

RE: WESTCHASE COMMUNITY DEVELOPMENT DISTRICT

TRANSCRIPT OF: BOARD MEETING

DATE: January 8, 2013

TIME: 4:00 p.m. - 6:55 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:

Mark Ragusa, Chairman

Greg Chesney

Brian Ross

Brian Zeigler

Bob Argus

ALSO PRESENT:

WESTCHASE COUNSEL:

Erin McCormick, Esquire

SEVERN TRENT SERVICES:

Andy Mendenhall, District Manager

DISTRICT ENGINEER:

Tonja Stewart

WESTCHASE STAFF:

Doug Mays

Sonny Whyte

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1 The transcript of the board meeting of
2 Westchase Community Development District, on the 8th
3 day of January, 2013, at the Westchase Community
4 Association Office, 10049 Parley Drive, Tampa,
5 Florida, beginning at 4:00 p.m., reported by
6 Kimberly Ann Roberts, Notary Public in and for the
7 State of Florida at Large.
8 * * * * *

9 CHAIRMAN RAGUSA: Good afternoon, ladies
10 and gentlemen. My name is Mark Ragusa. I'm
11 chair of the Westchase Community Development
12 District. I would like the welcome all of you
13 to the January 13 -- January 8, 2013 meeting
14 of the community development district.
15 I would like to start by asking
16 Mr. Zeigler to lead us in the pledge of
17 allegiance.
18 (The Pledge of Allegiance was recited.)
19 CHAIRMAN RAGUSA: Technically the record
20 should you have reflected at the outset of the
21 meeting that all four currently seated
22 Westchase supervisors are present, that
23 being Messrs. Zeigler, Chesney, Ross, and
24 Ragusa.
25 We have one issue that we're going to

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1 have resident input on today, and we may have
2 to juggle some folks' schedules. I know
3 Mr. Allen is here. I also know that another
4 resident can't make it here until 4:15. When
5 do you have to leave?
6 MR. ALLEN: I've got to pick her up at
7 4:30, so I just need to say my piece and --
8 CHAIRMAN RAGUSA: Okay. Let me just run
9 through some very quick procedural issues,
10 then we'll let you speak, if that's okay.
11 MR. ALLEN: Perfect. Awesome. Thank
12 you.
13 CHAIRMAN RAGUSA: Let's jump to Agenda
14 Item Number Three, which is your consent
15 agenda, which is approval of the December 6th,
16 2012 meeting minutes, along with the financial
17 statements which were effective November 30,
18 2012.
19 I did not receive any input on the
20 minutes. I understand Andy has not received
21 at this stage also.
22 MR. MENDENHALL: Yes, sir.
23 CHAIRMAN RAGUSA: Does anybody else have
24 any input or suggestions on the minutes?
25 (No response.)

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1 CHAIRMAN RAGUSA: Motion to approve the
2 consent agenda would be appropriate if anyone
3 is so inclined.
4 MR. CHESNEY: Motion to approve the
5 consent agenda.
6 CHAIRMAN RAGUSA: Is there a second?
7 MR. ZEIGLER: Second.
8 CHAIRMAN RAGUSA: Second by
9 Mr. Zeigler. All in favor, please signify by
10 saying aye.
11 (All board members signify in the
12 affirmative.)
13 CHAIRMAN RAGUSA: Any opposition?
14 (No response.)
15 CHAIRMAN RAGUSA: None noted. That
16 motion passes four to nothing.
17 CHAIRMAN RAGUSA: I don't believe that
18 the Consent Agenda Item Number Two can be done
19 in short order.
20 So, Mr. Allen, do you want to go ahead
21 and start?
22 MR. ALLEN: Okay.
23 CHAIRMAN RAGUSA: Go ahead and -- if you
24 would just -- everybody is here. Great. If
25 you wish to speak on the issue, go ahead and

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1 just identify who you are and your resident
2 address, and we'll listen to anything you want
3 to say and we'll review anything you want to
4 provide us.
5 MR. ALLEN: Okay.
6 CHAIRMAN RAGUSA: And certainly if you
7 wants to answer questions, that may be
8 necessary or appropriate.
9 MR. ALLEN: Steve, do you want to
10 start?
11 MR. FOREHAND: I want to thank the board
12 for their time today, but I feel that I've
13 issued multiple emails and letters stating my
14 position, so I'm not sure what else is left to
15 say.
16 I'm mainly showing up because I respect
17 process. I'm here because I'd like to hear
18 what you guys have to say and see if we can
19 come to a meeting of the minds, because, at
20 this point, you still have the option of
21 having the movies in the park program
22 elsewhere without enforcement. But once we go
23 down that road, you won't have that option
24 anymore.
25 That's kind of where I'm at. I would

<p style="text-align: right;">Page 9</p> <p>1 like to hear what you guys have to say.</p> <p>2 CHAIRMAN RAGUSA: My nature is</p> <p>3 adversarial, so I try not to be in this</p> <p>4 setting.</p> <p>5 MR. FOREHAND: Okay.</p> <p>6 MR. ALLEN: Let me --</p> <p>7 CHAIRMAN RAGUSA: Yes.</p> <p>8 MR. ALLEN: -- let me just say my piece</p> <p>9 and then give additional background and</p> <p>10 insight.</p> <p>11 My name is Jim Allen. I live at 10201</p> <p>12 Millport Drive, Baybridge Park. Steve is my</p> <p>13 neighbor. For the last several years, you</p> <p>14 guys have had the venue Movies in the Park in</p> <p>15 Baybridge Park. And I just kind of reached</p> <p>16 the point where my opinion is there needs to</p> <p>17 be a significant change.</p> <p>18 And when it first started, I was like,</p> <p>19 okay, everybody enjoys it, whatever, but it</p> <p>20 has limited the quiet enjoyment of my house.</p> <p>21 I can't sit on my porch patio with my wife,</p> <p>22 have a glass of wine.</p> <p>23 The blaring, the loudness of this movie</p> <p>24 venue is deafening. It shakes the windows in</p> <p>25 the house, it shakes the pictures on the</p>	<p style="text-align: right;">Page 11</p> <p>1 precedent in my mind was, Mark, I came to you</p> <p>2 several years ago when the park first opened,</p> <p>3 and you were gracious to work with the</p> <p>4 location, and you said the electric in the</p> <p>5 park and there would be a -- a -- no amplified</p> <p>6 music.</p> <p>7 Well, when the park first started having</p> <p>8 parties, birthday parties and parties, during</p> <p>9 the day, the music was just as bad as the</p> <p>10 movie, if not worse. And the CDD stepped up</p> <p>11 and stopped amplified music for parties during</p> <p>12 the day. Is that correct? Yes.</p> <p>13 (Ms. Stewart enters the room.)</p> <p>14 MR. ALLEN: Okay. So my observation is</p> <p>15 the CDD elected to violate its own ordinance</p> <p>16 in sound and amplified music in having the</p> <p>17 event.</p> <p>18 I'm not against the event itself. If</p> <p>19 people in Westchase want to have the event,</p> <p>20 I'm against the location. And what I would</p> <p>21 submit to the board is that there's other</p> <p>22 locations within Westchase that allow everyone</p> <p>23 to enjoy the movie.</p> <p>24 The commercial district over at West</p> <p>25 Park I believe is an allowable use in</p>
<p style="text-align: right;">Page 10</p> <p>1 wall. My daughter is a swimmer. She gets up</p> <p>2 at 5:30. She loses sleep because it's so</p> <p>3 loud.</p> <p>4 If this venue is next to anybody's house</p> <p>5 who lives in this room, they would call for</p> <p>6 enforcement of the noise ordinance. It's</p> <p>7 totally, totally unreasonable.</p> <p>8 I've gone out to the park several times,</p> <p>9 and I visited with you --</p> <p>10 MR. ARGUS: Yes.</p> <p>11 MR. ALLEN: -- about the volume, the</p> <p>12 loud, the bass. And so at this point, I don't</p> <p>13 think there is any other option or choice but</p> <p>14 to enforce what I perceive are the violations</p> <p>15 of several issues.</p> <p>16 First of all, I believe there is a</p> <p>17 county noise ordinance, and the volume of this</p> <p>18 event significantly is against the county's</p> <p>19 noise ordinance. My understanding is that the</p> <p>20 park hours of operations is dusk to dawn.</p> <p>21 This is after dark.</p> <p>22 A resident couldn't have any event in</p> <p>23 the park at this time, but the CDD chooses to</p> <p>24 operate the movie at a time when the park is</p> <p>25 closed. But the other issue that breaks the</p>	<p style="text-align: right;">Page 12</p> <p>1 location. Westchase Elementary, Davidson</p> <p>2 Elementary, all these venues have bathrooms</p> <p>3 and parking that allow the enjoyment of the</p> <p>4 movie.</p> <p>5 But to have it at Baybridge Park once a</p> <p>6 year, twice a year, three times a year, guys,</p> <p>7 it's unreasonable. You can't enjoy your</p> <p>8 house. And, like I say, I would challenge</p> <p>9 anybody to come over and sit in my lanai or</p> <p>10 sit in my house and have the walls shake and</p> <p>11 say that I'm wrong.</p> <p>12 I put up with it for a couple of years.</p> <p>13 I reached a breaking point. It's</p> <p>14 unreasonable, flat unreasonable. And so I</p> <p>15 would ask the board to change locations of the</p> <p>16 venue and abide by its own bylaws for</p> <p>17 amplified music, the hours of the application</p> <p>18 of the park, and the county's ordinance on</p> <p>19 noise.</p> <p>20 There are other options for this venue.</p> <p>21 I would hope that you guys take them. That's</p> <p>22 my piece. I'm open to questions.</p> <p>23 CHAIRMAN RAGUSA: Thank you. Let me ask</p> <p>24 you, when does the movie end in terms of</p> <p>25 amplified sound in the video itself?</p>

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1 MR. ALLEN: Probably 11:00 sometimes.
 2 MR. FOREHAND: Yeah, it's been --
 3 Herbie, the Love Bug, ran until almost 11:00
 4 absolutely -- because not only does the movie
 5 run, but then you have this exit music, which
 6 is horrible.
 7 CHAIRMAN RAGUSA: Tell me about the exit
 8 music.
 9 MR. FOREHAND: They play music and
 10 there's screaming into the microphone --
 11 interviewing children in microphones after the
 12 movie. So, I mean --
 13 MR. ALLEN: Mark, it goes on until after
 14 11:00.
 15 MR. FOREHAND: And I put that in emails,
 16 too. From start to finish, you know, it's a
 17 two, to two and a half hour process. Two
 18 hours on a short movie, two and half on a
 19 regular. Some of these longer movies even
 20 longer than that.
 21 MR. ALLEN: But being there from 8:00
 22 until 10:00 and having this noise --
 23 CHAIRMAN RAGUSA: The reason I ask that
 24 is because that is later than what I have been
 25 led to believe.

