 members, supervisors, are present. Just  
14 because Mark is here, we'll say the Pledge.

15 (The Pledge of Allegiance is recited.)

16 CHAIRMAN CHESNEY: I understand we did  
17 not receive minutes. But is there a motion to  
18 approve the consent agenda?

19 MR. ARGUS: Let's wait till next month.

20 CHAIRMAN CHESNEY: Okay. Hearing none,  
21 we'll pass.

22 The first thing is, I need a motion to  
23 open the public hearing for the 2016 budget.

24 MR. ARGUS: So moved.

25 CHAIRMAN CHESNEY: I need a second.

1 balanced --

2 MR. BALDWIN: That was my offset.

3 MS. WHYTE: Oh, that's right, and it was  
4 offset from R and M Walls, which is power  
5 washing and our -- all the maintenance for  
6 that, which is a line item we certainly need.  
7 So we balanced it off with R and M Grounds.

8 CHAIRMAN CHESNEY: Okay. And we don't  
9 need to have a motion for that necessarily,  
10 unless there is any reason why we wouldn't  
11 accept staff's recommendation.

12 Okay. Is there anything else you want  
13 to discuss about the budget before we open it  
14 up to the public?

15 MR. ARGUS: The 2007-1 Debt Service.

16 MR. BALDWIN: Correct. The 2007-1 Debt  
17 Service, next year we will be applying the  
18 reserve in order to pay that off, so there  
19 will be a reduction next year for those  
20 residents that were affected by it.

21 The 2007-2 will be for, I think, another  
22 two years down the road after that.

23 MR. BARRETT: Alan, when you say "next  
24 year," you mean the next budget or this  
25 budget?

1 MR. MILLS: Second.

2 MR. ROSS: Second.

3 CHAIRMAN CHESNEY: All in favor, raise  
4 your hand.

5 (All board members signify in the  
6 affirmative.)

7 CHAIRMAN CHESNEY: Motions passes five  
8 to zero.

9 (Motion passes.)

10 CHAIRMAN CHESNEY: Alan.

11 MR. BALDWIN: Good afternoon. Right  
12 now, from what I can see, there really hasn't  
13 been that much change to the budget from when  
14 I was here the first time.

15 There is a request that we move 18,900,  
16 and this is from -- in the General Fund 001,  
17 under -- if I can get to the top of the  
18 section -- Rights of Way. Subtract 18,000  
19 from R and M Grounds and add the 18,900 to  
20 Walls and Signage.

21 CHAIRMAN CHESNEY: Okay. Who made that  
22 request?

23 MR. BALDWIN: Sonny did.

24 CHAIRMAN CHESNEY: Sonny. Okay.

25 MS. WHYTE: When the budget was

1 MR. BALDWIN: Next budget season, 2017.

2 MR. BARRETT: Okay. Thank you.

3 MR. BALDWIN: Uh-huh.

4 CHAIRMAN CHESNEY: Okay. All right.  
5 Okay.

6 MR. ARGUS: On that, do we have exactly  
7 enough in reserves to offset that final year,  
8 or is there more --

9 MR. BALDWIN: You have a little more  
10 from what I've seen.

11 MR. ARGUS: So do we collect that  
12 additional funds this year on the debt  
13 service, or refund --

14 MR. BALDWIN: It's already been  
15 collected, because I think you're close to  
16 already 100 percent in tax certificate sales,  
17 would appear in, I believe, July, so it would  
18 be whatever ones that had not paid. The tax  
19 certificates probably came in July, so you're  
20 basically about 100 percent collected.

21 MR. ARGUS: Okay. I'm confused then.  
22 2007-1 that's here in the budget for next year  
23 is the last year we should be collecting the  
24 payoff we're doing now in the reserves.

25 MR. BALDWIN: Correct.

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1 MR. ARGUS: So my question is, the  
2 amount in reserves, is it more than enough to  
3 pay it off of -- is it more than enough --  
4 it's obviously more than enough to pay it off  
5 in that second year. So --  
6 MR. BALDWIN: In 2017's budget --  
7 MR. ARGUS: Yes.  
8 MR. BALDWIN: -- you will have no  
9 assessments for the 2007-1.  
10 MR. ARGUS: Right. But there's what  
11 called \$100 in excess in those reserves.  
12 MR. BALDWIN: Correct.  
13 MR. ARGUS: Is that hundred thousand  
14 subtracted from what we're billing those  
15 residents for this year?  
16 MR. BALDWIN: No. The --  
17 MR. ARGUS: So we'll be overpaying this  
18 year, and we'll have to issue them a refund?  
19 MR. BALDWIN: It's the -- yes. If we  
20 end up overcollecting this year, whatever is  
21 in addition to the payoff, that money either  
22 can, one, be reimbursed directly to all the  
23 residents, or, two, it could be, depending  
24 on how large of an amount --  
25 MR. ARGUS: Sure.

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1 MR. BALDWIN: -- I mean, if it's \$100, do  
2 you really want to try to split it between  
3 4,000 people?  
4 MR. ARGUS: Oh, yeah. Understood.  
5 Okay. Thank you.  
6 CHAIRMAN CHESNEY: Any further  
7 supervisor questions?  
8 (No response.)  
9 CHAIRMAN CHESNEY: Do we have any  
10 audience comments in regards to the budget  
11 only?  
12 (No response.)  
13 CHAIRMAN CHESNEY: Okay. Hearing none,  
14 I would need a motion to approve resolution  
15 -- what's --  
16 MR. RAGUSA: You need to close the  
17 public hearing.  
18 CHAIRMAN CHESNEY: Oh, yeah. I'm sorry.  
19 Thank you. Yes, I need a motion to close the  
20 public hearing.  
21 MR. ARGUS: (Raised hand.)  
22 MR. MILLS: Move that.  
23 CHAIRMAN CHESNEY: Okay. Is there a  
24 second?  
25 MR. RAGUSA: Second.

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1 CHAIRMAN CHESNEY: Mr. Ragusa. All in  
2 favor, raise your hand.  
3 (All board members signify in the  
4 affirmative.)  
5 CHAIRMAN CHESNEY: Okay. Five to zero.  
6 It closes.  
7 (Motion passes.)  
8 CHAIRMAN CHESNEY: Now we would need a  
9 motion to approve Resolution 2015-7, which  
10 adopts the budget.  
11 MR. RAGUSA: So moved.  
12 CHAIRMAN CHESNEY: Okay. Do I have a  
13 second?  
14 MR. ARGUS: I'll second.  
15 MR. ROSS: (Raised hand.)  
16 CHAIRMAN CHESNEY: Okay. All right.  
17 All in favor --  
18 MS. MCCORMICK: Any discussion --  
19 MR. ARGUS: Discussion --  
20 CHAIRMAN CHESNEY: Well, we already had  
21 discussion.  
22 MS. MCCORMICK: Do you want me to read  
23 the --  
24 CHAIRMAN CHESNEY: I don't have it --  
25 MS. MCCORMICK: Oh, you don't have it.

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1 I have it. Yeah, I can read it for you.  
2 CHAIRMAN CHESNEY: Okay.  
3 MS. MCCORMICK: Okay. Resolution 2015-7  
4 is entitled "Resolution of the Westchase  
5 Community Development District relating to  
6 annual appropriations of the District and  
7 adopting the budget for the fiscal year  
8 beginning October 1, 2015 and ending September  
9 30, 2016, and referencing the maintenance and  
10 the special assessment to be levied by the  
11 district for said fiscal year."  
12 CHAIRMAN CHESNEY: All right. Is there  
13 supervisor comments?  
14 MR. ARGUS: Are there blanks in that  
15 that we need to fill in?  
16 MR. BALDWIN: Yes. I have those dollar  
17 amounts for the -- if I can find which one is  
18 the -- we have two of each in here?  
19 MR. MENDENHALL: Uh-huh. So far.  
20 Sorry.  
21 MR. BALDWIN: For 2007 -- I'm sorry --  
22 2015-7, the total of expenses for the general  
23 fund is \$3,299,014. For the debt service fund  
24 is \$1,264,167. Oh, hold on. I'm sorry. I  
25 gave you the wrong figures. Those are the

1 revenues.

2 Expenses, General Fund, \$3,172,407.  
3 Debt Service Fund is \$1,243,575. Total  
4 Expenditures would be \$4,415,981.

5 MS. MCCORMICK: Can you read that last  
6 figure again?

7 MR. BALDWIN: \$4,415,981.

8 MS. MCCORMICK: Okay. So based on the  
9 resolution then, that would be the total  
10 general fund amount?

11 MR. BALDWIN: This is total General  
12 Fund, which is the three million --

13 MS. MCCORMICK: The three one seven  
14 two.

15 And then the Debt Service Fund is one  
16 point two four three.

17 MR. BALDWIN: One two four three,  
18 totaling altogether is four million --

19 MS. MCCORMICK: Okay. And then we did  
20 not do the --

21 MR. BALDWIN: You don't have any capital  
22 projects and you don't have any --

23 MS. MCCORMICK: Okay.

24 MR. ARGUS: Okay. We had a number for  
25 the TRIM notices that we sent out. This -- at

1 District for Fiscal Year 2016," and it has a  
2 couple of blanks.

3 In the second whereas clause, it  
4 identifies the operations assessment --

5 MR. BALDWIN: For General Fund, the  
6 revenues are \$3,299,014, and the other blank  
7 down below is for the Debt Service, and that's  
8 \$1,264,167.

9 MR. ARGUS: Motion to approve  
10 Resolution 2015-8.

11 MR. ARGUS: Second.

12 CHAIRMAN CHESNEY: All right. All in  
13 favor, raise your hand.

14 (All board members signify in the  
15 affirmative.)

16 CHAIRMAN CHESNEY: Passes five to zero.  
17 Okay. Thank you.

18 (Motion passes.)

19 CHAIRMAN CHESNEY: I see some residents  
20 here. I'm assuming they're here for Tonja.  
21 So why don't we just go right in?

22 Tonja, you have an engineer's report?

23 MS. STEWART: I do have an engineer's  
24 report. Before you get started into the real  
25 stuff, I just want to let the board know that

1 that number, or is it --

2 MR. BALDWIN: It's the same number.  
3 There were no direct changes from the time  
4 from when I was here.

5 MR. ARGUS: So the TRIM notices will  
6 hold?

7 MR. BALDWIN: Correct.

8 MR. ARGUS: Thank you.

9 CHAIRMAN CHESNEY: All right. All in  
10 favor of adopting Resolution 2015-7, please  
11 raise your hand.

12 (All board members signify in the  
13 affirmative.)

14 CHAIRMAN CHESNEY: Passes five to zero.  
15 (Motion passes.)

16 CHAIRMAN CHESNEY: All right. I would  
17 need a -- would you like to read it before we  
18 do a motion for 2015-8?

19 MS. MCCORMICK: Yes. The next  
20 resolution is the resolution that levies and  
21 imposes the non-ad valorem maintenance special  
22 assessments is Resolution 2015-8. It's  
23 entitled "A Resolution Levying and Imposing a  
24 Non-Ad Valorem Maintenance Special Assessment  
25 for the Westchase Community Development

1 the contract for the paving for the Vineyards  
2 is going to be scheduled for around October,  
3 so I'll be bringing the final contract to you  
4 next month to get it executed for the  
5 contractor to do that.

6 One of the things, if you'll recall, is  
7 that we need to do the control points, the  
8 survey work in advance, and obviously we had  
9 some fees that were quite large from our  
10 survey company.

11 So I solicited a proposal from another  
12 survey company to do it for about \$7,000 -- a  
13 little less than \$7,000, so it's about half of  
14 what our survey department had previously  
15 charged.