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1 MR. ALLEN: You haven't been to the
 2 venue.
 3 MR. FOREHAND: The sun doesn't even set
 4 until 8:00 in the summertime.
 5 MR. CHESNEY: Well, it's just the summer
 6 ones he's talking about, not the current --
 7 CHAIRMAN RAGUSA: Correct.
 8 MR. FOREHAND: it doesn't matter when
 9 you violate the law. Whether it's early or
 10 late, you're still violating the law.
 11 MR. CHESNEY: Well, that's really not an
 12 issue we -- I don't know that we've ever
 13 determined that there's any law been
 14 violated. Did the EPC come back and indicate
 15 there's a law that's been violated?
 16 MR. FOREHAND: I have their commitment
 17 to come out to each and every movie, if I need
 18 them to.
 19 MR. CHESNEY: Okay.
 20 MR. FOREHAND: So they may have not
 21 violate it this month or the next month, but
 22 eventually you're going to hit that magic 60
 23 decibels, which is the conversation we're
 24 having right now.
 25 Do you think you can fill that park with

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1 enough noise for everyone to hear --
 2 MR. CHESNEY: You had indicated that we
 3 are violating the law. I was unaware of
 4 that. Then we have obviously --
 5 MR. FOREHAND: In my opinion, we are.
 6 And I've got the --
 7 MR. CHESNEY: So it's just your
 8 opinion. I just want to make sure. That's --
 9 okay.
 10 MR. ALLEN: We made a complaint -- Steve
 11 made a complaint to an officer. The officer
 12 failed to file the complaint or -- I don't
 13 know what happened to --
 14 MR. FOREHAND: Don't go down that road.
 15 That's going to be an internal thing.
 16 MR. ALLEN: Okay. But we have
 17 validation from the police officers who come
 18 to the house, and they agree that the noise is
 19 an unreasonable level.
 20 He stood in Steve's backyard, he stood
 21 in Steve's house, and the walls were shaking.
 22 CHAIRMAN RAGUSA: I'll get to you in a
 23 second, Doug.
 24 Understand the information that we've
 25 been provided with from good sources is that

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1 the sheriff's office does not believe that the
 2 movie violate the Hillsborough County
 3 ordinance.
 4 We also understood that they have moved
 5 it into the EPC process, and what the EPC has
 6 said and what we've been told is that it does
 7 not violate it. So I understand your
 8 subjective standard may feel that it's been
 9 violated, but what we're hearing from the
 10 government at this stage is that the EPC does
 11 not feel it's violative. And I also
 12 understood the EPC was coming out for the next
 13 one to test.
 14 MR. ALLEN: And I think that's a valid
 15 point, is that if you can tell me what decibel
 16 level of sound that does not qualify as a
 17 noise ordinance violation is, whatever that
 18 level is, I would submit to you that in the
 19 past it would have been grossly violated.
 20 Mark, it's impossible at 500 yards, the
 21 difference between the location of the movie
 22 and my house, to shake the pictures on the
 23 wall and shake the windows, that that
 24 subjectively -- subjectively, to me, is a
 25 violation of noise.

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<p>1 Now, I don't understand the decibel 2 level that the county says is acceptable, but 3 I would submit to you if that amount of noise 4 was adjacent to your house, you would call and 5 complain. 6 I've gone out, and I got a third party 7 -- I got a third party here who can validate 8 my comment. 9 CHAIRMAN RAGUSA: Well, let me just -- 10 and I speak for the rest of the other 11 supervisors -- I recognize the difference 12 between something adjacent to your home that 13 impact your homes and it interrupts or 14 interferes with the quiet enjoyment of your 15 home. I see that, and I think everybody in 16 this room does. 17 What the lawyer in me says, and you're 18 alleging EPC violation, which is a completely 19 different threshold and a completely different 20 line of analysis, and so what I'm saying is, I 21 have not heard anybody from the government 22 tell me that I've got an EPC violation. 23 I do want to know if there is an EPC 24 violation, but I'm a little skeptical knowing 25 what it took at the Ask Gary Amphitheater to</p>	<p>1 requested, and I saw him over there. 2 Is there a reason why we don't do it in 3 West Park Village on the green there? There 4 are bathrooms and it is a little bit farther 5 away in parts. 6 MS. WHYTE: You're looking at me. 7 MR. CHESNEY: Well, I'm looking at 8 someone that has an answer why they requested 9 this location versus -- 10 MS. WHYTE: I have no idea. 11 MR. CHESNEY: -- any other locations 12 that we have, or, you know, I would imagine 13 Glenclyff because there's not as much 14 electricity. 15 CHAIRMAN RAGUSA: Did you hear the 16 question? 17 MR. ARRILLAGA: Yes. I didn't want 18 to -- 19 MR. CHESNEY: Yes. I'm just curious why 20 we selected Baybridge versus West Park Village 21 greens or even Glenclyff. 22 MR. FOREHAND: Or under the power lines. 23 That's zoned. 24 MR. ARRILLAGA: The power lines are Real 25 Property. That's rental property that that's</p>
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<p>1 get an EPC violation. And I'm also fairly 2 familiar with the new one, the new reg. 3 MR. ALLEN: I would invite every board 4 member here to stand in my living room at the 5 next event at 10:00 at night and absolutely 6 hear how loud it is. It's unreasonable. 7 You can me fight me from an attorney's 8 standpoint on absolute decibel level. Okay? 9 My understanding is that the park is closed. 10 You guys have chosen to ignore that. Your own 11 rule says no amplified music in the park. 12 You've chosen to ignore that. Okay? 13 So I would like to have quiet enjoyment 14 of my property. And my submission to you is 15 not that the venue should cease, but is that 16 there are other locations in Westchase that 17 are commercially acceptable that have 18 bathrooms and parking that are viable 19 alternatives to have this event that work for 20 everybody and that don't violate what I 21 believe is a precedent in the park. 22 CHAIRMAN RAGUSA: Mr. Chesney. 23 MR. CHESNEY: Okay. Which goes into 24 what my question was going to be, is -- I know 25 the WCA. This is the venue that they</p>	<p>1 on. 2 MS. WHYTE: That's not ours. 3 MR. ARRILLAGA: And I don't know how 4 available it would be for us on a -- 5 MR. CHESNEY: It's not a nice property 6 -- piece of property. So I am curious. When 7 we used to have -- 8 MR. ARRILLAGA: We don't have bathrooms 9 on our property. We would have to bring 10 people into business bathrooms and -- 11 MR. CHESNEY: Well, West Park Village, 12 the Greens, and Glenclyff have bathrooms. 13 That's why I was just curious as to why -- if 14 there was any thought process on there. 15 Obviously Baybridge is very conveniently 16 located to a large population. I mean, so is 17 West Park Village. 18 MR. ARRILLAGA: I spoke with the 19 residents of Baybridge -- not Baybridge, but 20 Glenclyff, and I told them that we might move 21 a couple of movies a year to their park. And 22 I know that you guys are aware of the traffic 23 and the noise. 24 MR. CHESNEY: Yeah. Glenclyff doesn't 25 have as much parking.</p>

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<p>1 MR. ARRILLAGA: And they were receptive</p> <p>2 -- somewhat receptive to the movies over</p> <p>3 there.</p> <p>4 But it would be -- I guess our intention</p> <p>5 would be to have them in both places, not just</p> <p>6 over there and just here.</p> <p>7 MR. CHESNEY: Okay. You know, I'm just</p> <p>8 trying to understand because I mean -- I mean,</p> <p>9 I didn't know if it was just because of the</p> <p>10 location of Baybridge because it is very</p> <p>11 centrally located, but West Park Village is</p> <p>12 not that far. I just didn't know --</p> <p>13 MR. ALLEN: It's 100 yards. It's pretty</p> <p>14 close.</p> <p>15 MS. PITHERS: Hi, Dyan Pithers. I'm</p> <p>16 vice president of the WCA. I'm here on</p> <p>17 another matter. I can shed a little bit of</p> <p>18 light as well. I mean, part of the reason is</p> <p>19 because it is centrally located. The property</p> <p>20 managers are very involved in making it a</p> <p>21 success by making popcorn and bringing things</p> <p>22 down here, and it makes it, you know, very</p> <p>23 convenient.</p> <p>24 (Ms. McCormick enters the room.)</p> <p>25 MS. PITHERS: You know, we're certainly</p>	<p>1 our properties, and there's usually a fee for</p> <p>2 those.</p> <p>3 MS. PITHERS: And you can't use schools</p> <p>4 after hours generally.</p> <p>5 MR. CHESNEY: Yes. So I'm trying to</p> <p>6 still have the movie and --</p> <p>7 MS. PITHERS: Understand our thought</p> <p>8 process.</p> <p>9 MR. CHESNEY: -- and understand the</p> <p>10 issues here. And that's why it's not good to</p> <p>11 be adversarial in this thing when trying to</p> <p>12 figure it out, so --</p> <p>13 MS. PITHERS: The WCA has the same view</p> <p>14 points.</p> <p>15 MR. CHESNEY: So you guys are going to</p> <p>16 bring it up at the next meeting?</p> <p>17 MR. ALLEN: Well, help me understand a</p> <p>18 couple of issues. The park is closed because</p> <p>19 operation is dusk to dawn. The CDD says there</p> <p>20 is no amplified music in the park. Okay. So</p> <p>21 the movie --</p> <p>22 MR. CHESNEY: I mean, I don't --</p> <p>23 MR. ALLEN: -- doesn't conform to the</p> <p>24 existing precedent.</p> <p>25 MR. CHESNEY: -- want to dwell on that</p>
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<p>1 sensitive to what is being heard here. It is</p> <p>2 on the agenda for the January meeting to have</p> <p>3 a consideration of different areas. Joaquin,</p> <p>4 like he said, has approached Glenclyff about</p> <p>5 it.</p> <p>6 So there really -- you know, it makes it</p> <p>7 difficult to choose a location, because the</p> <p>8 only other central location would be the</p> <p>9 greens by the apartments, which has the band</p> <p>10 shell, which seems ideal, except there's no</p> <p>11 bathrooms there, and then --</p> <p>12 MR. CHESNEY: There are bathrooms by the</p> <p>13 band shell.</p> <p>14 MS. PITHERS: There are?</p> <p>15 CHAIRMAN RAGUSA: Yes.</p> <p>16 MR. CHESNEY: Yeah.</p> <p>17 MS. PITHERS: Oh, my --</p> <p>18 MR. CHESNEY: And that's kind of where</p> <p>19 I'm going is, I mean, we do have bathrooms</p> <p>20 there. A lot of people don't realize there</p> <p>21 are bathrooms there, but we can open those</p> <p>22 bathrooms at night.</p> <p>23 MR. ALLEN: Was Westchase Elementary a</p> <p>24 viable alternative?</p> <p>25 MR. CHESNEY: We don't -- those aren't</p>	<p>1 because we can leave the parks open at night.</p> <p>2 Technically we had the parks open at light for</p> <p>3 a while. That's why we installed lights in</p> <p>4 Baybridge in the walkway.</p> <p>5 MR. ALLEN: I understand. And all I'm</p> <p>6 saying is, if the rules are the rules, either</p> <p>7 change the rules or abide by the rules.</p> <p>8 MR. CHESNEY: And, again, I'm going to</p> <p>9 try to stay focused on actually trying to</p> <p>10 solve the problem here.</p> <p>11 CHAIRMAN RAGUSA: Mr. Ross.</p> <p>12 MR. ROSS: I'm sorry. What was your</p> <p>13 name again?</p> <p>14 MR. ALLEN: It's Jim Allen.</p> <p>15 MR. ROSS: Hey, Jim. To give you a</p> <p>16 different perspective, this first came to us</p> <p>17 with the assurance this was not going to</p> <p>18 bother any neighbors. So it wasn't that we</p> <p>19 looked at it in terms of waiving some rule or</p> <p>20 law or ordinance.</p> <p>21 It literally came to us as, "This is</p> <p>22 good for the neighborhood. It won't bother</p> <p>23 anybody."</p> <p>24 MR. ALLEN: I appreciate that. And I'm</p> <p>25 just curious. Mark, have you been to the</p>

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1 events?