16 So I just wanted to let the board know  
17 and get authorization to get their survey work  
18 scheduled. It would be with Landmark  
19 Engineering and Surveying Corporation, so --

20 MR. ARGUS: That's an additional expense  
21 to what we've already authorized?

22 MS. STEWART: That's correct. That's  
23 correct.

24 MR. ARGUS: And we don't have a choice;  
25 we have to do this?

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1 MS. STEWART: You don't. It is in state  
2 law that it's a misdemeanor to destroy the  
3 control points. What's key is, is that you  
4 want to control the survey company that does  
5 the work. You don't want to leave that to the  
6 contractor.  
7 MR. ARGUS: So since Chesney is  
8 chairing the meeting, he gets thrown in jail?  
9 CHAIRMAN CHESNEY: Sure. I don't even  
10 know what you're talking about.  
11 MR. ARGUS: So moved, that we do the  
12 7,000 invoice.  
13 CHAIRMAN CHESNEY: Okay. So moved. Is  
14 there a second? I apologize. I was reading  
15 something, so I'm slightly lost. Is there a  
16 second to whatever you just made a motion for?  
17 MR. RAGUSA: Second.  
18 MR. MILLS: Second.  
19 CHAIRMAN CHESNEY: Okay. All right.  
20 Any further discussion?  
21 MR. RAGUSA: I do. Landmark will be a  
22 subcontractor to Stantec?  
23 MS. STEWART: No. They will bill the  
24 district directly.  
25 MR. RAGUSA: Okay. Do we have a written

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1 proposal from them?  
2 MS. STEWART: I can get one. I  
3 basically interviewed a whole bunch of  
4 different survey companies, small survey  
5 companies, to find out which one was the most  
6 reasonably priced, and they wound up being the  
7 most reasonably priced. So I can get with  
8 Erin and get the proper contract in place for  
9 their services.  
10 MR. ARGUS: You've dealt with them  
11 before?  
12 MS. STEWART: Yes, I've worked with them  
13 before. They're very good, they're good.  
14 They're a small company, they're reasonably  
15 priced, and good quality surveyors that's been  
16 here for a very long time, so --  
17 CHAIRMAN CHESNEY: All in favor, signify  
18 by raising your hand.  
19 (All board members signify in the  
20 affirmative.)  
21 CHAIRMAN CHESNEY: That passes five to  
22 zero.  
23 (Motion passes.)  
24 MS. STEWART: Okay. Now we're into the  
25 good stuff. Obviously, I met with Sonny

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1 today, and we kind of talked through some of  
2 the drainage issues that you're experiencing  
3 or have experienced over the past week or so.  
4 The canal, the western portion of the  
5 property that backs up into Twin Branch Acres,  
6 a couple years ago, if you'll recall, Doug and  
7 I kind of tromped through this area before, so  
8 we know that it is the low area, and  
9 unfortunately that community experiences some  
10 structure flooding because of it.  
11 Sonny was out there yesterday. The area  
12 was completely inundated with water from what  
13 I gathered from the video that she sent me.  
14 Out there today, it has dried up, but we do  
15 have major, major, major back-up. I mean, the  
16 system is basically at capacity, and it's  
17 actually past capacity, which is pushing  
18 everything out of the top of the bank.  
19 Yes, sir, Mr. Argus.  
20 MR. ARGUS: I'm a little confused. Are  
21 you talking about the land in Twin Branch, or  
22 are you talking about in Glenfield?  
23 MS. STEWART: The whole -- the whole  
24 system. Basically, as a little refresher, the  
25 canal extends all the way from Nine Eagles,

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1 down to Waterchase, down along Countryway,  
2 into Linebaugh, crossing into Linebaugh into  
3 Glencliff --  
4 MS. WHYTE: Glencliff, all that way --  
5 MS. STEWART: -- thank you very much --  
6 into then Twin Branch Acres.  
7 I actually work for Waterchase, too, so  
8 I actually got a call from a resident in  
9 Waterchase because next to their home they had  
10 the -- their canal flowing over the bank into  
11 the storm sewer system in front of their  
12 house.  
13 So we went into Waterchase and took a  
14 look at the canals, and they're overflowing  
15 all the way over from the very north end. So  
16 this is going to be a long summer, I guess.  
17 I understand, in talking to the  
18 landscape guy, that there is a forecast for  
19 another comparable rainy situation this  
20 weekend, so we're going to talk about some of  
21 these things in a second, too, because the  
22 other area that we have is similar, too.  
23 But when Westchase was designed, we were  
24 in the heart of the drought. We kind of  
25 talked about this before, about some of the

1 indicators in the wetland systems that were  
2 probably a little low. We had decades of  
3 overpumping of the drinking water well fields,  
4 which basically brought a lot of the water  
5 levels down, too.

6 Now we have an above-average rainfall.  
7 We have -- no longer can we get drinking water  
8 from the south plant and reservoir. And one  
9 of the things, the canals, which are -- really  
10 is a flow-way, a conveyance system, and part  
11 of the drainage design for the community, it  
12 was really not considered -- or it wasn't  
13 defined as a conveyance system necessarily.  
14 It was basically just a receiving wetland.

15 If you look at the drainage plans,  
16 you can see that it basically falls out, the  
17 wetland with seasonal high water. So,  
18 basically, when they connected all of the  
19 ponds together and discharged into the  
20 wetland, they were only concerned about that  
21 water level, that was basically what they  
22 consider to be the historical water level in  
23 the system, to make sure it didn't back up  
24 into the ponds.

25 Today, we might do things a little

1 either. But when we design drainage systems  
2 for subdivisions, they're based on very  
3 specific storm events, and they try to  
4 establish those storm events as conservatively  
5 as possible, but Mother Nature doesn't  
6 function like that.

7 I mean, you can have back-to-back  
8 storms, and we don't design these for back-to-  
9 back storms. Okay? The good news is, if you  
10 look at the big picture and you compare it to  
11 what we had saw in Twin Branch Acres, the  
12 community, and has historically, every time  
13 we've gotten a comparable hundred-year storm  
14 event, has really drained, from a technical  
15 perspective, excessively.

16 It may unnerve some residents who might  
17 have their house right up on that conveyance  
18 system, but, thus far, knock on wood, it  
19 functions fine. Okay.

20 MR. ARGUS: So we know nobody that  
21 had water intrusion in Westchase?

22 MS. STEWART: To the best of my  
23 knowledge.

24 MS. WHYTE: (Inaudible)

25 MS. STEWART: We have another situation

1 differently because of this kind of  
2 situation. You know, now we ask more  
3 questions, because you have a lot of water  
4 flowing from Nine Eagles into this canal,  
5 which bottlenecks into these little --  
6 miscellaneous little creeks that go into Twin  
7 Branch.

8 So these are really bottlenecks. So we  
9 can't widen them. We have a wetland  
10 delineation that has defined and set the  
11 limits of this conveyance area. Unless you  
12 were to basically buy every house along the  
13 creek and then go in and try to widen it,  
14 there is no way to increase the capacity.

15 Now, the county is fully aware of the  
16 situation, particularly the crossings  
17 underneath the roads in Twin Branch Acres.  
18 Also, remember, this is tidally influenced.  
19 So when you have an intense storm event and  
20 high tide together, you've probably seen it on  
21 the news. South Tampa, you know, just  
22 experienced that.

23 It exacerbates the situation, but there  
24 is no way to control Mother Nature and the  
25 tide together, both, either one independently

1 we're going to talk about, but -- so I think  
2 that --

3 MR. BARRETT: (Inaudible)

4 MS. STEWART: Okay. We want to talk a  
5 little bit about Stonebridge. And what's the  
6 other one?

7 MS. WHYTE: Sturbridge.

8 MR. BARRETT: Before you jump into  
9 that --

10 MS. STEWART: Yes.

11 MR. BARRETT: -- can I ask a follow-up?  
12 One of the questions that I had, I think a  
13 Woodbay resident said, "Look, you need to  
14 follow up on this."

15 There is at least a perception among  
16 some of the residents there that the flow of  
17 canal is being limited by like the overgrowth  
18 of trees and bushes.

19 Is that -- I guess my question is  
20 two-fold. Is that really a cause in your  
21 opinion, and if it is, who is in charge of  
22 cleaning that? Because there seems to be some  
23 confusion from at least the residents about  
24 whether that's the CDD or the county, or even  
25 one that thought it was TECO, and I don't

<p style="text-align: right;">Page 25</p> <p>1 think TECO is going to do it, but I could be 2 wrong.</p> <p>3 MS. STEWART: Yes, it can impact the 4 flow capacity. Okay? And Doug and I actually 5 tried to visit these areas. Doug and I try to 6 talk on a regular basis, particularly during 7 rainy season. If you start experiencing 8 problems, inspecting the canals, and I know 9 he's been real tight with the A &amp; B Aquatics 10 to go walk through these areas, so if there's 11 any vegetation that should be removed, it is 12 removed.</p> <p>13 Keep in mind, in addition to this being 14 a flow-way, they are also wetland conservation 15 areas. So you do have -- they are protected. 16 You can't just go clean them out. They are 17 regulated by environmental rules by EPC and 18 SWFWMD.</p> <p>19 So we can only remove vegetation that is 20 either dead or is definitely restricting the 21 flow in some way, shape or form. And I have 22 historically seen -- when I do have a heavily 23 vegetated area with water going over, let's 24 say, a weir of some sort and the vegetation 25 has blocked the weir and we open it up, I have</p>	<p style="text-align: right;">Page 27</p> <p>1 CHAIRMAN CHESNEY: Brian.</p> <p>2 MR. ROSS: Further follow-up, my memory 3 is that a couple of years ago the county was 4 doing some work out in the area, and you and 5 staff sort of sweet-talked the county into 6 doing some clean-out of canal, and I think you 7 all estimated it was \$100,000 worth of work.</p> <p>8 Did that, in fact, occur? Is my memory 9 is right? And, secondly, how is that 10 interconnected with what you're reporting to 11 us?</p> <p>12 MS. STEWART: That is a different area. 13 That is not the canal. That's actually a 14 wetland system that runs along the TECO 15 property, the TECO line, and that is actually 16 in a separate basin.</p> <p>17 MR. ROSS: Okay.</p> <p>18 CHAIRMAN CHESNEY: Okay. Is this 19 relative to this --</p> <p>20 MRS. O'BRIEN: Yeah. I went down on the 21 map and I was looking at the --</p> <p>22 MR. ARGUS: Can we have your name, 23 please?</p> <p>24 MRS. O'BRIEN: My name is (inaudible) 25 O'Brien. I live in Glenfield. What I</p>
<p style="text-align: right;">Page 26</p> <p>1 not seen a significant change in improving the 2 water level.</p> <p>3 It may increase the flow some, but I 4 don't really see it really change the water 5 level very much.</p> <p>6 MR. BARRETT: And who is responsible for 7 the clean-out? Is it the CDD, or is it the --</p> <p>8 MS. STEWART: The CDD has been doing the 9 wetlands or conveyance systems that we own.</p> <p>10 MS. WHYTE: The ones that we own, we've 11 done it much -- four years ago, we went in and 12 cleaned the canal with EPC and everybody's 13 approval. They did remove debris. They 14 removed fallen trees --</p> <p>15 MR. BARRETT: Is the entire canal that 16 runs from, I guess, Linebaugh down behind 17 those homes, is all of that owned by the 18 CDD --</p> <p>19 MS. WHYTE: Yes.</p> <p>20 MR. BARRETT: -- or is part of it owned 21 by the county?</p> <p>22 MS. WHYTE: They own the actual roads, 23 the roads are county, but the actual portion 24 of the wetlands area is owned by the CDD.</p> <p>25 MR. BARRETT: Okay. Thank you.</p>	<p style="text-align: right;">Page 28</p> <p>1 understand with the double branch is, it broke 2 down, and it does go into Glenfield -- I 3 didn't hear the lady speak about Glenfield. 4 She didn't mention Glenfield.</p> <p>5 Behind our house, there is a pond. It's 6 overflowing. It overflowed back in 2013 and 7 flooded the road. And this time it's flooded 8 again, and it flooded the road. And it's still 9 built up.</p> <p>10 When it rained the other day, it just 11 flowed back out on the road again, and it is 12 still flooded. And the pond behind is still 13 flooded. When the lady says here that we're 14 going to get another storm, my concern is that 15 there is no room for any more water to go into 16 the pond, it's going to come out on the road, 17 overflowing and flood our house back and 18 front, and I'm really concerned.</p> <p>19 MR. O'BRIEN: My name is Patrick 20 O'Brien, and I'm actually a voting member for 21 Glenfield on the Westchase Association board.</p> <p>22 Very briefly, there is a spot right 23 besides us across the lake, the pond we have 24 for the USGS Services, and they monitor the 25 water. And I talked with the guy and I got</p>

1 the data, and it does show that from the  
2 middle of July to -- from the 15th of July to  
3 end of July, we had 20 inches of rainfall  
4 here.

5 And the normal annual rainfall is 60  
6 inches for the past three years. So in 15  
7 days, we had like a third of the rainfall from  
8 previous year, and, obviously, the  
9 calculations that were done initially with  
10 this were maximized out with that extra  
11 water.

12 So the question is, how is -- what are  
13 the proactive things to be done? Now, one of  
14 the things that concerns me greatly is the  
15 double branch canal flows through within like  
16 six houses where we are and that whole end of  
17 Glenfield, and there's connections from the  
18 double branch into the lakes, as Sonny  
19 mentioned -- or somebody mentioned earlier --  
20 I think the engineer mentioned -- and those  
21 connections allow water to flow from double  
22 branch into these ponds.

23 My question is, should we have a  
24 non-return valve? In other words, double  
25 branch shouldn't be overflowing in there

1 viewed this particular parcel she's talking  
2 about?

3 MRS. O'BRIEN: This is Glenfield.

4 MS. WHYTE: This is the one that we were  
5 at today, that overflowed the canal -- went  
6 into that lake, you walked all the way around  
7 with the butterfly thing in the corner, that  
8 that is their pond, and their house is the  
9 one, the second house on the right, faced  
10 left.

11 MS. STEWART: Basically, what happens,  
12 you've got to remember these are -- the flow-  
13 ways are also wetland conservation areas, so  
14 in terms of --

15 MRS. O'BRIEN: Can I just clarify with  
16 you? Did you mention Glenclyff when you  
17 should have said Glenfield? Is that --

18 MS. STEWART: Yes, it was Glenfield that  
19 she was referring to.

20 MS. WHYTE: Yes, it was. Yes, ma'am.

21 MRS. O'BRIEN: Okay. Okay.

22 MS. STEWART: So hydrology is also  
23 important. So in terms of being able to cut  
24 off water from being able to back up into it,  
25 number one, as a storm sewer system, you can

1 really. I mean, it should be stopped. But we  
2 should be able to drain the pond when -- when  
3 double branch goes down.

4 However, having said that -- I'm just  
5 finishing up here now -- if we do that, then  
6 double branch is going to probably overflow  
7 more because it doesn't have those ponds to  
8 relieve itself into, for lack of a better way  
9 to say it. So that's the issue.