2 CHAIRMAN RAGUSA: I have not.

3 MR. ALLEN: I'm sorry. I don't know

4 your name.

5 MR. CHESNEY: Greg Chesney. Yes, I

6 have. I went to one of the events briefly.

7 MR. ALLEN: Out at Baybridge?

8 MR. CHESNEY: At Baybridge, yes.

9 MR. ROSS: I've been to one of them,

10 yes.

11 MR. ZEIGLER: I've been to several.

12 MR. ALLEN: Okay.

13 MR. ROSS: So back to my point, that's

14 how it was originally presented to us. I guess

15 you had it now for two years or however long

16 it's been. Nobody has ever complained about

17 the noise to my knowledge until some emails

18 began to circulate from your neighbor, Steve.

19 I don't believe anybody has showed up at

20 our meeting and said, "This is an unreasonable

21 situation." So in certain respects, we're

22 sort of hearing the situation for the first

23 time --

24 MR. ALLEN: The first time.

25 MR. ROSS: -- today. And what makes it

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1 -- and why I wanted to speak up is, I think

2 you perceive it as we're adversarial, that

3 we're against you. That's not the case at

4 all.

5 From my view point, I'm receiving

6 information that essentially is first time.

7 MR. ALLEN: First time. Okay.

8 MR. ROSS: I'm digesting it. And I'm

9 not disagreeing with your points or

10 observations. We're just sort of talking it

11 through, if you will.

12 MR. ALLEN: And I would submit to you --

13 and, there again, it's lack of communication,

14 because I have complained twice to -- I called

15 the substation up in Citrus Park for noise.

16 I've had an officer to my house once. This

17 was 18 months ago.

18 It's been a while. So this has been

19 ongoing, and it's festered for me. And I just

20 kind of reached a point where I need to

21 express my voice to you guys that this is a

22 problem, and I would hope to find a

23 resolution.

24 MR. ROSS: And I think --

25 MR. ALLEN: And with all respect to

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1 Steve, I agree with Steve's position. And I

2 haven't been copied on his emails and I don't

3 know what has transpired 100 percent. I'm

4 speaking for me. I would like to see some

5 kind of change with this.

6 And I would -- I'll invite you next time

7 to my house, and I'll give you all a beer and

8 you can --

9 MR. ROSS: Two.

10 MR. ALLEN: -- okay -- two beers and

11 have your teeth rattled.

12 MR. ROSS: Well, let me go back to one

13 more thing. Again, I personally already know

14 what my position is and what my conclusion is,

15 and so I don't want you to think we're

16 necessarily adversarial.

17 But one of the point I would make is, we

18 don't operate the movies in the park. The CDD

19 doesn't. A third party came to us. It

20 happens to be the homeowners association.

21 They're the ones that came to us.

22 And so to your point that there may

23 be some communication breakdowns, there's EPC

24 out there, there's Hillsborough County

25 sheriff's officers out there, there's the HOA,

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1 there's the CDD, we've got individual.

2 And so I understand the frustration, and

3 I'm just --

4 MR. ALLEN: I want to get it on the

5 table --

6 MR. ROSS: -- I've given you some more

7 information to --

8 MR. ALLEN: -- the point is to get it on

9 the table and get the information out so that

10 we can find a resolution.

11 CHAIRMAN RAGUSA: Okay. Mr. Argus, and

12 then we'll go to Ms. Edgerley.

13 MR. ARGUS: Okay. Thank you. We met --

14 you came up to me -- what? -- about four

15 months ago and mentioned the problem, and I

16 communicated it on to staff.

17 Have you noticed any change in the

18 volume in the last month or two?

19 MR. ALLEN: From inception of two years

20 ago to the last event, I would say that the

21 decibel level has gone down.

22 MR. ARGUS: In the last four months, has

23 it gone down?

24 MR. ALLEN: Yes.

25 MR. FOREHAND: But in the note that I

<p style="text-align: right;">Page 29</p> <p>1 wrote to -- are you Mr. Arrillaga?</p> <p>2 MR. ARRILLAGA: Yes, sir.</p> <p>3 MR. FOREHAND: I wrote to you and said</p> <p>4 that I could hear it from the front entrance</p> <p>5 of my subdivision. That's it went from. It</p> <p>6 went from --</p> <p>7 MR. ALLEN: Guys, you don't understand</p> <p>8 how loud it is.</p> <p>9 MR. FOREHAND: -- a quarter of a mile</p> <p>10 away from my house to being able to just hear</p> <p>11 it in my house. I mean, it's relative. It</p> <p>12 went from being ridiculously loud, concert</p> <p>13 level, to just loud in my house.</p> <p>14 And to answer your question -- is it</p> <p>15 Mr. Ross? --</p> <p>16 MR. ROSS: Uh-huh.</p> <p>17 MR. FOREHAND: -- the reason I didn't</p> <p>18 bring it up sooner is there was no noise</p> <p>19 ordinance in place in Hillsborough County</p> <p>20 until it was passed, which I wrote that in</p> <p>21 multiple emails to different people.</p> <p>22 So I didn't actually have anything I</p> <p>23 could have called on, enforcement, because</p> <p>24 there was no noise ordinance in place in</p> <p>25 Hillsborough County.</p>	<p style="text-align: right;">Page 31</p> <p>1 guarantees our right to quiet enjoyment. And</p> <p>2 if you read it close, it says, "Anything that</p> <p>3 will cause a noise or other condition that</p> <p>4 will or even might disturb the peace, safety,</p> <p>5 comfort, quiet, serenity of occupants and</p> <p>6 surrounding property," so even if it might</p> <p>7 disturb my peace and tranquility in my home,</p> <p>8 you guys are breaking your own ordinance.</p> <p>9 It goes on to say that "No noxious,</p> <p>10 illegal, offensive activity shall be carried</p> <p>11 on any portion of the property, nor shall</p> <p>12 anything be done there tending to cause</p> <p>13 embarrassment, discomfort, annoyance or a</p> <p>14 nuisance to any other person on the</p> <p>15 properties."</p> <p>16 So the noise ordinance aside, that on</p> <p>17 itself seems like it would be a slam dunk,</p> <p>18 that you guys are going, "Look, we're really</p> <p>19 ticking off the residents in our own</p> <p>20 subdivision. Let's do something about it."</p> <p>21 MR. ROSS: Again, you're confusing --</p> <p>22 the documents you're reading from has nothing</p> <p>23 to do with this organization. It has to do</p> <p>24 with the homeowners association, but not us.</p> <p>25 And then with respect to us, or really</p>
<p style="text-align: right;">Page 30</p> <p>1 As soon as that got in place, it seems</p> <p>2 like it started enforcing that at street</p> <p>3 level, that's when I reached out and tried to</p> <p>4 get you guys to do something.</p> <p>5 MR. ROSS: Well, I understand what</p> <p>6 you're saying. A lot of us are familiar with</p> <p>7 the noise ordinance, and so my understanding</p> <p>8 may be different than yourself.</p> <p>9 The other thing, remember, we're four</p> <p>10 individuals, and we're each going to take our</p> <p>11 own perspective differently. I personally</p> <p>12 think that the noise ordinance has nothing to</p> <p>13 do with it.</p> <p>14 I feel like we should hold ourselves to</p> <p>15 a higher standard myself, and I can talk more</p> <p>16 about that if we ever got to a motion of such,</p> <p>17 but I hear what you're saying, and I'll</p> <p>18 respect your voice points.</p> <p>19 MR. FOREHAND: And one of the reason I</p> <p>20 put a lot of stuff in writing, I love it in</p> <p>21 writing, the same reason that we're having it</p> <p>22 recorded right now, it documents.</p> <p>23 And so aside from the noise itself, you</p> <p>24 know, we touched on the fact that you guys</p> <p>25 agreed that in the community restrictions</p>	<p style="text-align: right;">Page 32</p> <p>1 more respect to the HOA, there are certain</p> <p>2 exceptions to that, and there's case law on</p> <p>3 it. And so I -- Mark's a lawyer, I'm a</p> <p>4 lawyer, and maybe you're an attorney as well</p> <p>5 -- I don't know.</p> <p>6 MR. FOREHAND: Not at all.</p> <p>7 MR. ROSS: But there are some black-and-</p> <p>8 white documents that govern how the HOA</p> <p>9 proceeds, there are some documents that govern</p> <p>10 how we proceed, but there's exceptions.</p> <p>11 So, for example, do the HOA documents</p> <p>12 apply to the commercial properties? I think</p> <p>13 some people would say, no, they don't apply to</p> <p>14 the commercial properties.</p> <p>15 So it even gets more nebulous and vague,</p> <p>16 and lawyers arguing this and lawyers arguing</p> <p>17 that. So I appreciate what you're saying, but</p> <p>18 it actually would be directed to the HOA</p> <p>19 representatives in the room and not to us.</p> <p>20 MR. ALLEN: Okay. From my perspective</p> <p>21 following your points, my understanding is</p> <p>22 that this is a venue to get the ball rolling</p> <p>23 to get this issue addressed.</p> <p>24 CHAIRMAN RAGUSA: It is.</p> <p>25 MR. ALLEN: And so to your point to how</p>

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1 -- if you can -- provide direction as to the
2 process, or if there is another committee that
3 has to hear this, then I need help in
4 understanding that process.
5 MR. ROSS: Well, since I've been
6 talking, I can just tell you real quick that
7 I'm personally of the view that your first
8 person to begin with would be the HOA.
9 And I am personally of the belief that
10 the HOA has made a misstep, that they made the
11 assurances to us that nobody would be
12 disturbed. Obviously people are being
13 disturbed.
14 And what they've unintentionally done is
15 they have now potentially exposed our CCR to
16 be initiated by them proceeding with this. So
17 my note to you would be, you need to be
18 talking with the HOA.
19 I personally think that the HOA should
20 not be engaging in this activity. It could be
21 somebody like the Westchase Charitable
22 Foundation, the Rotary, you've got the
23 Westchase Dads, the PTA, whatever, and now all
24 of a sudden, then we have taken it out of the
25 whole HOA CCR analysis --

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1 MR. ALLEN: Are you equating yourself to
2 a third party who's having the venue --
3 MR. ROSS: Pardon?
4 MR. FOREHAND: It's a frustration level
5 that we're having because there are so many
6 different organizations, and everyone is
7 pointing their finger back and forth.
8 I talked to the first organization, that
9 didn't move it. I was told by the police
10 department that you guys are the people to
11 talk to, because at the end of the day, you
12 guys pull the purse strings and make all the
13 major decisions that these other people
14 supersede to your decisions.
15 Am I completely wrong on this? It is so
16 frustrating on a homeowner's level that we
17 don't know who to talk to.
18 MR. ROSS: Yes, and just -- remember, I
19 exchanged a couple of emails with you, and you
20 refused to answer my questions. And so --
21 MR. FOREHAND: No. What I said is, I've
22 answered them. Please talk to the people.
23 What I didn't want to do is duplicate ten
24 emails.
25 MR. ROSS: I tried to be helpful to you,