10 MRS. O'BRIEN: Well, to get back to my  
11 question, I wish the lady would just address  
12 what our situation is with our road flooded.  
13 The top of our road is flooded, there's a pond  
14 down which flooded yesterday over on the road  
15 -- further down the road, and that's all dried  
16 up.

17 But our -- my mailbox, I can't get to  
18 it, and outside, it's built up right to the  
19 banks.

20 MR. O'BRIEN: There are fish swimming in  
21 the -- on the road.

22 MRS. O'BRIEN: So could you address  
23 Glenfield? She did mention Glenclyff, but not  
24 Glenfield.

25 CHAIRMAN CHESNEY: Okay. So have you

1 put something in a pipe that would prevent  
2 water from coming back or whatever, you can  
3 put a weir, but what happens is, the wetland  
4 conservation area gets impacted by that, so  
5 you can't restrict flow from going back and  
6 forth. Okay?

7 In reviewing everything from Nine Eagles  
8 down to Twin Branch Acres, there's a lot of  
9 water, and it, I would say, exceeds any design  
10 storm event. When that is the case, we don't  
11 have many options. Now we're fixing to  
12 talking a little bit about --

13 CHAIRMAN CHESNEY: Just so I can make  
14 sure I understand what you're saying, you're  
15 saying that the system functioned to its design  
16 capabilities, you didn't see anything that was  
17 not functioning?

18 MS. STEWART: Correct.

19 CHAIRMAN CHESNEY: Okay.

20 MRS. O'BRIEN: What about Glenfield  
21 where it's overflowing and there's no -- it's  
22 not going anywhere. It's just with the tides  
23 going out that you talk about, should the  
24 water go down and it's not going down?

25 MS. STEWART: We checked it. We checked



<p style="text-align: right;">Page 33</p> <p>1 it. The water levels are up all the way down 2 to the bay. All the way from Twin Branch 3 Acres back, they're all up. 4 MRS. O'BRIEN: So how come the other 5 roads are dry, like the other pond that's 6 further -- is our pond behind our house, is 7 that the level it's flowing, and it's all 8 flowing down there, and it's going to come 9 right in our house? 10 MS. STEWART: Each street is based on a 11 different design. So each street is kind of 12 functions differently. 13 MRS. O'BRIEN: I'm talking about 14 Glenfield. I'm talking about Glenfield. 15 MS. STEWART: Your property -- 16 MS. WHYTE: You look at your street from 17 the front end, if you look at it from the 18 street, you're actually at a low point -- 19 MRS. O'BRIEN: Uh-huh. 20 MS. WHYTE: -- and that is the second 21 house in, and the lake -- 22 MRS. O'BRIEN: Is there any way to let 23 this water out so that it doesn't come -- that 24 another storm doesn't -- 25 CHAIRMAN CHESNEY: I'm going to make a</p>	<p style="text-align: right;">Page 35</p> <p>1 road. I want you to understand this, 2 Mr. President. 3 I don't know what your role is, but, I 4 mean, water was high on both sides, but people 5 weren't using the road to get to their homes 6 in Glenfield yesterday. So my comment back to 7 the lady engineer here is that the design was 8 not to have that kind of level of flooding. 9 MRS. O'BRIEN: No. 10 MR. O'BRIEN: There's no way it was 11 working to design. And, you know, the pond in 12 back of our house and down further -- I'm not 13 just concerned about our house. You know, 14 we're all in this together -- down the road, 15 there was flooding as well, and those houses 16 could be flooded. So it's about all the whole 17 area of Glenfield. 18 CHAIRMAN CHESNEY: I understand, and I'm 19 not trying to -- I'm not trying to push you 20 away. I'm just trying to keep, A, the meeting 21 moving. 22 MR. O'BRIEN: Sure. 23 MRS. O'BRIEN: Go ahead. That's fine. 24 CHAIRMAN CHESNEY: From our perspective, 25 that, I mean, we are responsible to the design</p>
<p style="text-align: right;">Page 34</p> <p>1 suggestion here. From our perspective, we're 2 concerned to make sure that it's functioning 3 as designed and that our maintenance has been 4 adequate. Okay? 5 It sounds like it has. There might be 6 some other things that you can discuss, and 7 what I would suggest is, Tonja, if you can 8 discuss with the O'Briens, if you can discuss 9 with them separately and make sure you 10 understand their situation, and if there is 11 anything you think you need to come back to us 12 to do, but -- 13 MRS. O'BRIEN: I thank you for your 14 time, and I take your point, but our road is 15 flooded. And if it's working as designed, 16 it's not working for us. Okay? 17 CHAIRMAN CHESNEY: Yes, I understand. 18 MRS. O'BRIEN: Thank you. 19 CHAIRMAN CHESNEY: Okay. So the next -- 20 MR. RAGUSA: Can I ask a question just 21 to finish up? 22 MR. O'BRIEN: People on our street, I'm 23 representing Glenfield, the -- the post wasn't 24 delivered. She called our thing. It was at 25 least five inches of water on each side of the</p>	<p style="text-align: right;">Page 36</p> <p>1 that we have, so, I mean, we have to work 2 within the confines of, you know, what the 3 county has told us. 4 MRS. O'BRIEN: What I am trying to tell 5 you is the design is not working for us. As he 6 just described, no mail delivered, people 7 can't get to the -- 8 CHAIRMAN CHESNEY: I understand, but 9 then that becomes a county issue, because 10 they're the ones that approved the design, 11 where ours is a maintenance issue. 12 MRS. O'BRIEN: Okay. 13 CHAIRMAN CHESNEY: That's what I'm 14 trying to help you understand. 15 Yes, Mr. Ragusa. 16 MR. RAGUSA: Tonja, do you have any 17 recommendations on short-term relief? 18 MRS. O'BRIEN: I would like to talk 19 about the Stonebridge, Sturbridge, that 20 problem, walk through that, and let's revisit 21 this, because you'll hear me talk a little bit 22 about what we can do for that. 23 This situation is a little different 24 because it so widespread. That canal impacts 25 from Nine Eagles, down to the bay, and there's</p>

1 no way for me to be able to decrease the water  
2 level in that canal.

3 There's no -- and it extends to too many  
4 other people's property. If the county wants  
5 to say, "You know what. Twin Branch Acres,  
6 these people had home flooding, we're going to  
7 put a pump in there and pump it," that's up to  
8 the county to do. Okay?

9 I don't have anywhere to discharge, and  
10 if I was to throw a pump in their pond, trying  
11 to get the water level to go down, I'm just  
12 recirculating it back to the problem, so I  
13 don't have a clear, free-flowing outfall to  
14 dump any water into. So I don't have an  
15 emergency way of handling this.

16 Now, if the water levels go down and if  
17 the weather cooperates -- a lot of this is  
18 based on weather -- and we start to see the --  
19 and just FYI, the complaints up at Waterchase,  
20 I'm here telling Sonny, "I can't improve their  
21 situation, because if I improve their  
22 situation, it's just dumping more water on  
23 you." So I have to play a balancing act  
24 between the two problems. You know what I  
25 mean?

1 So if the canal water level starts to go  
2 down and the tide cooperates and discharges  
3 quicker and we can throw a pump in there,  
4 we'll do that. And, I mean, that's one of the  
5 things I'm going to suggest, that we have a  
6 pump available to us, that's something we're  
7 going to look into doing for Sturbridge.  
8 Okay?

9 So we can continue to monitor it. If we  
10 start to see some changes, then we can act, we  
11 can get somebody to go out there to do that.

12 CHAIRMAN CHESNEY: I thought a couple of  
13 years ago we were looking at buying one. Did  
14 we not buy one?

15 MS. WHYTE: We talked about it back  
16 here, but the county resolved a solution at  
17 that end.

18 CHAIRMAN CHESNEY: Okay.

19 MS. WHYTE: Excuse me. Just getting  
20 back to this, I went over yesterday and spoke  
21 to somebody over at Twin Branch. Of course,  
22 Tonja's concern was, we're so high. Where is  
23 our water that's going to -- you know, what's  
24 the problem?

25 And I ran into a gentleman who's working

1 with the county, and they're doing a task  
2 force as to looking at all of the solutions.  
3 He's working with the engineering firms with  
4 the county to look at the solutions -- a long-  
5 term solution that also impacts Westchase. So  
6 I've got a contact number. I've given it to  
7 Tonja. We're going to touch base with him.

8 MR. ARGUS: What's his name?

9 MRS. O'BRIEN: Moore. Robert Moore --  
10 Robert Beech Moore.

11 MS. WHYTE: I'm not sure, but he's an  
12 engineer as well. But he was impacted  
13 yesterday by the flood. He was having to  
14 evaluate his house. But he said he's working  
15 with county.

16 There is a task force. They know the  
17 county has a problem, and we're going to get  
18 in on that with them, so we'll be working more  
19 closely with the county on that and with Tonja  
20 as well, and we'll keep you up to date as we  
21 make progress or as we start attending  
22 meetings.

23 CHAIRMAN CHESNEY: Let me just ask the  
24 O'Briens. Do you still have water in the  
25 street?

1 MRS. O'BRIEN: Yes.

2 MR. O'BRIEN: Yes. The water in the  
3 street at the moment is probably about four  
4 inches each side, and the center is just  
5 coming clear, you know.

6 MR. ARGUS: I drove down Glenfield just  
7 prior to the meeting, and by their house, the  
8 water also crosses the road. We have two or  
9 three places down Glenfield that I believe the  
10 CDD has placed barricades, indicating that  
11 there was additional flooding or high water  
12 further down, but I did not see any indication  
13 that any of the houses were flooded yet.

14 MS. WHYTE: No, none of the houses got  
15 wet.

16 CHAIRMAN CHESNEY: Mr. Mills, you had a  
17 question.

18 MR. MILLS: Is there any opportunity for  
19 the county to truck pump the water and dispose  
20 of it elsewhere?

21 MS. STEWART: To be perfectly -- we can  
22 ask anything, but I think because of their  
23 funding sources and their restrictions and  
24 their prioritization, I'm not sure that they  
25 would do it.

1 We could ask, but I don't know that that  
2 would be --

3 MR. MILLS: Well, certainly pumping it  
4 out and dumping it on the other side of the  
5 road is not the answer. But if we could rent  
6 a couple of trucks and allow it to be disposed  
7 elsewhere.

8 MS. STEWART: You're talking a lot.  
9 You're talking a lot.

10 MR. MILLS: Just a thought. The county  
11 would have to tell us. You know, they would  
12 have to handle it.

13 MS. STEWART: Because you've got to  
14 remember a couple of things -- as a matter of  
15 fact, my sister has a septic tank, and she's  
16 talking to me today because her yard is  
17 completely wet, so, therefore, her septic tank  
18 is not working.

19 So I'm telling her, "Dig a hole. Let's  
20 check and see where the water is coming in.  
21 And if it's coming in good, yes, your septic  
22 tank is not working." So that's kind of where  
23 we are. You have so much groundwater. When  
24 you take some out, it just comes right back  
25 in. You take it out, it just keeps coming

1 right back in.

2 MR. MILLS: Just thinking out loud.

3 MS. STEWART: Yeah. No. And it's very  
4 complicated. Water is very complicated. I  
5 mean, groundwater, you know, you think back  
6 during the day when we had overpumping of the  
7 well fields, it's like you never -- SWFWMD  
8 said, don't worry about storage. Just dump  
9 all the water in the wetlands because the  
10 wetlands were so dehydrated.

11 Now we're suffering from the fact that  
12 they're like, oh, yeah, the wetlands have got  
13 plenty of water now, you know.

14 MR. MILLS: Well, even the city said  
15 yesterday, their system is designed for  
16 60,000,000 gallons a day, and 180,000,000  
17 gallons was going through it. That's why it's  
18 flooded. There's just nowhere for it to go.  
19 So if we could remove some of it to get it  
20 away from homes, you know, that's just a  
21 thought.

22 CHAIRMAN CHESNEY: So let's talk about  
23 the other areas.

24 MS. STEWART: I tromped through that  
25 swamp myself. It was almost waist deep. We

1 have the borrow pit, which we talked about  
2 last month, which is on the old Thomas Ranch  
3 property.

4 They we have a pond that's between  
5 Sturbridge and the school.

6 MS. WHYTE: Pond 45.

7 MS. STEWART: Pond 45 appears to have  
8 been built as part of the school project. It  
9 appears we received ownership of that land  
10 from the school. Okay? So I --

11 CHAIRMAN CHESNEY: So we do own that  
12 pond?

13 MS. STEWART: We do own the pond. It's  
14 not on our master drainage plan. So I suspect  
15 that that pond was built as part of the  
16 school. I could not get a school plan.

17 Sonny talked to them, and I think she's  
18 going to try to get a set of the school plans.

19 MS. WHYTE: They're trying to get them  
20 to us by tomorrow.

21 MS. STEWART: That pond doesn't appear  
22 to have an outfall in the field. Okay? So  
23 I'm having difficulty in figuring out -- what  
24 basically is happening is the water level  
25 rises up.

1 It's seeking the path of least  
2 resistance and draining out of the lowest  
3 point, which is a manhole in their driveway.  
4 Okay?

5 CHAIRMAN CHESNEY: In their driveway,  
6 the school's --

7 MS. WHYTE: School's driveway.

8 CHAIRMAN CHESNEY: Okay.

9 MS. STEWART: School's driveway. So  
10 what I've got to do is, once I get the plans  
11 and figure out how it works, I'm suggesting --  
12 well, note that -- the Thomas Ranch borrow  
13 pit, as we all know from the last month's  
14 meeting, that the corrugated metal pipe that  
15 we replaced and the pipe that we cleaned out  
16 drained into a hole to nowhere.

17 So the only way that that borrow pit is  
18 going to drain is for the water to rise up and  
19 reach the elevation of the land and then flow  
20 out. Okay? So we kind of knew that this was  
21 going to be a little complicated.

22 Well, that land that it needs to rise up  
23 and flow out is now waist deep in water.  
24 Okay? So the reason that I tromped through  
25 the water was to basically take a look at the

1 elevation of the borrow pit, the elevation of  
2 the district's big pond on the north side of  
3 Linebaugh and the water level on the TECO  
4 property. Okay?

5 What basically appears to be the case is  
6 the water level in the borrow pit is a little  
7 lower than the land next to it. There is a  
8 kind of like a little island separating the  
9 hole in the wet area and the TECO property. I  
10 have asked Site Master's to bring a pump out  
11 here, dump it in that hole, and let's try to  
12 pump some of that water out of the borrow pit  
13 into the pond on the north side of Linebaugh.

14 The pond outfall structure is on the  
15 south side of Linebaugh. There is a wetland  
16 and a pond on that side. It's flowing  
17 correctly, it's draining, so it will  
18 eventually keep draining out.

19 So in order to give them some relief in  
20 the borrow pit, we'll pump it and put it in  
21 that pond for storage. It has limited  
22 vertical storage capacity, but the pond is so  
23 big and it still continues to flow out, it can  
24 provide us some relief. Okay?

25 And then what I would like to do is then

1 emergency action. Okay?

2 Also keep in mind one of the things that  
3 we have with Westlake Townhomes, the townhome  
4 community, is that it's probably only 30  
5 percent constructed.

6 MR. ARGUS: So their water is flowing  
7 into these ponds that you're talking about?

8 MS. STEWART: It flows into one storage  
9 area with the weir, and it flows through the  
10 weir into the borrow pit.

11 The other thing that complicates it is  
12 the subdivisions to the east drain into a  
13 canal that drains into the borrow pit. So  
14 it's not just Westlake Townhomes that drains  
15 into it. It's the basin to the east, too.

16 CHAIRMAN CHESNEY: Can you help explain  
17 to me -- I had a fortuitous engagement with  
18 the engineer for M/I Homes yesterday.

19 MS. STEWART: Gary?

20 CHAIRMAN CHESNEY: Yes.

21 MS. STEWART: I asked him to come out  
22 here. I called and talked to him to make sure  
23 he's aware of the problem.

24 CHAIRMAN CHESNEY: So he had discussed  
25 that they had dug three retention ponds along

1 probably take the pump and put it in the pond  
2 for the school and put that into the borrow  
3 pit pond and do it again, so we can get those  
4 two pond water levels back down again. Okay?

5 MR. BARRETT: Is there a longer-term  
6 solution?

7 MR. RAGUSA: Mr. Barrett.

8 MR. BARRETT: I'm sorry.

9 MS. STEWART: No. It's funny because  
10 I'm being careful because it's going to be  
11 complicated, but my thought process was, could  
12 we eventually put a pipe from the hole to the  
13 pond, the big pond on north side of  
14 Linebaugh?

15 But it gets a little complicated,  
16 because we would technically, probably have to  
17 get a permit; and, once again, we're at the  
18 mercy of Mother Nature in terms of how much  
19 storage capability is in that pond. So I'm  
20 kind of thinking that we need to have a long  
21 term and maybe going back to purchasing a  
22 pump, have an emergency plan, because this is  
23 a result of what I would say would be above-  
24 average rainfall exceeding what the design  
25 conditions are, so I consider this to be more

1 that. How is the capacity of those?

2 MS. STEWART: They're full.

3 CHAIRMAN CHESNEY: So they were designed  
4 and accepted, you know, according to -- I'm  
5 sorry. They were designed and permitted from  
6 the county, but they're full. They just  
7 exceeded the capacity that was allowable.  
8 Okay.

9 MS. STEWART: And also --

10 CHAIRMAN CHESNEY: So it seems to be  
11 working. That's my real question. So it's  
12 the design that they had seems to be working.

13 MS. STEWART: It is functioning as  
14 designed, with the exception of one thing:  
15 The storm exceeded their designed storm  
16 event.

17 CHAIRMAN CHESNEY: Right.

18 MS. STEWART: Keep in mind -- and this  
19 is why I engaged in conversation and Doug and  
20 I met with them, is because they assumed that  
21 the borrow pit had a free-flowing outfall in  
22 the location that it stops at a hole. That's  
23 not a free-flowing outfall.

24 CHAIRMAN CHESNEY: Gotcha.

25 MS. STEWART: The only way it's now

<p style="text-align: right;">Page 49</p> <p>1 free-flowing is that if it rises up and flows  2 over the land. And they came back and said  3 that they had evidence that that pipe where it  4 ends in the hole was connected by another pipe  5 to the wetland between the school and the CDD  6 office, and they sent me some data, but it's  7 nothing that is ever confirmed to be able to  8 connect to that wetland.  9 MS. WHYTE: There is no way that that  10 can hold it.  11 CHAIRMAN CHESNEY: Okay. Mr. Ragusa.  12 MR. RAGUSA: Let me just ask, are we  13 done playing nice with M/I?  14 MS. STEWART: That was going to be my  15 next suggestion is that I pull together a  16 technical memo of some sort and then pass it  17 off to maybe Erin, because that's why I'm  18 somewhat engaged in conversation with the  19 design engineer because that's what M/I is  20 going to do.  21 M/I hires a design engineer and someone  22 to build it, so they're just going to go,  23 what's up, you know. So I think we have  24 enough information at this point and have done  25 enough research and we've had enough rain that</p>	<p style="text-align: right;">Page 51</p> <p>1 draining, as Tonja said, towards the wetlands,  2 it actually drains toward the houses and over  3 the street and through people's back yards and  4 into their properties.  5 CHAIRMAN CHESNEY: Okay.  6 MR. NEAL: Can -- as an emergency, can  7 we get somebody to dig a little ditch --  8 MR. ARGUS: Your name?  9 MR. NEAL: -- as a relief instead of --  10 MR. ARGUS: We need your name, please.  11 MR. NEAL: Oh. Patrick Neal, 9858  12 Bridgeton Drive, Stonebridge resident.  13 MS. STEWART: I considered that. I'd  14 prefer to do the pumping. I'm afraid to put a  15 piece of equipment. It's so wet back there.  16 I'm not sure that that piece of equipment  17 could go back there and dig squat.  18 CHAIRMAN CHESNEY: Just so I understand  19 what our action plan is, we're going to take  20 Mr. Ragusa's suggestion. You're going to put  21 together a technical memo. You're going to  22 provide it to Erin, and then we're going to  23 give it to M/I Homes, and we're going to  24 question the design and the assumptions behind  25 the permit. Okay? And so we'll await a</p>
<p style="text-align: right;">Page 50</p> <p>1 we can provide some technical data to be able  2 to say this is something that you need to look  3 into.  4 MR. RAGUSA: Where do we go with that,  5 to Hillsborough County?  6 MS. MCCORMICK: Well, let me just ask  7 -- you said that they assumed that there was  8 a pipe that that pond was draining into and  9 that is not actually happening.  10 Do you mean they assumed that in the  11 permit application that they submitted to the  12 county so that they permitted it based on  13 incorrect information?  14 MS. STEWART: I am -- only based on the  15 facts that I have, it appears that in their  16 drainage report, there is a statement that the  17 outfall is the southeast corner of that pond.  18 MS. MCCORMICK: Okay.  19 MS. STEWART: Okay? There is no --  20 there is no support or back-up past that.  21 CHAIRMAN CHESNEY: Okay. All right. So  22 -- okay. Sonny, I guess.  23 MS. WHYTE: Just to those board members  24 that did not know that borrow pit or that lake  25 -- that M/I Homes lake, actually instead of</p>	<p style="text-align: right;">Page 52</p> <p>1 response for that.  2 In the meantime, you're going to go  3 ahead and do some mitigation pumping because  4 you think it's appropriate in that area and  5 there's a place for the water to go?  6 MS. STEWART: Correct.  7 MR. RAGUSA: What's the estimate on the  8 pumping?  9 MS. STEWART: Probably a couple grand.  10 MR. RAGUSA: Do we need approval for  11 that, Erin, or is it we just have it in the  12 budget?  13 MS. STEWART: Do we have emergency  14 funds?  15 MS. WHYTE: We can find it.  16 MR. RAGUSA: We're ending the budget  17 cycle.  18 MS. WHYTE: We can find it.  19 MR. RAGUSA: Yeah. Okay.  20 MS. WHYTE: We'll figure it out.  21 MR. RAGUSA: Can I just get the feel for  22 the supervisors here? I'm inclined to  23 authorize Erin to take whatever steps are  24 necessary with respect to Hillsborough County  25 and M/I Homes, up to the filing of a lawsuit.</p>

1 I'm not going to rule out the filing of  
2 a lawsuit against M/I Homes. If their plans  
3 are flooding our homes, we need to do  
4 something drastic. If their stormwater system  
5 is --

6 CHAIRMAN CHESNEY: Right. But we need  
7 to make sure first, though.

8 MR. RAGUSA: I think we have seen the  
9 cause and effect. Now, the wild card in all  
10 of this is we have had record storms. So I'm  
11 concerned about that, but the fact remains  
12 that we don't have that type of flooding back  
13 there. Their system is overloading into our  
14 system and flooding our homes. That's  
15 unacceptable.

16 MR. ARGUS: So if that's a motion, I'll  
17 second it.

18 MR. RAGUSA: Yes, that would be my  
19 motion. I don't know that we need a motion.  
20 I think we can just give counsel instruction.  
21 I think the only motion we would need is if we  
22 are going to initiate litigation.

23 CHAIRMAN CHESNEY: Yeah, I don't think  
24 we need a motion.

25 MR. RAGUSA: We've tried to play nice

1 with M/I. It didn't work. You know, they've  
2 obviously got a defective design, or it sounds  
3 like they've got a defective design based on  
4 an incorrect assumption.

5 I want them to take immediate steps to  
6 make sure this doesn't happen again, and  
7 hopefully the pumping will, you know,  
8 alleviate the condition we've got in the  
9 shorthand.

10 CHAIRMAN CHESNEY: I have had a  
11 discussion with that engineer. He does not  
12 think his design is defective, which an  
13 engineer would, so --

14 MS. STEWART: Why do you think I  
15 contacted him?

16 CHAIRMAN CHESNEY: Right. So we need  
17 to --

18 MS. STEWART: And I contacted him as a  
19 professional courtesy. We've met with him.  
20 I've contacted him. He has -- as a  
21 professional, he's used to designing things. I  
22 completely appreciate what the situation is  
23 from that side.

24 CHAIRMAN CHESNEY: I understand. Okay.  
25 Brian.

1 MR. ROSS: Just to follow up on Mark's  
2 remarks, I happen to agree a hundred percent  
3 with you; and, therefore, I don't feel we're  
4 at the stage where we need to send a letter  
5 that says, "Let's talk about this more."

6 I think it needs to be more of, "This is  
7 the situation. These are the sorts of damages  
8 that our community has incurred, potentially  
9 hundreds of thousands of dollars," because the  
10 way I view it is, now is the time that they  
11 can take action to remedy the situation while  
12 they still have bulldozers and all that stuff  
13 out there.

14 They need to immediately appreciate the  
15 seriousness of it. And if we let too much  
16 time go by, they will and we will lose the  
17 opportunity to have it potentially remedied.

18 MS. STEWART: And just for your  
19 information, I have relationships -- several  
20 relationships with managers at M/I Homes.  
21 Okay?

22 I have no problem calling and engaging  
23 in conversation with them. They're a very  
24 good company. I don't think that they're  
25 going to try to walk away from anything.

1 They're completely clueless.

2 I've not engaged in conversation with  
3 them. I've been dealing directly with the  
4 design engineer at this point. So I mean I  
5 think just having a conversation with them is  
6 worthy of saying, "This is what we're  
7 experiencing. And are you aware of it?"

8 CHAIRMAN CHESNEY: Well, let's just stay  
9 focused on that they each got a permit based  
10 upon data that somehow is not to be factual.  
11 That's really the issue we have here.

12 MR. RAGUSA: My greatest concern is if  
13 we've got a 30 percent build-out and it's  
14 already negatively impacting us, it's time to  
15 go back to the county and either -- I don't  
16 know how you legally challenge that permit  
17 other than through a lawsuit, but the county  
18 hasn't done its job, if it finds that was a  
19 sufficient design, in my eyes.

20 CHAIRMAN CHESNEY: Right. And that's  
21 the point I'm getting to, is that it's more  
22 than just really M/I Homes, because M/I Homes  
23 can always go back and say that they have this  
24 permit from the county.

25 So I think the direction that Mark is

1 saying is correct, we need to engage not only  
2 the development and their engineer, but really  
3 the county and who accepted the permitting,  
4 so, yeah, exactly.

5 MS. STEWART: And I know that SWFWMD has  
6 taken a step back in their regulatory stuff,  
7 too. They're really relying on that signature  
8 and seal. That's kind of why I engaged in  
9 those conversations, because I think a lot of  
10 it's going to fall back on the design  
11 engineer.