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1 and you declined to communicate with me.
2 That's your right. You don't have to
3 communicate with me, but to the extent you
4 have frustration about it, okay, I believe you
5 that you're frustrated, I believe it that you
6 don't necessarily understand the lay of the
7 land.
8 I can only assure you that from my
9 viewpoint, one of four CDD supervisors, is, I
10 think we need to be good neighbors with each
11 other. I don't believe our HOA should be
12 engaging in any conduct that's accused to be
13 violative of our CCRs. I believe that
14 community functions are a good thing for our
15 community. And we're all smart people and
16 ought to be able to figure it out.
17 And I thank you and appreciate you guys
18 coming down and talking with us and sharing
19 with us your view point, and I guess we'll
20 just need to continue on with the
21 conversation.
22 CHAIRMAN RAGUSA: Mr. Chesney.
23 MR. ROSS: Sorry I'm taking so long.
24 MR. CHESNEY: No. No. First of all --
25 that summed it up in the beginning --

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1 MR. ALLEN: That's --
2 MR. CHESNEY: -- I just have some
3 procedural or understanding question. I'm
4 trying to get some understanding.
5 When was the last approved event that we
6 have approved? Last month?
7 CHAIRMAN RAGUSA: (Moves head up and
8 down.)
9 MR. CHESNEY: So we have not approved
10 any for this year. Is that correct?
11 MR. ROSS: (Moves head up and down.)
12 MR. CHESNEY: I'm assuming we have a
13 request for this year. Do we? I'm assuming
14 that's usually coming, a request.
15 MR. ARRILLAGA: (Moves head up and
16 down.)
17 MR. CHESNEY: So what is your request?
18 MR. ARRILLAGA: Well, our request is to
19 hold six movies in the park during the year,
20 January, February, March, and I think it's
21 October, November.
22 One of the measures we took was to move
23 the speakers around and also not hold anything
24 that goes past -- I believe it's 9:00 or so.
25 So we're -- we're scheduling the movies in a

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1 month that it gets dark earlier, so the movies
 2 don't extend to, you know, certain times.
 3 We had the county that came here and
 4 gave us some orientation on noise and how to
 5 -- a little bit of ideas, but also they're
 6 talking about doing their study themselves to
 7 see what the noise is.
 8 We're trying to accommodate everything.
 9 The fact is that it's a great activity.
 10 Hundreds of people in Westchase take advantage
 11 of this. We're finally giving back to the
 12 community, and what we're trying to do is to
 13 accommodate this activity so they don't have
 14 to stop.
 15 MR. CHESNEY: Okay.
 16 CHAIRMAN RAGUSA: Do you have another
 17 question?
 18 MR. ALLEN: So selection of the venue.
 19 MR. CHESNEY: Yeah, so I did -- you
 20 mentioned something -- or at least they had
 21 mentioned something about you are going to re-
 22 look at the venue.
 23 So what is your request? Is your
 24 request for any CDD venue, or is it specific
 25 just to Baybridge now or --

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1 MR. ARRILLAGA: It would be for four
 2 movies here, and one -- and two at the
 3 Glenclyff Park.
 4 MR. CHESNEY: Okay.
 5 MR. FOREHAND: I --
 6 MR. CHESNEY: Just let me finish. I
 7 mean -- okay. Then you guys don't like the
 8 West Park Village on the green thing? I'm
 9 just curious.
 10 MR. ARRILLAGA: We're trying to
 11 accommodate the residents that are hundreds of
 12 feet away, and we're going to put them on the
 13 median, that we have residents 50 feet of
 14 speakers, and I don't think that we're doing
 15 anything better than what we have here.
 16 MR. CHESNEY: Yeah, I just --
 17 historically we've just had -- we used to at
 18 one time just have --
 19 MR. ALLEN: You just validated my point.
 20 Absolutely.
 21 MR. CHESNEY: Let me finish.
 22 CHAIRMAN RAGUSA: I'm sorry. I will
 23 give you a chance to say whatever you want,
 24 just don't interrupt a speaker.
 25 MR. CHESNEY: Okay.

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1 MR. ARRILLAGA: What I'm saying is --
 2 MR. CHESNEY: No. No. No. Let me --
 3 okay. Just answer my question. Okay. So I'm
 4 just curious, because we historically, you
 5 know, when I -- you know, I've been here a
 6 long, long time.
 7 So, historically, we used to have all
 8 kinds of events there. Some, I remember
 9 getting lots of letters about, like our fair
 10 that we had with the ferris wheels and all of
 11 that, but, you know, we continued to have
 12 them.
 13 And I never really get a lot of negative
 14 feedback when we have events there, just my
 15 personal sitting on this board for a long,
 16 long time. So I'm, you know, just throwing
 17 that out there for thoughts, but --
 18 CHAIRMAN RAGUSA: Ms. Edgerley.
 19 MS. EDGERLEY: Hi, my name is Susan
 20 Edgerley, and I'm a resident of the Fords.
 21 And I'm listening to all this, and I totally
 22 understand where you're coming from because I
 23 do remember somebody having a party just down
 24 the street and going over and saying, "The
 25 music is loud. My daughter's going to wake

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1 up."
 2 So I totally understand what you're
 3 saying. I also appreciate that you all are
 4 trying to turn the volume down. My solution
 5 to this is, we have three venues. We have the
 6 Baybridge Park, we've got the greens, we've
 7 got Glenclyff. There are six movies. Two,
 8 two and two. rotate them around, so that way
 9 it gives them a break, people in Glenclyff a
 10 break, people in West Park Greens a break.
 11 And a little bit of a change, in my
 12 opinion, is good. Maybe people on the west
 13 side can now walk to the movies instead of
 14 drive and vice versa. So if you're looking
 15 for a solution, that would be my solution,
 16 along with continuing to work with the volume,
 17 the times, and maybe even the type of movie
 18 that you're showing so that aren't explosions
 19 or whatever, movies that aren't extremely high
 20 decibel. That would be a solution to the
 21 problem as I see it.
 22 CHAIRMAN RAGUSA: I'll get to you.
 23 Doug, is the EPC scheduled to come out?
 24 MR. MAYS: Yes. We spoke with the EPC a
 25 couple of weeks ago. They're scheduled to

<p style="text-align: right;">Page 41</p> <p>1 come out on that particular night. So, yes, 2 they're --</p> <p>3 CHAIRMAN RAGUSA: Mr. Allen.</p> <p>4 MR. ALLEN: One of the challenges about 5 the park venue that I understand from the 6 operator is the location of the electric.</p> <p>7 And so the issue of where he can put his 8 amplifier and where he can point the speakers 9 has to be in a certain direction so that there 10 is ample seating. Okay. And so we had 11 requested that you put the screen next to the 12 preserve and we shoot it across Linebaugh to 13 the Greens instead of length-wise.</p> <p>14 And so there's probably some 15 investigation as to minor electrical changes 16 or outlets that allow him to create a 17 configured seating that -- in each venue that 18 kind of go along with your two, two, two.</p> <p>19 Personally I would like to see it out of 20 Baybridge at the best. Worst case, if it's 21 two, two, two, the configuration and noise, if 22 that can be addressed, that could help.</p> <p>23 MR. FOREHAND: They did try that.</p> <p>24 MS. PITHERS: My understanding that was 25 done.</p>	<p style="text-align: right;">Page 43</p> <p>1 MR. FOREHAND: For 22 months it was 2 directed at our house.</p> <p>3 CHAIRMAN RAGUSA: Okay. As I 4 understood, what we were told, that they 5 changed the direction of the speakers, which 6 dropped the volume some.</p> <p>7 MR. ALLEN: It has some.</p> <p>8 MR. FOREHAND: Some.</p> <p>9 CHAIRMAN RAGUSA: Let me ask the two of 10 you. If the movie in Baybridge Park ended at 11 9:00 p.m., would that work for you one time?</p> <p>12 MR. FOREHAND: One time?</p> <p>13 CHAIRMAN RAGUSA: One time.</p> <p>14 MR. FOREHAND: You're talking about this 15 Friday?</p> <p>16 CHAIRMAN RAGUSA: Is it this Friday?</p> <p>17 MR. CHESNEY: Yes, this Friday.</p> <p>18 CHAIRMAN RAGUSA: I want the EPC to come 19 out. For my own curiosity, I want them to 20 test it.</p> <p>21 MR. CHESNEY: I don't know that they'll 22 be available this Friday.</p> <p>23 MS. WHYTE: Is it this Friday or next 24 meeting? He just said he was going to try to 25 be here --</p>
<p style="text-align: right;">Page 42</p> <p>1 MR. FOREHAND: It did make a 2 difference, Jim.</p> <p>3 MR. CHESNEY: Did they ever try going 4 the other way? The other thing about West 5 Park Village is you can shoot it toward the 6 clubhouse in the back.</p> <p>7 MS. EDGERLEY: Towards the railroad 8 tracks.</p> <p>9 MR. CHESNEY: Yeah, towards the railroad 10 tracks. Did you ever try to shoot it across 11 the nature preserve? You know what I mean.</p> <p>12 MR. ARGUS: He shoots it to the west 13 because the electrical outlet is in that 14 pavilion, but there is no electrical in the 15 other pavilion to shoot it toward the east.</p> <p>16 CHAIRMAN RAGUSA: Hold on, Bob. Every 17 outlet --</p> <p>18 MR. MAYS: There's not enough electric.</p> <p>19 MR. ALLEN: There's not enough electric 20 there to run it --</p> <p>21 CHAIRMAN RAGUSA: The sound is directed 22 to your house?</p> <p>23 MR. FOREHAND: Yes.</p> <p>24 MR. ARGUS: No.</p> <p>25 MS. PITHERS: No.</p>	<p style="text-align: right;">Page 44</p> <p>1 MR. FOREHAND: I asked them. They could 2 come out to each and every movie if they need 3 to. I've got that.</p> <p>4 MS. WHYTE: We met with them already 5 this past week.</p> <p>6 CHAIRMAN RAGUSA: This isn't going to 7 solve the problem.</p> <p>8 MR. ALLEN: I understand.</p> <p>9 CHAIRMAN RAGUSA: It will alleviate one 10 whole issue.</p> <p>11 MR. ALLEN: I have a comment to that, 12 though. Individual testing by the operator, 13 if he knows the EPC is going to be there, 14 he'll turn it down.</p> <p>15 MR. FOREHAND: And he's going to turn 16 down different bands and frequencies.</p> <p>17 MR. ALLEN: He'll turn down the base. 18 There's ways to manipulate the sound system 19 that he can comply. But when that EPC 20 operator or tester is not there, then the 21 volume that has historically been there, there 22 is nothing that will keep him from turning it 23 back up.</p> <p>24 MR. MAYS: The community can stop that.</p> <p>25 MS. EDGERLEY: The community.</p>

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1 CHAIRMAN RAGUSA: Mr. Chesney.
 2 MR. ALLEN: But there's not a rule in
 3 place --
 4 MR. CHESNEY: Can I ask you a question?
 5 Is there -- I mean, can we add outlets to
 6 where they need to be? Is that a complex
 7 thing?
 8 MR. MAYS: No. It's just money.
 9 MR. ZEIGLER: What if you rent a
 10 generator instead of --
 11 MR. MAYS: The generator is too loud, I
 12 guess.
 13 MR. FOREHAND: Yeah, you listen to a
 14 generator for two hours --
 15 MR. CHESNEY: I mean, but -- I mean,
 16 running a couple extra outlets, that can't be
 17 but a few hundred dollars -- a thousand
 18 dollars.
 19 MR. MAYS: All the way to Number Four is
 20 probably a couple thousand dollars because
 21 you've got to go from the breaker box.
 22 MR. ARRILLAGA: There's always the magic
 23 of extensions. So we'll do whatever it takes
 24 to accommodate. I'm personally kind of
 25 excited to listen to what the county has to