12 CHAIRMAN CHESNEY: Okay. All right. So  
13 I don't think we need any -- yes, Mr. --  
14 quickly.

15 MR. BARRETT: I just need to clarify,  
16 because there were kind of two areas of very  
17 significant flooding in Stonebridge -- not  
18 Stonebridge -- Montague Street. Was the  
19 flooding that was up closer to Stonebridge  
20 between Stonebridge and Westchase Drive  
21 basically to go to the rec center? That hole  
22 was where two cars were --

23 MS. STEWART: I think that's a separate  
24 area.

25 CHAIRMAN CHESNEY: That is a separate

1 area. And that has historically flooded right  
2 there if that one drain gets overloaded. And  
3 we have done some mitigation things in there  
4 before, cleaned it out.

5 One time it actually collapsed on us.  
6 We had to have the county rebuild it. So -- I  
7 don't know. Did you have an opportunity to  
8 look at that?

9 MS. STEWART: No. I'll get with Sonny.

10 MR. BARRETT: Please, because that is  
11 their one way in and one way out of the  
12 Bridges. And the water, granted, was  
13 obviously a historic storm, but the water was  
14 well up onto Bridgeton Drive past Woodford  
15 Bridge --

16 CHAIRMAN CHESNEY: Yeah.

17 MR. BARRETT: -- which would be on your  
18 intersection. I have never seen it so high,  
19 and we could not go anywhere until about 1:00  
20 in the area.

21 MS. WHYTE: We've had eight inches of  
22 rain yesterday and --

23 MR. BARRETT: And I don't dispute that.  
24 But I would point out that it flooded within  
25 the last two months with a much lesser rain

1 event, and that's a significant --

2 CHAIRMAN CHESNEY: So you understand  
3 which drain that I'm talking about?

4 MS. STEWART: Yes.

5 CHAIRMAN CHESNEY: Okay. You just need  
6 to take a look at that.

7 Yes, Mr. O'Brien.

8 MR. O'BRIEN: I just want to mention  
9 just one thing and bring all this discussion  
10 to a higher level, including the flooding  
11 discussion.

12 Like SWFWMD, which, you know, the  
13 engineer mentioned SWFWMD, they have a huge  
14 impact on all kind of permits as far as I'm  
15 concerned, and, therefore, their design  
16 approved by whatever is done is what's being  
17 called into question here, including  
18 Glenfield, and so I believe that they should  
19 be brought to the table in a big way and say,  
20 you know, what do you guys suggest?

21 And I'm sure that's going to be done  
22 here. I'm just throwing that in, in my two  
23 cents. Okay?

24 CHAIRMAN CHESNEY: Yeah, I understand.  
25 And don't -- what we have, it's really --

1 there are similar situations, but they're two  
2 different situations.

3 MR. O'BRIEN: Oh, I understand  
4 perfectly.

5 CHAIRMAN CHESNEY: One, we have a  
6 current developer --

7 MR. O'BRIEN: My point is, it's not just  
8 the county and CDD.

9 CHAIRMAN CHESNEY: Yes.

10 MR. O'BRIEN: SWFWMD has the major  
11 responsibility and, you know, engineering  
12 responsibility to design and approve systems  
13 that flow correctly, and if they don't, they  
14 should be brought in and have some input into  
15 the solutions.

16 CHAIRMAN CHESNEY: Yes.

17 MR. O'BRIEN: That's all.

18 CHAIRMAN CHESNEY: Yes. Okay. Anything  
19 else outside of --

20 MS. STEWART: No, that's it.

21 CHAIRMAN CHESNEY: Thank you. All  
22 right. So Andy.

23 MR. MENDENHALL: All right. I just had  
24 a couple of items. The first one was the  
25 meeting schedule for fiscal year 2016. It's

1 based on the schedule that we've used for  
2 several years.

3 So unless anybody had any special dates  
4 they wanted to change --

5 CHAIRMAN CHESNEY: No.

6 MR. MENDENHALL: -- we're just looking  
7 for a motion to approve that particular item.

8 MR. RAGUSA: So moved.

9 MR. ARGUS: Second.

10 CHAIRMAN CHESNEY: All in favor, raise  
11 your hand.

12 (All board members signify in the  
13 affirmative.)

14 CHAIRMAN CHESNEY: Motion passes five to  
15 zero.

16 (Motion passes.)

17 MR. MENDENHALL: Okay. The second item  
18 I had was discussion of audit RFQ. So you may  
19 or may not recall. Last year this came up.

20 We came up to the point where the  
21 contract that you had with Grau was ending and  
22 you had the choice to continue on with them  
23 for the same price or go out to audit -- or to  
24 go out to RFQ for audits.

25 At least, at that time last year, you

1 while, usually -- their minimum fee is usually  
2 about \$5,000.

3 Those are for small districts. You guys  
4 are at 7,500, and you are a large district,  
5 one of the largest. So there's at least the  
6 concern that definitely from the competitors,  
7 at least, the larger firms, you will probably  
8 be a higher price, and there's also at least  
9 a possibility that Grau may come in at a  
10 higher price. So I just give you that  
11 caution, at least.

12 CHAIRMAN CHESNEY: Is there a consensus  
13 of the board?

14 MR. ARGUS: How long have they been  
15 under contract? How long have we being using  
16 them?

17 CHAIRMAN CHESNEY: I think four or five  
18 years.

19 MR. MENDENHALL: I think this is the  
20 fourth, because you had a three-year contract,  
21 and then last year was the extension for one  
22 year at the 7500, so the price hasn't changed,  
23 but the terms have.

24 You have a three-year -- you know, and  
25 that's something else as well. I might defer

1 were satisfied with Grau, wanted to stay with  
2 them, but had asked me to cue it up for a year  
3 from now. So that's where we are now. It's  
4 been a year.

5 Obviously you still have the opportunity  
6 to stay with Grau.

7 CHAIRMAN CHESNEY: At the same pricing?

8 MR. MENDENHALL: At -- well, we would go  
9 to them and ask them for an extension of the  
10 same pricing. And, of course, you have the  
11 option to go to an RFQ, which essentially  
12 would get you some comparative quotes and that  
13 sort of thing.

14 You know, as far as my input, from what  
15 I've seen, the price that you're currently  
16 getting from Grau is competitive. If you're  
17 happy with them, I would probably recommend  
18 staying with them.

19 My concern, and I spoke -- I stepped out  
20 to talk with Alan briefly about this when he  
21 was leaving, and one of the thing that we  
22 discussed is the concern that if you do go out  
23 to RFQ, there is at least a chance that the  
24 price might go up, only because of the fact  
25 that now that Grau has been here for a short

1 to Erin if you can do this. But perhaps if  
2 you did stay with them, you maybe would want  
3 to lock in that rate, you know, the 7500, for  
4 a couple --

5 CHAIRMAN CHESNEY: You know, really it's  
6 kind of conjecture because we don't know that  
7 they're willing to keep doing it at the same  
8 rate, so maybe you should figure that out.

9 MR. MENDENHALL: I'm pretty sure they  
10 would, but --

11 MS. MCCORMICK: Is this something that  
12 we can do next month?

13 MR. MENDENHALL: Yeah.

14 MS. MCCORMICK: Does it have to be  
15 done --

16 MR. MENDENHALL: You could do it next  
17 month. This was merely -- the time line for  
18 this was just that last year -- this month  
19 last year, we said, "Hey, let's bring it up  
20 one year from today."

21 MS. MCCORMICK: Yeah. I just want to  
22 check and make sure we don't have to go  
23 through a new proposal process.

24 MR. MENDENHALL: Okay.

25 MS. MCCORMICK: I don't think that we



1 do, but if we do --

2 MR. MENDENHALL: Right. And at the same  
3 time, I can check with your concern.

4 CHAIRMAN CHESNEY: Yes. Why don't we  
5 just bring it back up next month?

6 MR. MENDENHALL: Easy enough.

7 CHAIRMAN CHESNEY: Okay. Jim.

8 MR. MILLS: Are there any provisions in  
9 the current contract to have agreement or just  
10 continue it, or would it have to be  
11 re-initiated?

12 MR. MENDENHALL: I think they're  
13 basically -- at this point, you have the  
14 one-year ongoing, so they would probably want  
15 -- because the current contract, the one that  
16 was the extension, was specifically for the  
17 2014 year, which is what you would be  
18 auditing, so we would probably have to get  
19 another one for at least the year, so --

20 MR. MILLS: Okay.

21 MR. RAGUSA: The original contract was  
22 for a period of three years, and there was a  
23 one-year option at the end of it.

24 MR. MENDENHALL: Yeah, that's very  
25 possible.

1 you want to relay anything, any thoughts or  
2 concerns; and then, of course, next month, if  
3 there's any questions, we can always pull it  
4 off the consent agenda and discuss it.

5 CHAIRMAN CHESNEY: Okay. Thank you.  
6 Yes, sir.

7 MR. KUHN: Just in the interest of time,  
8 I just wanted to understand, are we going to  
9 be discussing any part of the park  
10 renovation? We were going to discuss this at  
11 the meeting before last and last meeting, and  
12 I missed it. I thought it was going to be  
13 discussed at this meeting, just in the  
14 interest of time.

15 MR. ARGUS: We need your name.

16 CHAIRMAN CHESNEY: He gave it. It is  
17 not currently on the agenda, and so -- I don't  
18 know -- I was going bring it up in the  
19 supervisor request section. But it's not  
20 currently an agenda item.

21 We had some input on it. And my  
22 recollection was that he was supposed to get  
23 us some terms on hiring him to manage the  
24 construction of all of this, and that's where  
25 it is.

1 MS. MCCORMICK: And that's why I'm  
2 thinking we may have to go through and do an  
3 RFP process because there's, you know, the  
4 special statutory provisions for audit  
5 services that --

6 MR. MENDENHALL: Yeah. Sure. I just  
7 didn't know if they'd have the same price to  
8 it, and you could stay with them. But, yeah  
9 -- I mean, Erin can check it out and I can  
10 check the price --

11 MR. RAGUSA: Can you give Erin the  
12 contract so she can do the analysis for us?

13 MR. MENDENHALL: Yeah. Yeah, I'll send  
14 that across right now.

15 CHAIRMAN CHESNEY: All right. Anything  
16 else, Andy?

17 MR. MENDENHALL: No, sir -- oh, actually  
18 one other thing. I had a chance to sit down  
19 with Doug and do his review. He, as well,  
20 performed a review with the employees that he  
21 has under him. So that's been completed.

22 I planned on putting it on the consent  
23 agenda for next month. Obviously, between now  
24 and then, if you have any additional input  
25 related to that, email it, call me, any way

1 So we have a -- I mean, am I incorrect  
2 in that, Sonny?

3 MS. WHYTE: No. He was supposed to  
4 bring it this month and be here tonight.

5 MR. RAGUSA: Who?

6 MS. WHYTE: Neale.

7 CHAIRMAN CHESNEY: Neale. So what we  
8 have is, we have a proposal, we had input from  
9 one supervisor. It was very detailed, which,  
10 quite frankly, I thought all his points were  
11 good. So, you know, you just push that  
12 through.

13 But, really, what we're waiting for is  
14 Neale to provide us some -- a baseline for the  
15 contract to manage the construction and -- so  
16 we can actually bring it forth to a vote.

17 MR. RAGUSA: Would you have input you  
18 want to give?

19 MR. KUHN: Yeah.

20 CHAIRMAN CHESNEY: Because that's where  
21 we are, is if there's input -- like I said,  
22 we've only had input from one supervisor. So  
23 if you hold on, we can do that, if you would  
24 like to provide some input on what you think  
25 might need to be changed or if you have any

1 questions about it.

2 We don't have Neale here. So questions  
3 about the current plan is going to be limited  
4 to our expertise, which is --

5 MR. KUHN: May I make a suggestion then.  
6 Should we probably send a proper document  
7 through --

8 CHAIRMAN CHESNEY: Yes.

9 MR. KUHN: -- what our concerns are  
10 rather than --

11 CHAIRMAN CHESNEY: That is the ideal  
12 thing. Like I said, we've only received one  
13 document from one of our supervisors, and that  
14 is the perfect way to do it.

15 MR. KUHN: Okay.

16 MR. RAGUSA: But don't hesitate to show  
17 up at a meeting to communicate those  
18 concerns.

19 MR. KUHN: Sure. We absolutely will.  
20 We absolutely will.

21 CHAIRMAN CHESNEY: And my apologies. It  
22 was supposed to be on the agenda, but, you  
23 know, our consultant has not provided us the  
24 information to put it on the agenda.

25 MR. KUHN: Thank you.

1 MR. RAGUSA: A little on the subject,  
2 we're paying the designer to be the  
3 construction manager?

4 CHAIRMAN CHESNEY: No. We asked him to  
5 provide us a proposal to provide us a proposal  
6 to be the construction manager.

7 MR. RAGUSA: Mr. Mills, does that sound  
8 right to you?

9 CHAIRMAN CHESNEY: Well, how else are we  
10 going to do it?

11 MR. RAGUSA: He's in the construction  
12 industry. He can tell you how you to do it.

13 MR. MILLS: I would -- I would defer to  
14 see what he offers. But certainly if it's  
15 after the design fact, it certainly is  
16 something that's worthy of consideration.

17 MS. MCCORMICK: And I think that when we  
18 did the original RFP, we built in that  
19 flexibility so that we could use the same  
20 design professional to do the construction  
21 management, but we didn't -- we didn't limit  
22 ourselves to that.

23 MR. KUHN: So I'm clear, we haven't got  
24 an approved design yet. Right?

25 CHAIRMAN CHESNEY: Correct. We have a

1 proposed plan. We had one set of inputs on  
2 changes to it. Okay?