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1 say in what the levels are, and maybe give us
 2 some direction on, "Hey, take this measurement
 3 -- this measures to alleviate the problem."
 4 CHAIRMAN RAGUSA: Well, I'm going to
 5 talk aloud here. I'm going to suggest -- and
 6 if anybody makes a motion, let's hear it --
 7 but I'm going to suggest that if we have the
 8 EPC test it, I still want to know what the
 9 results are, even though you guys are
 10 suspicious of the operator and the volume
 11 levels.
 12 I don't know if they're digitizing their
 13 audio here. I'd like to know what the EPC
 14 says, because that will put the whole issue to
 15 bed one way or the other.
 16 I also want the HOA, the WCA, and the
 17 CDD, through staff, to make recommendations on
 18 how we can conduct this event with minimum
 19 impact. I think it's impossible to have no
 20 impact on some residents in this community.
 21 There's no way -- if this goes over to
 22 Glenclyff, we're not going to have two
 23 residents here. We're going to have 20.
 24 That's my take on my 17 years in Westchase
 25 with dealing with Glenclyff. That's what

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1 we're going to see. And we're going have
 2 traffic, we're going to have noise, and we're
 3 going to have every other problem with them.
 4 We need to address the issue. We need
 5 to eliminate the impact -- the negative impact
 6 that it's having on the residents. I think we
 7 can probably pull it off with either WCA or
 8 CDD property. We can make this work, but it's
 9 going have to -- we're going to have to juggle
 10 a lot of things to do it.
 11 So I want to -- me, I would want to go
 12 ahead and do it on Friday. If you're telling
 13 me you're going to end at 9:00, that's
 14 different than I just heard you guys were
 15 playing exit music till 11:00, and in my book,
 16 that's absolutely too late.
 17 MR. ARRILLAGA: It would be in mine,
 18 too.
 19 CHAIRMAN RAGUSA: My mindset is, you can
 20 live with noise until about 9:00, you're going
 21 to really annoy me at 10:00, and it's
 22 absolutely unacceptable at 11:00. That
 23 bothered me a little bit, so --
 24 MR. ALLEN: If I can supplement your
 25 comments, because I think it's right on, you

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1 would also investigate the multiple venue
 2 options.
 3 CHAIRMAN RAGUSA: Oh, we are.
 4 Everything is open.
 5 MS. PITHERS: It's on the agenda.
 6 CHAIRMAN RAGUSA: Yes, all items -- all
 7 location are on the agenda, and they're open,
 8 but I think we've hit on the Glenclyff and
 9 West Park Village that are larger venues that
 10 could really accommodate -- and interestingly
 11 enough, West Park Village has gotten the
 12 perception that they're more tolerant of large
 13 events in the green there. Right or wrong,
 14 that's just what it seems to be.
 15 MR. ALLEN: I appreciate everybody. I
 16 have to go and pick my daughter up.
 17 CHAIRMAN RAGUSA: Thank you.
 18 MR. ALLEN: Thanks for the
 19 consideration.
 20 MR. CHESNEY: The other thing is, I
 21 would like to add to that, that we investigate
 22 the cost to add whatever necessary electricity
 23 to the back pavilion to shoot it this way. I
 24 mean --
 25 CHAIRMAN RAGUSA: Does staff have any

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<p>1 other comments? No? Tonja?</p> <p>2 MS. STEWART: (Moves head up and down.)</p> <p>3 MS. WHYTE: Not at this time.</p> <p>4 MR. CHESNEY: I would like to make a</p> <p>5 motion that we approve the WCA's use of the</p> <p>6 CDD facilities for movie night.</p> <p>7 CHAIRMAN RAGUSA: For what date?</p> <p>8 MR. CHESNEY: For their request, six --</p> <p>9 whatever he just said.</p> <p>10 MR. ARRILLAGA: Yes, six times for the</p> <p>11 first three and the last three months of the</p> <p>12 year.</p> <p>13 CHAIRMAN RAGUSA: Is there a second?</p> <p>14 MR. ZEIGLER: Is this going to be with</p> <p>15 the existing facility if --</p> <p>16 MR. CHESNEY: Well, I left it very</p> <p>17 general, subject -- we would make CDD</p> <p>18 facilities available to the WCA for movie</p> <p>19 night once a month on whatever those six</p> <p>20 months were.</p> <p>21 MR. ZEIGLER: I second.</p> <p>22 CHAIRMAN RAGUSA: Any discussion?</p> <p>23 Mr. Ross.</p> <p>24 MR. ROSS: I know it's not our job to do</p> <p>25 the WCA's job, but I strongly, strongly feel</p>	<p>1 And the issue really is, are we going to</p> <p>2 ruin it for 3500 property owners? So I am</p> <p>3 just giving me you my reason why I'm going to</p> <p>4 oppose your motion.</p> <p>5 MR. CHESNEY: Well, let me clarify my</p> <p>6 understanding, though. So we're giving them</p> <p>7 approval. They agreed to look at all the</p> <p>8 venues. They have agreed to, you know, have</p> <p>9 the EPC testing and do whatever, because, you</p> <p>10 know me, I understand selective enforcement;</p> <p>11 that's why we get into all these little</p> <p>12 property issues all the time. So, you know,</p> <p>13 I'm a fan of being even.</p> <p>14 And they're -- so they're reviewing all</p> <p>15 of that. We can always revoke it if we want</p> <p>16 to. I mean, it's good until it's revoked. So</p> <p>17 it's not really our issue, the sound part,</p> <p>18 which is what I'm gathering from you.</p> <p>19 I mean, why do we need to be in their</p> <p>20 deal with the sound? And we're just making</p> <p>21 some possibilities with additional venues.</p> <p>22 And also I really think that we've asked staff</p> <p>23 to investigate the cost of, you know, maybe</p> <p>24 adding some electricity, though, it may be</p> <p>25 further mitigated if they deem that it would</p>
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<p>1 they're making a misstep here. I'll give you</p> <p>2 an example why.</p> <p>3 If this movie was at the house next door</p> <p>4 to you, you would be screaming, screaming,</p> <p>5 "Why is this activity going on?" And you'd</p> <p>6 say to the HOA, "Enforce you own CCRs."</p> <p>7 Right?</p> <p>8 Your neighbor will have a defense now to</p> <p>9 say, "Wait a second. I'm merely doing exactly</p> <p>10 what the HOA is doing, no different." The</p> <p>11 location is different, so we get into all</p> <p>12 those sub arguments, is it on park</p> <p>13 properties, this is residential.</p> <p>14 But the whole issue with CCRs is, you</p> <p>15 never want to hand the argument to the</p> <p>16 homeowner to potentially -- and I emphasis</p> <p>17 potentially -- unintentionally initiate the</p> <p>18 enforceability of the CCR. And we talk about</p> <p>19 selective enforcement and such.</p> <p>20 Now that we have a residential complaint</p> <p>21 about it, I personally believe the HOA really</p> <p>22 needs to step back and look at whether they're</p> <p>23 risking this CCR enforcement, because I heard</p> <p>24 the issue couched as, are we going to let a</p> <p>25 few neighbors ruin it for 200, 250 people?</p>	<p>1 be helpful. So that's kind of my</p> <p>2 understanding.</p> <p>3 I don't know how clear that came out,</p> <p>4 because I was kind of jagged in there. It's</p> <p>5 not our deal. It's not our event.</p> <p>6 MR. ROSS: I may not fully respond to</p> <p>7 your point. I do agree with you that it is</p> <p>8 not our role to do the HOA's job. We're two</p> <p>9 separate legal entities with very different</p> <p>10 purposes, and we all agree upon that.</p> <p>11 MR. CHESNEY: Right.</p> <p>12 MR. ROSS: Once you move beyond the</p> <p>13 issue of whether one, as I do personally</p> <p>14 believe, that the HOA shouldn't be doing this,</p> <p>15 there's still further analysis. So let's say</p> <p>16 the HOA said -- they went to their lawyer and</p> <p>17 they said, "Oh, my gosh. You're right. We</p> <p>18 stepped in the dog poop. We need to get out</p> <p>19 of this. But it's still great for the</p> <p>20 community. We're going to recruit Westchase</p> <p>21 Dads to now do this." Then we can have all</p> <p>22 the arguments or analysis that talks about</p> <p>23 this, is have we taken all the steps to</p> <p>24 minimize the adverse impact? Is it</p> <p>25 appropriate for us to be having this kind of</p>

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1 function after dark?

2 Another example is, do we hold ourselves

3 to a higher standard than whether it's

4 violative of EPC regulations? So I think all

5 of those points that you're raising are very

6 valid. I'm just sort of saying there is a

7 threshold issue in front of it that, to me,

8 makes it a no brainer as to why the HOA should

9 not be pursuing it. And I'm not saying I'm

10 right.

11 MR. CHESNEY: But that's the HOA's deal.

12 I mean, this is -- you and I have always

13 differed a little, because prior to your entry

14 on the board, we had a philosophy where as

15 long as events met certain criteria that we

16 had set up, then they were pretty much

17 automatically approved, which, you know,

18 created a few interesting scenarios at times.

19 And when you came on, and we voted and

20 we've agreed to be -- each event we approve

21 now. So, you know -- but we've never really

22 -- never really talked about a standard set of

23 criteria anymore because we just approve

24 them.

25 Some we approve -- I mean, generally we

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1 haven't -- the only one that we're really kind

2 of hard and fast is if it's a for-profit

3 endeavor, you know, that's going to -- you

4 know, we generally don't let facilities for

5 profit making --

6 MR. ROSS: I'll make one more stab at it

7 so that we don't dominate the room here.

8 There are other people.

9 MR. CHESNEY: Yeah. Right.

10 MR. ROSS: We all agree that there are a

11 set of covenants that bind us called the

12 CC&Rs. That's sort of a minimum standard.

13 Above that, we have a covenant of just being

14 good neighbors to one another.

15 MR. CHESNEY: I agree with the second

16 part, not necessarily the first. We're not --

17 MR. ROSS: But we live here, and I think

18 we have a covenant to be good neighbors to one

19 another, and we don't need to apologize for

20 that or back off that.

21 I know you're not saying that, but in

22 many respects, that's what governs almost

23 everything I do in the community. Are we

24 holding ourselves to a high standard of being

25 a good neighbor, whether that's defined by the

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1 CCR or the EPC or some other governing

2 document?

3 And so from my viewpoint, things may

4 have changed since I've been on, but I think

5 as long as we keep our governing mission, so

6 to speak, properly focused, then that's okay

7 if sometimes we say no.

8 If we think someone is not being a good

9 neighbor, even if it's not within our

10 jurisdiction and purview, why not give our two

11 cents?

12 MR. CHESNEY: Okay. Well, saying it

13 like that, I agree with you a hundred percent

14 on we should be acting like a good neighbor,

15 but I don't know that we're coming to the same

16 conclusion --

17 MR. ROSS: That's fine. That's fine.

18 MR. CHESNEY: -- yes -- because, in my

19 mind, you know, we can still be a good

20 neighbor and still have the movies.

21 MR. ROSS: I --

22 MR. CHESNEY: I don't know for sure -- I

23 haven't heard enough for myself today that

24 they're not -- there's not a solution to make

25 it an appropriate event.

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1 MR. ROSS: I agree with that, and I will

2 be disappointed if we, as a community, can't

3 come up with a solution for it. That would

4 indicate to me someone is being a little bit

5 rigid in their position, but I don't want to

6 pre-judge the process.

7 MR. CHESNEY: Right.

8 MR. ROSS: I'm simply saying, on your

9 motion --

10 MR. CHESNEY: So why wouldn't we just --

11 MR. ROSS: Because you're voting that

12 the WCA would be allowed to do something that

13 in my heart and in my mind I personally

14 believe they're jeopardizing the

15 enforceability of at least one section of our

16 CCR. That's my own view. You may not agree

17 with it, but I believe that --

18 MR. CHESNEY: That's really the

19 difference there.

20 MR. ROSS: Yeah.

21 MR. CHESNEY: Okay. I'm glad we always

22 come to some type of agreement.

23 CHAIRMAN RAGUSA: All right. Here's my

24 discussion. This motion is going to fail. I

25 know Mr. Ross is going to vote against it.

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<p>1 I'm going to vote against it. I'm not in 2 favor of granting six movies, and I don't 3 care whether -- actually it's the WCA's 4 request, and I want to think that through, the 5 WCA issue as well.</p> <p>6 I see it, I understand it, but you're 7 voting no purely because of the WCA side. Me, 8 as long as a responsible community 9 organization is hosting that movie night, I 10 don't care who does it.</p> <p>11 So I would be inclined to approve the 12 one, the upcoming one, and then take them on a 13 month-by-month basis. But certainly what I 14 would expect to have happen between today and 15 one in February, we would have a much better 16 understanding what's the best location, what 17 can we do to modify parks, if we need to, how 18 are we going to minimize, if not eliminate, 19 any disruption to residents.</p> <p>20 And maybe they come back and tell us -- 21 everybody says, "It's got to be in West Park 22 Village," or "It's got to be in Glenduff 23 Park." I would then, the following month, 24 approve a different location and a different 25 time. I don't want to do six right now.</p>	<p>1 anything, for that matter, no matter how much 2 you change or alter the audio, but I would 3 find it reasonable that we maybe change the 4 venue in a way that would allow us to conclude 5 earlier, like we talked about, bring the 6 volume down, configure the sound differently, 7 so we would have a happy medium with the 8 residents, because I agree.</p> <p>9 I mean, I wouldn't want that annoyance 10 in my house if that was my thing. So I -- I 11 tend to now agree with the idea of maybe 12 limiting the number of approved upcoming 13 movies with finding out what this data is 14 going to conclude for us on the very next 15 one.</p> <p>16 CHAIRMAN RAGUSA: Let me vote the 17 motion. All in favor of that motion please 18 signify by raising your hand.</p> <p>19 MR. CHESNEY: Hold it. The original --</p> <p>20 CHAIRMAN RAGUSA: The original one.</p> <p>21 MR. CHESNEY: Well, I can just amend it.</p> <p>22 CHAIRMAN RAGUSA: Amend it or withdraw 23 it. I want to move along beyond that motion.</p> <p>24 MR. CHESNEY: Okay. I'll just amend it 25 to one, one event.</p>
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<p>1 That's just me.</p> <p>2 MR. CHESNEY: So we can do one of two 3 things. From what he said, we can -- someone 4 else might get appointed to the board, and we 5 can vote again. We can take his suggestion 6 and just approve the one, and then that would 7 pass or -- yeah.</p> <p>8 MR. ZEIGLER: No pressure. I think, you 9 know, going back to the -- from the good 10 neighbor and overall goodness this provides 11 to the community versus affecting the few that 12 obviously it affects in an adverse way, I 13 would really look forward to seeing some 14 conclusive data from the EPC that will give us 15 a lot more guidance to move ahead.</p> <p>16 I am surprised that with the very rigid 17 stance that was taken by Mr. Allen, and I 18 didn't hear any feedback from you on the two, 19 two, two idea, but Mr. Allen conceded rather 20 quickly to two, two, two, when before, it 21 sounded like an absolute "I don't want this in 22 my back yard."</p> <p>23 I would be surprised that if -- and I'm 24 not a sound expert -- there would be enough of 25 an accommodation to make windows not shake or</p>	<p>1 CHAIRMAN RAGUSA: Okay.</p> <p>2 MR. CHESNEY: I mean, you don't want to 3 do it for next month? That's the only 4 problem. How about two, this month and next 5 month? We don't know for sure the EPC person 6 is going to be there.</p> <p>7 MS. WHYTE: Can I just -- I would 8 suggest, simply because we're going to have -- 9 the EPC did say they were going to come to 10 this month and possibly next month, but we 11 also have -- they have to give notice to their 12 vendor, as well as we have to -- our board 13 meeting is February --</p> <p>14 MR. MAYS: 5th.</p> <p>15 MS. WHYTE: 5th. When is the next 16 movie?</p> <p>17 MS. PITHERS: The 11th.</p> <p>18 MS. WHYTE: Okay. I don't know if 19 that's enough time to cancel that. It would 20 be really tight.</p> <p>21 CHAIRMAN RAGUSA: All right. I don't 22 want this to -- the movies must end by 23 9:00 p.m.</p> <p>24 MR. CHESNEY: Yeah. Well, I think -- if 25 they agree --</p>

<p style="text-align: right;">Page 61</p> <p>1 CHAIRMAN RAGUSA: Start it on time, no 2 exit music, it has to end at 9:00 p.m. 3 MR. ZEIGLER: Shut the mikes down. I 4 have heard where kids will get on there, so, 5 yeah, shut them down. 6 MR. CHESNEY: I will say I did go to one 7 movie, but I actually just went for the food 8 trucks, so I didn't actually watch the movie. 9 But anyway, so two events. Okay. All right. 10 CHAIRMAN RAGUSA: We have a motion to 11 approve the WCA's request to conduct movie 12 night in Baybridge Park January and February. 13 MR. CHESNEY: Yes. Leave it up to them. 14 CHAIRMAN RAGUSA: Okay. In January and 15 February with the event, and all live music 16 and amplified sound to end no later than 17 9:00 p.m. 18 MR. CHESNEY: Correct. Just to clarify 19 for the court reporter, we make use of the 20 CDD's facilities, if they want to change it -- 21 CHAIRMAN RAGUSA: Okay. 22 MR. CHESNEY: All right. 23 CHAIRMAN RAGUSA: Okay. You seconded. 24 MR. ZEIGLER: I seconded. 25 CHAIRMAN RAGUSA: Any further</p>	<p style="text-align: right;">Page 63</p> <p>1 Organizational matter Number Two, appointment 2 of supervisor to Seat Number Three. I 3 understand we have two individuals that would 4 like to throw their name in the hat for 5 consideration for the supervisor Seat Number 6 Three which was made available by Ernie 7 Sylvester's resignation last month or so. Is 8 that correct? 9 MS. EDGERLEY: I'm one. 10 CHAIRMAN RAGUSA: I know that. We have 11 Susan Edgerley and Keith Heinemann. 12 MR. HEINEMANN: Yes, sir. 13 CHAIRMAN RAGUSA: Anybody else? 14 MR. ARGUS: The two that were -- 15 CHAIRMAN RAGUSA: I have not eliminated 16 Mr. Payne and Mr. Argus from consideration. 17 MR. ARGUS: Thank you. 18 CHAIRMAN RAGUSA: I'm talking new 19 people. And, Keith and Susan, I don't know if 20 you saw the minutes and what happened. I know 21 -- I think the WOW wrote about it. 22 We gave both of those potential 23 candidates last month an opportunity to say 24 outside the presence of the other why they 25 thought they should be appointed to the</p>
<p style="text-align: right;">Page 62</p> <p>1 discussion? 2 (No response.) 3 CHAIRMAN RAGUSA: All in favor of that 4 motion, please raise your hand. 5 (Board members signify in the 6 affirmative.) 7 CHAIRMAN RAGUSA: Okay. That motion 8 passed three to one, with Supervisor Ross 9 voting against. 10 MR. CHESNEY: And final direction to 11 staff, you will look into the electricity and 12 if -- and talk with the vendor if that would 13 make any -- would help. 14 MR. MAYS: Yes. I'll be here this 15 Friday, because I want to see the EPC and meet 16 with them EPC also. 17 CHAIRMAN RAGUSA: Okay. Anything else on 18 that issue? 19 (No response.) 20 CHAIRMAN RAGUSA: Thank you all. 21 Mr. Forehand, thank you for coming. 22 MR. FOREHAND: Thank you. I appreciate 23 your time, and hopefully we can work through 24 it. 25 CHAIRMAN RAGUSA: Thank you.</p>	<p style="text-align: right;">Page 64</p> <p>1 position, and they could say anything they 2 wanted, and then they answered some questions 3 of the supervisors. 4 Unless someone tells me otherwise, I 5 think that's probably the best way of going 6 about continuing this process. Mr. Argus is 7 not going to have another say, I don't think. 8 So if one of you wants to go first, I just ask 9 the other to step out as we historically did. 10 MS. EDGERLEY: I'll step out. 11 CHAIRMAN RAGUSA: And, again, tell us 12 what you want and if you would, you know, be 13 prepared to answer a couple questions. 14 MR. HEINEMANN: Certainly. 15 MR. ARGUS: Close the door. 16 (Ms. Edgerley exits the room.) 17 CHAIRMAN RAGUSA: You want to identify 18 yourself? 19 MR. HEINEMANN: Yeah. I'm Keith 20 Heinemann. I'm a resident of Radcliffe. I 21 guess I should also admit I'm one of the 22 directors on the HOA. Interesting 23 discussion. 24 Yeah, I read what came up in the WOW 25 last month. Back in May, Editor Barrett asked</p>