3 MR. KUHN: Okay.

4 CHAIRMAN CHESNEY: So what will happen  
5 is, we take that information, those  
6 suggestions, and we can make changes to that  
7 plan, based upon that input. So now would be  
8 the time to get the input in.

9 MR. KUHN: Great.

10 CHAIRMAN CHESNEY: And, quite frankly,  
11 within the next two weeks would be the time  
12 you would want to do that. And I apologize if  
13 we didn't make that clear last month.

14 MR. KUHN: No problem. Okay.

15 MR. ARGUS: And, also, if there are  
16 things you want to communicate to us today,  
17 feel free to do that.

18 CHAIRMAN CHESNEY: Yeah, I'll give you  
19 that opportunity now, but the document is  
20 going to work the best.

21 MR. KUHN: Yeah, we have a couple of  
22 concerns around some of the dimensions, which  
23 is not news to anybody in the room. We have  
24 some concerns about the erection of the  
25 basketball courts and the proximity it has to,

1 you know, small children's activities  
2 relative to some of activities that go on a  
3 basketball court, which anybody can speculate,  
4 and I'm not sure that they're linked in any  
5 way.

6 And I think that we're going have a lot  
7 of parents that perhaps would be pretty  
8 upset. So let's put that together in a  
9 professional document, which we'll air with in  
10 right format and handle it from there.

11 CHAIRMAN CHESNEY: Perfect. Really.

12 MR. KUHN: Thank you.

13 CHAIRMAN CHESNEY: Erin.

14 MS. MCCORMICK: I don't have anything  
15 specific tonight. Whatever you have for me.

16 CHAIRMAN CHESNEY: I will remind you we  
17 have our little project.

18 MS. MCCORMICK: Yes. Yes.

19 CHAIRMAN CHESNEY: And so I have more  
20 availability now.

21 MS. MCCORMICK: Okay.

22 CHAIRMAN CHESNEY: So I would like to do  
23 that.

24 MS. MCCORMICK: Yes.

25 CHAIRMAN CHESNEY: Okay. Doug.

1 MS. WHYTE: Doug -- oh, I'm sorry. Doug  
2 is on vacation. I apologize that you get me  
3 today.  
4 We've had one request. You got our  
5 report. We had a request from the Upper Tampa  
6 Bay Chambers. They wanted to -- they're doing  
7 an Octoberfest. And they approached us about  
8 putting the banner up on Linebaugh and on  
9 Countryway, like we do on normal banners.  
10 I did indicate that usually we only  
11 promote local stuff, which is our community-  
12 wide events, but he requested me to approach  
13 the board with it. So I'm doing so.  
14 MR. RAGUSA: Do we have any other  
15 requests during that time period?  
16 MS. WHYTE: I don't know. I'll be  
17 honest, we do have -- I haven't heard anything  
18 from the Great West Chase run, which is  
19 usually at that time in October.  
20 MR. BARRETT: I thought Tracy did say  
21 she did send something to you.  
22 MS. WHYTE: What date do you have that  
23 on?  
24 MR. BARRETT: October 31st this year.  
25 CHAIRMAN CHESNEY: Yeah. And

1 Octoberfest would be two weeks prior probably.  
2 Right?  
3 MR. MILLS: It's a week prior.  
4 CHAIRMAN CHESNEY: It's a week prior?  
5 MR. MILLS: It's the 24th through the  
6 26th.  
7 MR. ARGUS: No. That's last year's one.  
8 MR. MILLS: It is?  
9 MR. ARGUS: Uh-huh.  
10 MS. WHYTE: Of course, they do serve  
11 alcohol at these events, so that was one of  
12 the things that you guys usually don't like to  
13 promote, which I did indicate to him, but he  
14 still requested me to go ahead and approach  
15 the board with it, which is what I'm doing.  
16 CHAIRMAN CHESNEY: Okay. Any action?  
17 This issue has gotten so confusing that I  
18 don't remember what we normally do anymore,  
19 so --  
20 MR. RAGUSA: Which event is this now?  
21 MS. WHYTE: The Octoberfest at the Upper  
22 Tampa Bay Chamber of Commerce, which is over  
23 in Oldsmar.  
24 CHAIRMAN CHESNEY: It benefits the  
25 chamber directly, is all it does.

1 MS. WHYTE: Yes.  
2 MR. RAGUSA: That's where all the money  
3 is going?  
4 CHAIRMAN CHESNEY: Yes.  
5 MR. ARGUS: Yes.  
6 CHAIRMAN CHESNEY: It doesn't benefit --  
7 MR. ARGUS: That's a large percentage of  
8 their revenue stream. They also have  
9 historically placed a banner at the  
10 intersection of Linebaugh and Race Track Road,  
11 which tends to get a lot of visibility.  
12 MS. WHYTE: Which is county property.  
13 CHAIRMAN CHESNEY: Yeah. All right. I  
14 hear no action being taken.  
15 MS. WHYTE: Thank you.  
16 CHAIRMAN CHESNEY: Okay. All right.  
17 Anything else?  
18 MS. WHYTE: Anybody have any questions  
19 regarding the landscape contract, the OLM?  
20 They did come in at 90. Doug wanted me to  
21 convey to you that there is a significant  
22 improvement.  
23 I know that there was a letter sent to  
24 the board members regarding -- let's use  
25 Montague. That was -- and they were -- they

1 wanted to make sure that you knew that was  
2 already on the agenda to be done prior to the  
3 email that was sent out.  
4 So it was already on the schedule to be  
5 done, you know, cleaned and all of that, so  
6 they just wanted to make sure you knew that.  
7 It wasn't just because the email went out.  
8 The new manager is doing very well.  
9 He's trying very hard -- getting caught up on  
10 what was -- I mean, we have to give them the  
11 benefit of the doubt. They were three weeks  
12 behind.  
13 He's only been here three with us -- or  
14 four weeks now and he's caught up on a lot.  
15 The oleanders have all been trimmed back on  
16 Montague this -- on Gretna Green this week in  
17 between the rains and even during the rains  
18 they've been doing -- they're going to attempt  
19 to mow tomorrow certain sections -- certain  
20 sections that are dry in high spots.  
21 Others, they're going to do the points  
22 -- they're going to try to weed them a little  
23 bit and see if they can make a difference.  
24 They're going to raise the mowers when they  
25 do. They hope to be able to mow by possibly

1 Thursday, if the weather holds out, but the  
2 rain really set them back again.

3 It's been almost two weeks -- more than  
4 two weeks since they've been able to mow, and  
5 Doug has given them strict instructions not to  
6 mow due to the rutting. And, like I said, the  
7 rain has really set them back.

8 CHAIRMAN CHESNEY: Yeah. Have we --  
9 when will Doug be back?

10 MS. WHYTE: He is back on the 17th. He  
11 is gone a full two weeks, but he is in  
12 communications with me. I send texts every  
13 day, and he calls in.

14 CHAIRMAN CHESNEY: I guess my only  
15 concern is, there was a significant amount of  
16 damage because of the flooding and stuff to a  
17 lot of areas in Westchase, and I'm just  
18 curious if we thought that was going to be a  
19 significant expense.

20 MS. WHYTE: That's already been  
21 addressed. I've got a quote. We've got about  
22 -- just Montague alone was 12,000 square feet  
23 of sod that was damaged. It is going to cost  
24 approximately about \$9,000 to get that  
25 repaired.

1 They just mushed it up. That's why  
2 there is nothing you can do but just take all  
3 the sod out.

4 CHAIRMAN CHESNEY: Okay. Mr. Ragusa.

5 MR. RAGUSA: Mr. Barrett, are you going  
6 to publish the photos of those vehicles?

7 MR. BARRETT: I'm probably going to  
8 publish one of them, probably not in an  
9 identifiable way, you know, just because the  
10 best photo I have is that green or gray SUV  
11 going up, and by the time it's reduced to fit  
12 in the magazine, you're not going to see the  
13 tag.

14 That's what I mean. I'm not purposely  
15 obscuring the tag.

16 MR. RAGUSA: Right.

17 MR. BARRETT: But the other ones are  
18 really not -- I'm not a good photographer. A  
19 lot of them are blurry, so I wouldn't run  
20 those in the magazine.

21 MR. RAGUSA: Yeah.

22 MS. WHYTE: And just to let you know, I  
23 mean, I was there, we tried to stop cars. And  
24 the bigger vehicles came down the median. The  
25 sports utilities and the mommies in the mini

1 Now they did check the irrigation to see  
2 if any of the irrigation was damaged, and  
3 luckily enough, it doesn't look like any of it  
4 is damaged.

5 CHAIRMAN CHESNEY: Really?

6 MS. WHYTE: Yeah.

7 CHAIRMAN CHESNEY: I find that hard to  
8 believe.

9 MS. WHYTE: That's exactly what they  
10 said. But the sod replacement, now, that's  
11 top -- heavy, like -- you know what I mean? --  
12 they're roughing it out. They're going to try  
13 to salvage what they can, but I needed  
14 direction from the board, because that is a  
15 significant amount.

16 CHAIRMAN CHESNEY: Yeah.

17 MS. WHYTE: How do you want me to -- I  
18 mean, it's really wet right now to do it, but  
19 it would take a couple of days. They want to  
20 let it dry out a little bit.

21 They're going to have to remove  
22 especially -- certain ones they can perk up  
23 and move once they cut it, but along --  
24 especially along the sidewalks where the  
25 vehicles drove, they rutted it up really bad.

1 vans went up the easement and came down the  
2 sidewalks.

3 They didn't really care much. They were  
4 going to get out if they need to get out.

5 MR. RAGUSA: Well, you know, an entire  
6 island off of downtown Tampa couldn't get off  
7 and --

8 MS. WHYTE: I truly understand.

9 MR. RAGUSA: Apparently our business is  
10 so important that they can just drive off the  
11 roads.

12 Here is my suggestion. We have the  
13 photographs. They're public record. Put them  
14 on our website, unless Erin tells me  
15 otherwise.

16 MS. WHYTE: Can we -- I don't know. Can  
17 we --

18 MR. RAGUSA: I also would like you guys  
19 to explore with Hillsborough County the  
20 possibility of bringing a claim against those  
21 folks for the damages we've incurred.

22 You can get the owner off a license  
23 plate, and there are a number of photographs  
24 that have the license plate that's visible.

25 MR. BARRETT: They're all visible.

1 Maybe --  
 2 MR. RAGUSA: Some are better than  
 3 others.  
 4 CHAIRMAN CHESNEY: But the thing is,  
 5 though, it's not just them.  
 6 MR. RAGUSA: Well, I don't care. I've  
 7 got photographic evidence that they caused  
 8 damage.  
 9 MS. WHYTE: There were dozens of  
 10 vehicles --  
 11 MR. RAGUSA: That's fine. I don't  
 12 care. Let them blame it on the other people.  
 13 They can identify who the other people were.  
 14 MS. WHYTE: How do you determine how to  
 15 find them?  
 16 MR. RAGUSA: Whoever I've got a picture,  
 17 I'm going to bring a claim against them.  
 18 CHAIRMAN CHESNEY: Mr. Ross.  
 19 MR. ROSS: In general, I'm in agreement  
 20 with Mr. Ragusa, and it's because we know the  
 21 way the process works. It doesn't make sense  
 22 for us to spend \$9,000 in time, energy and  
 23 money to chase 9,000. That's a bad debt.  
 24 But the reality is, this is all handled  
 25 amongst insurance companies and such. What we

1 would do is present our claim to whoever is  
 2 the owner of the vehicle.  
 3 CHAIRMAN CHESNEY: That would be --  
 4 MR. ROSS: They're going to send it to  
 5 their insurance companies. They're going to  
 6 negotiate everything out, the liability, the  
 7 damages, to all that kind of stuff. It's  
 8 really not a lot of work and effort.  
 9 It's just a matter of making the claim.  
 10 And, so, the way I see it is, I don't know the  
 11 circumstances; maybe one of those people had a  
 12 legitimate medical emergency and had to drive  
 13 over the sod and cause damage.  
 14 I'm not here to get into the battle of  
 15 who had justifiable reasons or who didn't.  
 16 It's rather what Mr. Ragusa alluded to. The  
 17 bottom line is, we incurred damages, and we  
 18 ought to be responsible in pursuing it for the  
 19 benefit of our constituents to say that there  
 20 is an easy way to recover our losses, we  
 21 should do that.  
 22 CHAIRMAN CHESNEY: All right. To do  
 23 that, you would need a motion to pursue.  
 24 MR. ROSS: Okay. I'll second  
 25 Mr. Ragusa's motion, other than the part about

1 putting it on the website. I --  
 2 MR. RAGUSA: I think that's the most  
 3 effective way.  
 4 MR. ROSS: I'm like you. I'd want to  
 5 hear what counsel says about that.  
 6 MR. RAGUSA: Well, first of all, that's  
 7 public record.  
 8 MR. ROSS: But that doesn't mean it's  
 9 the right thing to do. I'm just curious if  
 10 counsel has any concerns, and you're the one  
 11 who invited her to comment.  
 12 MR. RAGUSA: That's fair. That's fair.  
 13 MS. MCCORMICK: I can't think of any  
 14 issues off the top of my head with putting the  
 15 pictures on the website.  
 16 I would like to double-check it before  
 17 they go on the website, but I don't see any  
 18 issues with that.  
 19 As far as -- the other issue is, I  
 20 guess, filing a lawsuit against the --  
 21 MR. RAGUSA: That's not what my motion  
 22 was.  
 23 MS. MCCORMICK: That was not.  
 24 MR. ROSS: I thought it was to make a  
 25 demand for recovery.