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<p>1 me if I was going to run again when the actual 2 election came up, and at that time personal 3 issues and whatever, the time line against 4 when you have to file and the fact that I was 5 -- I have been a supervisor of elections, a 6 precinct clerk since 2002. I had just 7 assembled my team, and not being arrogant 8 about it, I wanted to work with my team for 9 this -- that cycle, and so I decided I would 10 opt out.</p> <p>11 Bob took a different tack, and he did 12 what you have to do. You can't be -- you 13 can't serve and run for the office, so -- 14 whatever. I guess you folks you've heard -- 15 my background is real quick.</p> <p>16 Why do I think I would do something 17 here? I have an economics degree. I have an 18 MBA. In my life, I've moved 22 times all 19 around the world until I got here. I retired 20 and I love Westchase.</p> <p>21 I had the opportunity to do a five-month 22 stint as a guest host, fill-in supervisor a 23 year and a half ago. In that little bit of 24 time, just whet my appetite for the policy 25 issues that you folks get involved with.</p>	<p>1 Bob or -- I apologize -- the third candidate 2 who I don't know. Any one of them would be 3 super.</p> <p>4 So I guess to say, ask me a question, if 5 you've got any.</p> <p>6 CHAIRMAN RAGUSA: Gentlemen.</p> <p>7 MR. ROSS: (Moves head from side to 8 side.)</p> <p>9 MR. CHESNEY: Well, I was going to ask 10 you the same questions as to the other two, 11 but I couldn't find them on that WOW website. 12 Make that thing easier to -- you said you 13 moved -- I'll just ask some other -- obviously 14 I know you pretty well. Both of these two 15 candidates I know a lot.</p> <p>16 But I am curious. You said you moved 22 17 times. What kind of --</p> <p>18 MR. HEINEMANN: The Air Force moved me 19 around all kind of places.</p> <p>20 MR. CHESNEY: The other thing is, the 21 management method you selected -- you named 22 was the Demming management --</p> <p>23 MR. HEINEMANN: The Demming system, 24 continuous improvement and --</p> <p>25 MR. CHESNEY: I'm very familiar with</p>
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<p>1 I like to think a lot of policy things 2 are what I'm trained -- I'm not an attorney, 3 I'm not an accountant, I'm not a finance 4 major, but I think I understand the financial 5 aspects.</p> <p>6 My time, I'm still -- I'm retired, yet 7 I'm still working, probably another year. 8 After that, I would have less -- I would have 9 less complications in my life, just like I 10 know you folks have to do. You have to cut 11 away from your professions to attend these 12 important meetings. And I'm willing to do 13 those same things again.</p> <p>14 I've probably been through every 15 management and leadership fad you can think 16 of, whether it was Demming model installation 17 programs, you know, Lean Sigma Six, all 18 those kind of things. I like to think I'm 19 adaptable and flexible to management of what 20 comes up.</p> <p>21 I have -- you know, I admire everything 22 that you folks have done. I know you guys do 23 a whale of a good job. And, I guess, lastly, 24 I would say you've got good candidates, so 25 you're not going to lose if you pick Susan or</p>	<p>1 it. I'm curious to where you worked with it.</p> <p>2 MR. HEINEMANN: Well, the Air Force 3 probably like to think they worked with it. 4 Back in the mid '90s, it was probably the 5 topic du jour, if you want to call it that.</p> <p>6 I'm at the post office now and facing to 7 be infatuated with, you know, Lean Sigma Six 8 on some things. So, you know, I've been there 9 and done --</p> <p>10 MR. CHESNEY: So it was the Air Force 11 you used Demming?</p> <p>12 MR. HEINEMANN: Yes.</p> <p>13 MR. CHESNEY: Okay. I was actually part 14 of a team that we won the Demming prize in the 15 '80s when I was a punk kid, so --</p> <p>16 CHAIRMAN RAGUSA: That hasn't changed.</p> <p>17 MR. CHESNEY: Actually it was probably 18 '91, but I can't --</p> <p>19 MR. HEINEMANN: I say that tongue in 20 cheek, but continuous improvement, I think 21 many of you demonstrate that all the time. 22 You're looking for better ways to do thing. 23 Nobody wants to sit on their laurels.</p> <p>24 MR. CHESNEY: I don't have any further 25 questions.</p>

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1 CHAIRMAN RAGUSA: Keith, I'll ask you
 2 the question I asked Bob. I've known you for
 3 a while, and I know you've been very active in
 4 the community, both Radcliffe and Westchase.
 5 You did -- I thought you served more than five
 6 months, though.
 7 MR. HEINEMANN: It was kind of like June
 8 to October I walked the plank, I think.
 9 Yeah.
 10 CHAIRMAN RAGUSA: All right. Tell us
 11 what we don't know about you. Tell us what we
 12 may not have already gathered from our contact
 13 with you that would make you the right person
 14 to select as a supervisor.
 15 MR. HEINEMANN: What you don't know
 16 about me. Oh, that would be something
 17 important I can think of. Silly little
 18 things, I supposed. I'm a lousy bowler. I'm
 19 not a very good softball player and things
 20 like that. I'm not a smooth orator, such as
 21 you folks up here. How about -- self-
 22 inflicted.
 23 Long ago, during the reign of Mr. Ross
 24 when he was the HOA president and I was a
 25 lowly VM down there, he ran a pretty good

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1 ship, but I always didn't agree with him,
 2 didn't like his style necessarily at that
 3 time.
 4 And he went off the board, and I said,
 5 "Okay. Well, that's fine and dandy." But he
 6 came back, and then I got the opportunity to
 7 work with him. And I felt he had -- he
 8 provided what I would say a conscience, if you
 9 will, sometimes of our board, and that he
 10 always would have -- on the other hand, he
 11 could look at things different ways. He
 12 talked to me a lot. I gained a lot of respect
 13 for what he does in that way.
 14 We don't know each other very well, but
 15 I know he's very insightful, as are you.
 16 Three times ago you were our VM when I first
 17 moved here, and I irritated you a couple of
 18 times, and lo and behold, after you moved on
 19 to bigger and better things, I followed in
 20 your footsteps in the neighborhood-type
 21 things.
 22 In terms of what you need to know about
 23 me here, I know my family is here, but they're
 24 not here. I have a daughter in Lakeland. She
 25 works for FedEx. I have a son who is a

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1 sheriff's deputy in a neighboring
 2 jurisdiction.
 3 I don't know -- I'm trying to think if
 4 you want something secret about me.
 5 CHAIRMAN RAGUSA: Okay.
 6 MR. HEINEMANN: Don't know.
 7 MR. CHESNEY: Well, Mark found the
 8 questions for me. And, I mean, some of them
 9 are good questions here.
 10 Do you feel there is a skill set on our
 11 board that might be missing?
 12 MR. HEINEMANN: If this is the Argus
 13 question, I guess I repeat, no, I can't be a
 14 female. I can't represent --
 15 MR. CHESNEY: Argus question.
 16 MR. HEINEMANN: -- the renters. And
 17 maybe Mark has told me once in the past, you
 18 know, you've been around here a long time.
 19 Thank you. You've done some nice things, et
 20 cetera. But we want to see some new faces,
 21 too.
 22 CHAIRMAN RAGUSA: When did I say that?
 23 MR. HEINEMANN: The last time I ran for
 24 appointment -- and I think he's right. I
 25 think you do you need to reach out and --

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1 again, like I said, I didn't pay much
 2 attention to it back last May when the filing
 3 deadline was up, but then since you had a
 4 little bit of a stalemate here in the short
 5 term, I dialed up Sonny and asked her what was
 6 going on, and she said, "Well, you can throw
 7 your hat back into the ring." So I can do
 8 that.
 9 MS. WHYTE: It's my fault.
 10 MR. HEINEMANN: I enjoy the time, but
 11 I'm sure maybe these other people can do just
 12 as well. I would like to be that person, and
 13 I love Westchase.
 14 MR. CHESNEY: Okay. Is there anything
 15 that -- you know, I'm paraphrasing these
 16 here.
 17 Is there any decisions that we --
 18 anything that we did that you strongly
 19 disagree or agree with, something we like or
 20 something we didn't like? That would be a
 21 better way --
 22 MR. HEINEMANN: Well, I'd be beating
 23 myself up, I guess, in that I guess when I was
 24 on the board, I helped vote for -- what do you
 25 call them? -- the screens on the bleachers,

<p style="text-align: right;">Page 73</p> <p>1 and we got a little bit of flack, as I recall, 2 from that decision.</p> <p>3 I guess in hindsight maybe I would agree 4 with what the residents had to say. Maybe we 5 could -- maybe, you know, we shouldn't have 6 done that, but, you know, I'll say live and 7 learn, but, you know, that -- I think I made 8 that mistake.</p> <p>9 MR. CHESNEY: Okay.</p> <p>10 MR. HEINEMANN: If you call --</p> <p>11 MR. CHESNEY: What would you say you've 12 done well? I would like to hear that.</p> <p>13 MR. HEINEMANN: What have I done well? 14 Let's see.</p> <p>15 MR. CHESNEY: No. What have we done 16 well?</p> <p>17 MR. HEINEMANN: Oh. What have you done 18 well? Well --</p> <p>19 MR. CHESNEY: The CDD.</p> <p>20 MR. HEINEMANN: -- the big -- hard to 21 get your hands around the issue. The fact 22 that you went to the merged board. I think 23 that was the brightest thing you've ever 24 done. You made it -- you just cut -- you 25 know, we've all been downsizing and doing</p>	<p style="text-align: right;">Page 75</p> <p>1 heat from a lot of people around. "You know, 2 they don't need that stupid bridge. You know, 3 we can certainly do it cheaper. Why do we 4 need to do that?"</p> <p>5 And yet, every time I walk by there, 6 that's a pretty good deal. It's not 7 Radcliffe. It's Westchase.</p> <p>8 MR. CHESNEY: I'm sorry. We're all 9 chuckling, because I originally wanted to get 10 rid of that bridge, and someone --</p> <p>11 MR. HEINEMANN: To blow it up.</p> <p>12 MR. CHESNEY: -- and someone was like, 13 "No, we're not going to do it." And we get 14 more compliments over that bridge.</p> <p>15 MR. HEINEMANN: Well, that certainly --</p> <p>16 MR. CHESNEY: That's funny that that's 17 the issue.</p> <p>18 MR. SNIZIK: My wife and I call that the 19 Rialto Bridge.</p> <p>20 MR. CHESNEY: The guys that just left 21 wanted to know if we would support a sound 22 wall on the back of -- all right. That's it.</p> <p>23 MR. HEINEMANN: Okay.</p> <p>24 MR. CHESNEY: Those are all the 25 questions.</p>
<p style="text-align: right;">Page 74</p> <p>1 things smarter, better, leaner, more agile, 2 all those kind of things.</p> <p>3 I think that's what it is now with a 4 five-person board. There didn't need to be 5 this distinction between the east side and 6 west side. You've got the best -- you put the 7 best people out there, and it's impressive. 8 You lost some good people too, so --</p> <p>9 MR. CHESNEY: Yeah.</p> <p>10 MR. HEINEMANN: -- that's been a good 11 move.</p> <p>12 MR. CHESNEY: What about the one thing 13 in here -- and this will be the last one I 14 ask. So the last question is, we've had half 15 a decade of cost cutting.</p> <p>16 Do you think there are any assets -- 17 should we do another capital improvement 18 program? Are there any assets that you think 19 should be changed?</p> <p>20 MR. HEINEMANN: Capital improvements, I 21 say yes. I admit, I haven't thought all that 22 hard about it. I would use the example as a 23 Joe Radcliffe resident. When the CDD took on 24 rebuilding the bridge, at first, I thought we 25 didn't need to do that, and there was a lot of</p>	<p style="text-align: right;">Page 76</p> <p>1 CHAIRMAN RAGUSA: Are you going to 2 questions? Mr. Barrett.</p> <p>3 MR. BARRETT: Yes. It's a little 4 awkward because he appoints my boss to the WOW 5 board. One of the things I think that is 6 going to be a key thing going forward is where 7 -- what people's kind of fiscal approach to 8 spending money.</p> <p>9 And I have sat here for a decade and 10 watched some supervisors vote no every single 11 capital expenditure -- or almost that, and 12 then I've seen supervisors, you know, every 13 addition, as long as it's, you know, kind of 14 worth making.</p> <p>15 And one of the things that sticks in my 16 mind, is I have trouble pegging you, Keith, 17 because I know you led the opposition to this 18 building, the structure that we're in, and --</p> <p>19 MR. HEINEMANN: I led the opposition 20 based on my neighborhood, yes.</p> <p>21 MR. BARRETT: And so I have that in my 22 mind. And I have other times on the CDD board 23 and the WCA where you've been very supportive 24 of capital improvement projects.</p> <p>25 So I guess, you know, where do you fall</p>