1 MS. MCCORMICK: Send a notice of claim to  
 2 the individuals.  
 3 MR. RAGUSA: Yes.  
 4 MR. ROSS: Yes. Just a letter. You  
 5 send a letter and say, "Here's the pictures."  
 6 MS. MCCORMICK: Right. Okay.  
 7 MR. RAGUSA: The hardest step is getting  
 8 the vehicle owner from the license plate. It  
 9 costs 12 bucks. You can send it off to FDLE,  
 10 send a request in, and they'll tell you who  
 11 the owner of the vehicle is.  
 12 CHAIRMAN CHESNEY: Okay.  
 13 MR. BARRETT: Just to clarify, the  
 14 photos I sent you, I reduced so I could send  
 15 them all quickly on a single email. I have  
 16 higher-resolution photos. They're still  
 17 blurry, but every single one of those tags in  
 18 the photo even though they're blurry, you can  
 19 read them clearly in the high-resolution  
 20 photo.  
 21 MS. WHYTE: Okay. So you can send them  
 22 to me or do --  
 23 CHAIRMAN CHESNEY: Well, hold on. We  
 24 still have a motion out there.  
 25 So you have a motion to make a demand

1 against the known -- what are the words --  
2 MR. RAGUSA: Those individuals who we  
3 have photographic evidence as having damaged  
4 our property.

5 CHAIRMAN CHESNEY: Okay.

6 MS. MCCORMICK: How many are there  
7 approximately?

8 CHAIRMAN CHESNEY: Five, six.

9 MR. RAGUSA: Five or six.

10 CHAIRMAN CHESNEY: So can I take any  
11 supervisor comments in regard to this motion?

12 MR. ARGUS: I've got a question. In  
13 principle, I like this, where we're going, but  
14 what are we going to be asking -- for a  
15 certain fixed amount of money or --

16 MR. RAGUSA: You're going to be asking  
17 for their insurance information. You're going  
18 to be making a demand for the \$9,000 or  
19 whatever the dollars we incur.

20 We're not going to collect \$9,000 from  
21 every resident.

22 MR. ARGUS: Okay.

23 CHAIRMAN CHESNEY: So --

24 MR. ROSS: Second the motion.

25 CHAIRMAN CHESNEY: Okay. We've got a

1 them.

2 MR. RAGUSA: We do.

3 CHAIRMAN CHESNEY: But what we have here  
4 is a mass load of people come in and out, of  
5 which we've captured a small portion of them  
6 on film. We also -- like I said -- I'm going  
7 to go back to the intentional act thing. They  
8 purposely went off road. It's not like a guy  
9 coming out too fast and --

10 MR. RAGUSA: You're making the insurance  
11 company's argument.

12 CHAIRMAN CHESNEY: Okay. Well, I'm just  
13 saying --

14 MR. RAGUSA: So you're telling me that  
15 mob mentality is a defense.

16 CHAIRMAN CHESNEY: No.

17 MR. RAGUSA: So you storm the CVS, clean  
18 it out and burn it down, and no one is  
19 responsible?

20 CHAIRMAN CHESNEY: No. I think a better  
21 answer -- or not a better answer, but a better  
22 thing would have been, we should have had the  
23 sheriff out there more quickly to deal with  
24 the fact that, you know, they were going off  
25 road, and, you know, we didn't. Mr. Mills.

1 second. I would like to make a comment.

2 You guys all done? Okay. I think this  
3 is noble in idea, but ridiculous in -- what's  
4 the word? -- actions. I mean, it's just not  
5 practical. We don't know all of them. Many  
6 of the insurance companies will probably  
7 decline it outright, because they can say it's  
8 an intentional act. You know, they were off  
9 road.

10 So I think the chance of actually  
11 getting any money is slim to none. You know,  
12 I just think that this is a waste of staff's  
13 time for the amount of money. It is  
14 deplorable, what they did, but it's just not a  
15 practical matter. So that's my position on  
16 it.

17 MR. RAGUSA: Can I ask -- were the cars  
18 coming in or out of the community?

19 MR. BARRETT: Both.

20 MR. ARGUS: Both.

21 MR. RAGUSA: So you think you could do  
22 \$9,000 worth of damage to the community's  
23 assets and not have to pay for it?

24 CHAIRMAN CHESNEY: No. We go after them  
25 -- someone knocks down a wall, we go after

1 MR. MILLS: So a couple of comments.  
2 One is, so I agree with -- I agree with  
3 Mr. Ragusa's direction and motion.

4 The concept that there were others, to  
5 me, is irrelevant. I get stopped for  
6 speeding. My defense can't be everybody was  
7 speeding. I'm nailed. Everybody else is  
8 still speeding. So that's irrelevant.

9 Secondly, I'm not going to be surprised  
10 to learn that there's going to be a  
11 combination of Westchase and non-Westchase  
12 residents that incurred this damaged that were  
13 we're able to identify.

14 I have no concerns with non-Westchase  
15 residents, with us making an insurance claim.  
16 And the Westchase residents are, you know, why  
17 should -- to the points that have been made  
18 previously, why should the other residents be  
19 held responsible for the costs that a couple  
20 of people opted to incur damage with?

21 Other communities, other roads, people  
22 didn't drive down them. That was a decision  
23 they made. The ones that went off the road  
24 and fishtailed, dug up the grass -- I heard a  
25 comment yesterday at the YMCA that a couple

1 kids went out on a golf course. You know,  
2 these are intentional acts, and those drivers  
3 should be held accountable.

4 MR. ARGUS: It didn't happen in  
5 Glenfield. They parked at Publix and walked  
6 in.

7 CHAIRMAN CHESNEY: Yes, that's true.  
8 All right. All in favor of the motion,  
9 signify by raising your hand.

10 (Board members signify in the  
11 affirmative.)

12 CHAIRMAN CHESNEY: All opposed.  
13 (Board member signifies in the  
14 negative.)

15 CHAIRMAN CHESNEY: Passes four to one.  
16 (Motion passes.)

17 MR. RAGUSA: Are you ready for my next  
18 motion?

19 CHAIRMAN CHESNEY: Sure.

20 MR. RAGUSA: My second motion is that  
21 once we have -- once we have or if we're  
22 having difficulty obtaining the necessary  
23 information, that we communicate with the  
24 Hillsborough County Sheriff's Office and take  
25 appropriate action to identify those

1 CHAIRMAN CHESNEY: Yeah. Yeah, they did  
2 mess up my boulders. They're buried.

3 MS. WHYTE: That's because of the  
4 water. That's not from just driving --

5 CHAIRMAN CHESNEY: All right. Any  
6 further supervisor comments?

7 Yes, Mr. Ross.

8 MR. ROSS: A couple of things. I note  
9 we did skip over audience comments.

10 MR. RAGUSA: They're out there --

11 MR. ROSS: I just -- okay. I'll go  
12 ahead. One, a resident brought to my  
13 attention that there are some provisions in  
14 The Avenues documents about construction of  
15 sidewalks and responsibility for maintenance  
16 of the -- I think there is a 20- or 50-foot-  
17 wide easement.

18 I would like to better understand if  
19 there are obligations of The Avenues that have  
20 not been performed, and I don't want to put a  
21 lot of legal time into it or anything like  
22 that. But I would be very curious,  
23 particularly about the sidewalk thing, if  
24 they were supposed to put in a sidewalk in  
25 front of their complex and have it there so

1 individuals in vehicles, even if it includes  
2 the filing of a criminal complaint.

3 MR. ARGUS: I'll second that.

4 CHAIRMAN CHESNEY: Okay. Any discussion  
5 on that motion?

6 (No response.)

7 CHAIRMAN CHESNEY: Okay. All in favor  
8 of the motion, signify by raising your hand.

9 (Board members signify in the  
10 affirmative.)

11 CHAIRMAN CHESNEY: All opposed.  
12 (Board members signify in the negative.)

13 CHAIRMAN CHESNEY: All right. Passes  
14 three to two.

15 (Motion passes.)

16 CHAIRMAN CHESNEY: Do you have anything  
17 else? For a guy that's sick, you're sure  
18 awfully active.

19 MR. RAGUSA: No. I was going to say,  
20 the photos angered me. These are probably our  
21 neighbors who are tearing up -- knowingly  
22 tearing up things. That's unacceptable.

23 And if you would have asked us to put in  
24 bigger boulders along those roads, I probably  
25 would have said yes.

1 that people can walk upon it.

2 I think that would help the safety of  
3 the neighborhood and the community. So if  
4 there is, interest I would like to have legal  
5 counsel look into that. I actually brought a  
6 copy of what I think is the pertinent  
7 document.

8 MS. MCCORMICK: Oh, great. So you're  
9 talking about the sidewalk along Linebaugh in  
10 front of The Avenues?

11 MR. ROSS: It's a very brief document.  
12 It looks like it's three or four pages. You  
13 can just look at it. It says -- I'll just  
14 quote it real quick. "Sidewalks. Purchaser  
15 shall construct sidewalks within the right of  
16 way for Linebaugh Avenue in accordance with  
17 the county's requirements."

18 I don't know what the county's  
19 requirements are, but I do know there's no  
20 sidewalk there.

21 MS. MCCORMICK: Right.

22 CHAIRMAN CHESNEY: And that also  
23 dovetails with that easement that we have  
24 there.

25 MR. ROSS: which is the very next

1 paragraph, "The CDD landscaping easement."

2 MS. MCCORMICK: I mean, I would think  
3 they wouldn't have been able to get the  
4 permits and the construction plans approved if  
5 the sidewalks were required by the county, but  
6 I can definitely check into that for you.

7 CHAIRMAN CHESNEY: Does anyone have any  
8 opposition for doing that?

9 MR. ARGUS: No. But my memory indicates  
10 that the sidewalk is there, but then they put  
11 the awnings and made a patio out of the  
12 sidewalk.

13 MR. ROSS: I don't know. I just would  
14 be curious, if there is no objection. Thank  
15 you for that.

16 MS. MCCORMICK: Sure.

17 MR. ROSS: Then the second thing I had  
18 is, I was reminded by a resident of the vacant  
19 land next to the railroad tracks. I think you  
20 had it up on your screen a moment ago.

21 The resident purchased this land several  
22 years ago, and at one point there was  
23 discussion of what could the land be used  
24 for.

25 I wouldn't be surprised if the purchaser

1 do that very recently.

2 MR. ROSS: I'm happy to let Andy take  
3 that up.

4 CHAIRMAN CHESNEY: Okay. All right.

5 MR. NEAL: Question. What parcel are  
6 we talking about? I'm not familiar.

7 MR. BARRETT: The end of Montague  
8 Street, right up against the railroad tracks.

9 MR. NEAL: Okay. Thank you.

10 MR. ROSS: This is more -- I just pulled  
11 up some documents that lead me to believe it  
12 might be difficult to build a significant  
13 commercial building there, but I will just  
14 leave it to myself. Okay. I'm happy that you  
15 pursue it.

16 CHAIRMAN CHESNEY: Okay. Why don't you  
17 provide those documents --

18 MR. ROSS: Yeah, I'm happy to do it, if  
19 it's helpful.

20 MR. MENDENHALL: Sure.

21 MR. ROSS: That was it. Thank you.

22 CHAIRMAN CHESNEY: Mr. Argus.

23 MR. ARGUS: A couple questions. When  
24 did we turn off the irrigation system, how  
25 long ago?

1 has learned that it's much more difficult to  
2 construct some commercial buildings there than  
3 they originally thought.

4 I was poking around, and it looks like  
5 there are some serious challenges. Perhaps  
6 that purchaser is no longer interested in  
7 using the property and developing it for  
8 commercial or residential purposes. If that  
9 was the case, I think it would dovetail quite  
10 nicely with what we're talking about for our  
11 capital improvement for the parks and stuff.

12 CHAIRMAN CHESNEY: Okay. Let me  
13 interrupt you --

14 MR. ROSS: Yeah, go ahead.

15 CHAIRMAN CHESNEY: Andy, did you take  
16 any action?

17 MR. MENDENHALL: No.

18 CHAIRMAN CHESNEY: Okay. All right.  
19 Well, I would be happy, if like we did prior,  
20 that we put you kind of, in conjunction with  
21 Andy, to kind of explore it.

22 MR. ROSS: I'm happy to do that. I  
23 think that the next logical step is for  
24 somebody to contact the owner.

25 CHAIRMAN CHESNEY: I had asked Andy to

1 MS. WHYTE: Oh, it's been a while now.  
2 With all the rains, it's been off, I would  
3 say, probably a good two weeks, maybe more,  
4 so --

5 MR. ARGUS: All right. I'm just  
6 confirming that all -- as far as --

7 MS. WHYTE: Everything is off. All of  
8 the battery ops, the system is shut down.  
9 It's shut down by Davey --

10 MR. ARGUS: Okay.

11 MS. WHYTE: -- that I'm aware of.

12 MR. ARGUS: The second question --

13 CHAIRMAN CHESNEY: My fault. I haven't  
14 done that yet.

15 MR. ARGUS: Yes. The -- we have -- in  
16 the past, we've talked about a plan for storm  
17 damage, a hurricane comes through, something  
18 like that. It's the season now. Have we  
19 updated it, or are we planning to update it?  
20 Where do we stand on an emergency plan?

21 MS. WHYTE: We have some sort of an  
22 emergency plan that we started. To be very  
23 honest, I haven't looked at it this year. I  
24 guess it would be a good thing to do, if we  
25 can wait until Doug is back --



1 MR. ARGUS: Sure. Is that something you  
2 might want to put on the website, or is it --  
3 MS. WHYTE: Oh, not yet.  
4 MR. ARGUS: Well, once we get it done.  
5 MS. WHYTE: Eventually. Eventually we  
6 can do that. Add emergency contacts and  
7 things like that, absolutely that would be  
8 something we can certainly address.

9 MR. ARGUS: Okay. And for my third area  
10 of questions, for several months now, I've  
11 been raising a question about some sort of --  
12 I was told that the FASD may be able to  
13 provide the information I'm looking for as far  
14 as pending rules changes in laws in Florida.

15 CHAIRMAN CHESNEY: Yes. That part, I  
16 thought I had answered. What I had not  
17 answered is exactly what our final price is to  
18 join.

19 MR. ARGUS: Correct.

20 CHAIRMAN CHESNEY: I have not done that.  
21 I apologize.

22 MR. ARGUS: And tied into that, is  
23 anybody -- are any of us planning to go to the  
24 October meeting down in Jupiter, October  
25 22nd?

1 CHAIRMAN CHESNEY: Yeah. I don't know  
2 what the October meeting is. But it would be  
3 -- you know, it's something we should  
4 definitely explore, because I think it would  
5 help us. And, like I said, the meetings,  
6 there is actually a grant program through the  
7 state of Florida where we can send members,  
8 and they pay for it.

9 MR. ARGUS: And this email also  
10 references a CDO class. What is a CDO?

11 MR. MENDENHALL: I'm not sure what CDO  
12 is.

13 CHAIRMAN CHESNEY: Remember, it's all  
14 kinds of districts. It's not just community  
15 development districts. It's fire districts  
16 and taxing districts.

17 MR. MENDENHALL: Oh, yeah, it's all of  
18 it. It's all special districts, 189 --

19 MR. ARGUS: Okay. You get continuing  
20 education units for attending it, so --

21 CHAIRMAN CHESNEY: So I will figure out  
22 exactly what it costs us to join and all  
23 that.

24 MR. ARGUS: Thank you.

25 CHAIRMAN CHESNEY: Okay. Any other

1 CHAIRMAN CHESNEY: No.

2 MR. ROSS: (Moves head from side to  
3 side.)

4 CHAIRMAN CHESNEY: I will tell you that  
5 there is a bigger meeting in the spring, and  
6 there is actually a grant that we can apply  
7 for to send someone, which would be a more  
8 appropriate way to go about it.

9 MS. MCCORMICK: I think in the spring  
10 they typically do like a legislative update,  
11 too, so if they have information about  
12 legislative issues that are going to be coming  
13 up this year, this session is starting in  
14 January, so I don't know -- they may do their  
15 meeting earlier.

16 CHAIRMAN CHESNEY: Yeah. So I know I  
17 said this two months ago that I would go ahead  
18 and get that.

19 I promise I will go ahead and get that.  
20 I didn't see it in my to-do list until today  
21 it came up.

22 MS. MCCORMICK: I get copies of those  
23 notices. I didn't see anything on the agenda  
24 dealing with legislation for the October  
25 meeting.

1 supervisor requests?

2 (No response.)

3 CHAIRMAN CHESNEY: Are there any  
4 audience comments? Yes. Can you stand up and  
5 state your name?

6 MR. NEAL: I have a question. I'm  
7 Patrick Neal, again, from Bridgeton.

8 Is there a local area for getting sand  
9 and sand bags around here?

10 MS. WHYTE: Yes. I contacted  
11 Hillsborough County on the west service unit,  
12 which is right off of Sheldon. They have -- I  
13 called yesterday just to make sure in case I  
14 got called. They do have sandbags, they do  
15 have shovels, and they do have the sand.

16 And they run out, we have dirt, which  
17 obviously doesn't function as well as sand,  
18 but we do have that at the office if need be,  
19 but we don't have the bags that --

20 MR. NEAL: I thought there was a place,  
21 9805, I saw --

22 MR. BARRETT: Right there on the left  
23 right past the railroad tracks.

24 MR. NEAL: It seems like the center --

25 MS. WHYTE: Yes, that's the west service

1 unit, and they do have --

2 MS. MCCORMICK: She can't --

3 (Multiple speakers speaking at once.)

4 CHAIRMAN CHESNEY: Yes, sir.

5 MR. FUGIT: Okay. My name is Ed Fugit.

6 I'm the voting member from Glenclyff, and I  
7 came here to listen about the park. That  
8 obviously is not going to happen.

9 I would hope that -- I'll come next  
10 month to the meeting -- while we have expanded  
11 requirements for the ADA, to remodel the  
12 entire Glenclyff Park? That's the first  
13 question. And I've got residents wondering  
14 what's going to happen out there.

15 That's a major, major change, why we  
16 went from doing A to doing A plus everything  
17 else? That's my only point. I have more, but  
18 that's -- do you understand what I'm saying?

19 CHAIRMAN CHESNEY: Yes, I understand.

20 MR. FUGIT: Okay.

21 CHAIRMAN CHESNEY: I mean, we've been  
22 basing our recommendations -- I mean, basing  
23 our work on the recommendations of our park  
24 consultant, so --

25 MR. FUGIT: Yeah, I understand.

1 CHAIRMAN CHESNEY: And we also -- he did  
2 receive input from all of the supervisors and  
3 some public input at the beginning, so --

4 MR. RAGUSA: Well, I think I can also  
5 add to that answer. We tasked our design  
6 professional with really two functions. The  
7 first one is to ensure ADA compliance.

8 The second function was to see how we  
9 can improve those parks, and that is part of  
10 the effort of keeping Westchase current,  
11 because the parks were dated.

12 If you actually looked at the ADA  
13 analysis, much of the equipment and much of  
14 the structure had to come out anyways.

15 MR. FUGIT: Right.

16 MR. RAGUSA: So it's not like we said,  
17 "Let's go out and build a water park or a  
18 skateboard park." What we have done is ask,  
19 how can we improve the equipment and the  
20 service we provide to our residents in the  
21 confines of the real property?

22 If there is something that is the latest  
23 and greatest out there, bring it to us, and  
24 let's at least look at it and consider it.

25 But I can see that some residents may think

1 that the focus had shifted, but it really  
2 didn't.

3 We asked compliance and tell us what we  
4 should do to deliver a better product to our  
5 residents.

6 MR. FUGIT: Well, I use that park all  
7 the time with grandkids. It definitely has --  
8 I mean, it's great and it's reached its useful  
9 life. It's another part about moving the  
10 basketball court, which we just put in five  
11 years ago, and that -- what a God-awful  
12 expense, moving it to the other end, which has  
13 me literally scratching my head, but I'll  
14 leave it at that.

15 CHAIRMAN CHESNEY: Mr. Ross.

16 MR. ROSS: Are you the same gentleman  
17 who was in the last month's WOW and you were  
18 recognized for being a veteran?

19 MR. BARRETT: Yeah, not only a veteran,  
20 a significant war hero.

21 MR. ROSS: Thank you for your service.  
22 I recognize the name and what you said, so I  
23 just wanted to acknowledge that. And then  
24 just to add to Mr. Ragusa's comments, I have  
25 not heard any negative feedback about what

1 we're doing.

2 I heard some concerns, are we looking at  
3 every angle of this. So, for example, some of  
4 the soccer folks want to make sure we're doing  
5 certain stuff for them, whatever it may be,  
6 but I have not received any negative feedback  
7 that we're going in the wrong direction or  
8 that folks in the community don't think it  
9 would help the overall community.

10 MR. FUGIT: Okay. Thank you.

11 CHAIRMAN CHESNEY: All right. Anything  
12 else?

13 (No response.)

14 CHAIRMAN CHESNEY: I need a motion to  
15 adjourn.

16 MR. RAGUSA: Well, let me just ask --

17 CHAIRMAN CHESNEY: Sure.

18 MR. RAGUSA: And I had a discussion, a  
19 detailed one, with Doug. It would appear that  
20 our landscape contractor changed the mulch in  
21 Harbor Links, possibly others, and Doug is  
22 going to go back and take a look at that  
23 issue, look at our contract specs.

24 But, in my eyes, it's a clear -- it does  
25 not -- my recollection is it does not meet the

1 spec, and it is absolutely visibly  
2 unacceptable to the residents. It's --

3 CHAIRMAN CHESNEY: I mean, it's very  
4 specific in the contract, what kind and how  
5 deep.

6 MR. RAGUSA: I know what the contract  
7 says. I want to see it, I want to have that  
8 confirmed. What I'm going to do is, work with  
9 Doug offline and with Sonny to see if we can  
10 come to a resolution on that, because I -- the  
11 day it went in, I got complaints.

12 And I looked at it and said, "That's  
13 different." I didn't even know what it was.  
14 So I'm just letting you know.

15 Has anyone else had the same issue?

16 MS. WHYTE: No, no nobody else has  
17 called. You're the only one. We actually  
18 spoke to the vendor, we spoke to Davey. Doug  
19 made it very clear to Davey what was required  
20 and what in the contract.

21 This was -- it's pine bark. It was  
22 delivered in big, big, big tractor-trailers  
23 and dumped, scooped with our tractor onto  
24 their flatbeds and then taken and disbursed  
25 accordingly.

1 Possibly some of the areas -- some of  
2 the, you know, chips, as the weight of it,  
3 broke, but it is -- and there some pieces of  
4 pine in it.

5 MR. RAGUSA: It's -- well, I'm not going  
6 to argue about this. I had somebody look at  
7 this. It's not pine bark. It's not what the  
8 community -- what the industry says is pine  
9 bark. It's what we've had in that community  
10 for 20 years.

11 It is a composted material that's been  
12 darkened black, and it's got chippings, it's  
13 got pine tree chippings in it, not pine bark.  
14 They've taken small pine trees and shredded  
15 it. It looks like cypress mulch.

16 MS. WHYTE: It's not cypress mulch.  
17 It's pine bark, that's what they told us.

18 MR. RAGUSA: It's black. It's not pine  
19 bark.

20 CHAIRMAN CHESNEY: We also have OLM  
21 that's supposed to --

22 MS. WHYTE: Yes, we'll address it.

23 MR. RAGUSA: I'm trying to have Doug  
24 address this with the contractor.

25 MS. WHYTE: We have, and we have talked

1 to them, and he has talked to Davey. And the  
2 next OLM inspection, we'll have Mike look at  
3 it a little bit closer, and we'll get his  
4 expertise on it as well.

5 MR. RAGUSA: Now, I understand one of  
6 the advantages that it doesn't float away as  
7 easily.

8 MS. WHYTE: It doesn't float as much as  
9 the pine needles. As a matter of fact -- we  
10 have a drain that was clogged in Village  
11 Greens, and, as a matter of fact, they flooded  
12 out fairly -- the whole Village Greens  
13 entrance.

14 And what it was, was that when we had  
15 the drain blown, all that came out was pine  
16 needles, and within minutes, they stood back  
17 -- they said it sounded like a ball, when you  
18 take it into a hole and you pop it, and it  
19 just releases. They stood back, and the water  
20 from the pond just went phewwwwww.

21 And that is pine needles. And that is  
22 one of the main reason we went away from pine  
23 needles. We still have a fair amount of  
24 pine trees on property causing problems,  
25 especially in the Greens, but that is our

1 biggest problem. That is why we asked the  
2 board to allow to us to pine nuggets rather  
3 than pine needles.

4 And the pine bark seems to be working,  
5 but I will definitely explore that with our  
6 contractor and with OLM and get his expertise.

7 CHAIRMAN CHESNEY: All right.  
8 Mr. Ross.

9 MR. ROSS: Related to that -- this is  
10 first time I'm hearing about that. Did this  
11 situation occur prior to the last OLM  
12 inspection?

13 MS. WHYTE: The pine was down. There  
14 was no -- he didn't question it. Mark only  
15 brought it to the attention after the  
16 inspection.

17 MR. RAGUSA: I think it went down the  
18 day after --

19 MR. ROSS: Okay. That, to me, would be  
20 very important, because the point I want to  
21 make is, if, in fact, our contractor was not  
22 applying the right material for an entire  
23 village, that, in my mind, is a fail under an  
24 OLM inspection. It should be. That's the  
25 point I'm making.

I don't know if it's given two points, four points, six points, eight points, but if you really have that significant of a violation of our contract, that should be, no question, OLM fail.

And if our OLM contract is not set up that way, it ought to be redone, in my opinion.

MS. WHYTE: The inspection was last Monday. The mulch was finished over three weeks ago -- two to three weeks ago, the mulch was finished. That was completely done. So our inspection was on Monday.

That is why I said -- last Monday -- I will definitely go back to Mike, when he comes back in August, and have him look at it and have his expertise, and I'll get back to you on it.

MR. ROSS: I'm done.

CHAIRMAN CHESNEY: Okay. Motion to adjourn the meeting.

MR. RAGUSA: So moved.

CHAIRMAN CHESNEY: Second?


MR. MILLS: Second.

CHAIRMAN CHESNEY: All in favor, raise

your hand.

(All board members signify in the affirmative.)

(At 5:40 p.m., the meeting adjourns.)

X   
Mark Ragusa