<p style="text-align: right;">Page 77</p> <p>1 -- what is your litmus test for capital 2 improvement projects? 3 MR. HEINEMANN: I'm probably a taste 4 great, less filling type of person. I don't 5 know if you could peg -- obviously it's a 6 silly answer. I'm for any smart improvement. 7 We can't sit on what we've got. 8 You know, at least as our board now 9 we're trying to make things that are better to 10 keep the infrastructure of Westchase better to 11 keep us a premier community. That's what we 12 want to do. 13 Obviously against frivolous, I suppose, 14 and I'm not saying that those shade things 15 were frivolous, but that -- I mean, maybe that 16 wasn't the best thing that I ever signed up to 17 participate or vote for at one time. 18 If we have -- we can't sit still. I 19 mean, we can decline. If we don't do 20 anything, we can start to rot away and let the 21 paint go bad and this and that, but we can't 22 stay where we -- we just can't stay static. 23 We have to improve. And thank you for 24 the compliment. But, no, I don't choose your 25 director. It's a board decision. I'm just an</p>	<p style="text-align: right;">Page 79</p> <p>1 As you know, I've sat on the board for 2 over eight years. I'm a founder and president 3 of Upper Tampa Bay Alliance. Both Mr. Argus 4 and I -- I was also treasurer and also founder 5 of the Robinson IB link, which is the parents 6 organization. 7 I've been a member and resident for 14 8 years. So I've done a lot for this 9 community. I love this community. And I 10 really love sitting on this board, and I made 11 a difference. 12 One of the first things that I did when 13 I came aboard, if you all remember, was I 14 brought to the attention the ponds, the lakes, 15 the retention ponds, and how they needed to be 16 cleaned up. That was my priority for first 17 coming on to the board. And we've tackled 18 that head on and took care of it. 19 My other priority was getting the 20 sheriff's patrols, which we also got back. I 21 consider myself a fiscal moderate. I'm not 22 extreme on one side. I'm not extreme on the 23 other. I believe in what's best for the 24 entire community. 25 Even when I was on the Westchase East, I</p>
<p style="text-align: right;">Page 78</p> <p>1 assembler of resumes and will lead the 2 discussion. 3 MR. BARRETT: That's good. I'll ask the 4 same of Susan, you know -- 5 CHAIRMAN RAGUSA: Keith, don't worry. 6 The last paragraph of his article in this 7 month's WOW, he knows you're the member, and 8 you're not on this current CDD board. 9 MR. HEINEMANN: Okay. 10 CHAIRMAN RAGUSA: He'll have to think 11 about that one. 12 MR. CHESNEY: Now you got me thinking. 13 I'm trying to remember. 14 CHAIRMAN RAGUSA: (Inaudible) Anything 15 else? 16 (No response.) 17 CHAIRMAN RAGUSA: Okay. Thank you, 18 Keith. 19 (Ms. Edgerley enters the room, and 20 Mr. Heinemann exits the room.) 21 MS. EDGERLEY: Does anybody need my 22 resume? As all of you all know, my name is 23 Susan Edgerley, and when I found out that this 24 position became available, I wanted to take 25 the opportunity to run.</p>	<p style="text-align: right;">Page 80</p> <p>1 never focused solely on the Fords or even the 2 East. I really feel it's all about the whole 3 community. I know you're going through some 4 issues right now with Bridgeton again. 5 I sat on the East when we went through 6 that back in '05, so I think I could be a 7 value with that, with the easement issues 8 going on there in Stonebridge. What can I 9 tell you? I really, really enjoyed my time. I 10 know I can make a difference. I'm a voice of 11 reason, as I've been told. And I guess that's 12 it. 13 You all really know me, and you know my 14 work, and you know who I am. And I am 15 passionate, but I'm also a problem solver, and 16 I don't believe in debating things to death. 17 I believe we get to the point, we solve the 18 problem, we move on. 19 And I'd really like to be back on this 20 board. I really missed it. Anybody have any 21 questions? 22 CHAIRMAN RAGUSA: Mr. Chesney. 23 MR. CHESNEY: I'm sorry. I'm still 24 looking, trying to figure out your vague 25 reference.</p>

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1 MS. EDGERLEY: Would you like me to
2 repeat it, Greg?
3 MR. CHESNEY: No. So I'm going to go
4 through -- I'm going to start with the one I
5 like the best, which is, what do you -- on
6 this board --
7 MS. EDGERLEY: Yes.
8 MR. CHESNEY: -- what do you think we've
9 done that's been bad, and what do you think
10 that we've done that's pretty good?
11 What's --
12 MS. EDGERLEY: As overall, the board, I
13 would say that the things that this board
14 tends to do -- and unfortunately I've not been
15 able to make meetings since we've merged -- we
16 tend to debate things, I think, too much,
17 almost to the point where we repeat ourselves
18 over and over and over again.
19 And that's one thing that I think the
20 board can get a little better at, is not
21 repeating themselves.
22 What do we do that's strong? We listen
23 to each other. We listen to the
24 residents, which is extremely important. We
25 take everything the residents say to heart,

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1 and because we are residents, so -- and we
2 care, and we use a very much of a common-sense
3 approach.
4 MR. CHESNEY: So CDD has had a --
5 experienced nearly half a decade of cost
6 cutting. Other than pond erosion, the
7 district has undertaken minimal capital
8 improvements.
9 Should the district consider another
10 capital improvement program; and, if so, what
11 assets would be improved? I'm just reading
12 it.
13 MS. EDGERLEY: Well, I know the capital
14 improvements that we've done in the past, a
15 lot the HOA has undertaken. I think what we
16 are doing -- I don't think we need to
17 undertake any capital improvement. I think
18 what we did with the irrigation was extremely
19 important.
20 As a matter of fact, I still call in
21 from time to time when I see errant
22 sprinklers because unclaimed water is a
23 available resource, and I don't want it wasted
24 on the street or into a conservation area.
25 I think the flooding and erosion is

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1 extremely important, and I think we're
2 tackling that head on. Other than that, I
3 don't see any capital improvements that need
4 to be made.
5 MR. CHESNEY: Okay. Those were the two
6 ones I asked him.
7 CHAIRMAN RAGUSA: Well, I'll ask you my
8 standard question.
9 MS. EDGERLEY: Okay.
10 CHAIRMAN RAGUSA: You are a long-serving
11 CDD East supervisor, and you, to your word,
12 resigned when the board merged, and you have
13 been thanked, and you should be thanked again
14 for doing that, as Mr. Argus and a number of
15 other supervisors did.
16 From a government standpoint, not
17 necessarily personal, I'm not looking to -- I
18 don't know -- I'm not looking for personal
19 information or anything to -- tell us
20 something about you that would be applicable
21 to you serving on the CDD board that we don't
22 know or may not know based on our experience
23 working with you.
24 MS. EDGERLEY: Politically?
25 CHAIRMAN RAGUSA: (Moves head side to

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1 side.)
2 MS. EDGERLEY: Well, like I said, I'm a
3 moderate, which tends to be, I guess -- I
4 don't know if it's a bad word or not --
5 there's not many of us anymore, moderates.
6 I'm not a -- I don't pinch pennies like
7 Lewis did, but I'm not a free spender either.
8 I'm sorry. I did say that.
9 What don't you know about me? Gosh,
10 I've been on this board for eight years. You
11 all know me pretty well. I'm passionate -- I
12 have a daughter who is graduated and left.
13 I'm an empty nester. I'm not involved
14 in any other organizations within Westchase,
15 so there's no conflicts of interest as far as
16 I may serve on too many boards. So my
17 interests are not in too many places. I'm
18 very focused.
19 When I -- I'm very loyal. I think I'm
20 an open book. I think you guys probably know
21 a lot about me. I do a lot of volunteering
22 outside of Westchase through my krewe. I have
23 -- I'm a diehard football fan. You know, I
24 love the Seminoles. I'm a native.
25 MR. CHESNEY: Which krewe are you in? I

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1 didn't know you were in a krewe.
2 MS. EDGERLEY: Krewe of Augustina. And
3 we are the krewe with the largest number of
4 volunteer hours of all Gasparilla krewes. I'm
5 a native. I own my own company, called
6 Seem Investments. I think that's -- that's
7 it --
8 CHAIRMAN RAGUSA: Okay. Well, thank you.
9 MS. EDGERLEY: -- that I can think of.
10 CHAIRMAN RAGUSA: Chris, do you have any
11 questions?
12 MR. BARRETT: Actually I think that in
13 your answers you kind of managed to address
14 them anyway, so I'm good.
15 CHAIRMAN RAGUSA: Okay.
16 MS. EDGERLEY: Okay. Have a good day.
17 CHAIRMAN RAGUSA: You can stay.
18 MS. EDGERLEY: Okay. Thank you.
19 MS. WHYTE: I'll get Keith.
20 (Mr. Heinemann enters the room.)
21 CHAIRMAN RAGUSA: All right. We have
22 now received input from and we have been asked
23 -- our four individuals to consider us -- or to
24 give consideration by this board to appointing
25 them to the Seat Three for the Westchase CDD.

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1 We have heard from Joseph Payne, Robert
2 Argus, Susan Edgerley and Keith Heinemann. At
3 this stage, I think it's an open forum in
4 terms of what we do. Obviously we have some
5 history of how we handled it last week, but,
6 really, any motion from a supervisor would be
7 appropriate.
8 MR. CHESNEY: Oh. Well --
9 CHAIRMAN RAGUSA: Mr. Ross.
10 MR. ROSS: Last month we sort of did, I
11 believe, a straw vote, and I like that
12 approach because I think we all recognize the
13 outstanding candidate slate we have, and what
14 I would hope is, if it turns out that the
15 straw vote went three-one in favor of a
16 candidate, the one would join in the other
17 three and we would have a unanimous motion to
18 appoint that person. So I personally like the
19 approach of the straw vote where you ask, "All
20 for this person, raise your hand, all for
21 person, raise your hand, all for this person,
22 raise your hand."
23 MR. CHESNEY: Okay. Last month I made a
24 motion to appoint Mr. Argus because, you know,
25 based on he had run previously and has shown a

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1 continuing interest in the position, and it
2 was two to two, if I remember correctly, so --
3 MR. ROSS: I stand corrected then.
4 CHAIRMAN RAGUSA: But then it led to an
5 open discussion and a straw.
6 MR. ROSS: Maybe that's what I was --
7 MS. EDGERLEY: May I add something to
8 that that you may not know? During qualifying
9 period, I did not qualify because my mom
10 passed away. So just FYI so you guys know
11 that's why I did not run.
12 CHAIRMAN RAGUSA: Well, I'll leave it up
13 to you guys in terms of procedurally how you
14 want to go about this.
15 We obviously -- my impression was from
16 the straw vote we had, two votes -- the votes
17 for the two candidates who appeared last month
18 were split among the four supervisors. We now
19 have two new individuals expressing an
20 interest, both of whom have served on the
21 CDD.
22 You know, I guess we need to have a
23 frank discussion now where people are meeting
24 and see if we have a consensus and see if
25 anything has changed since last month.

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1 MR. CHESNEY: I mean, I would be willing
2 to make the same motion again just because I
3 made it prior. I don't know if there would be
4 any support of that, although, you know, we
5 have done straw votes lots of times before,
6 so, you know, I'm don't mean to be wishy washy
7 here.
8 CHAIRMAN RAGUSA: What would you prefer?
9 MR. ZEIGLER: Is there any precedence to
10 this?
11 MR. CHESNEY: We have done it both
12 ways.
13 CHAIRMAN RAGUSA: Yes. We have a lot of
14 latitude. It's difficult because you're doing
15 it in public, but --
16 MR. ZEIGLER: Right.
17 CHAIRMAN RAGUSA: -- I can honestly say
18 all four of those people would be great
19 supervisors, and I will vote for one of them,
20 so --
21 MR. CHESNEY: And, quite frankly, when I
22 threw you under the bus earlier, you did a
23 great job.
24 MR. ZEIGLER: So if we all choose each a
25 different person, where do we go from there?

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1 MR. CHESNEY: You just have to keep
2 doing it until -- usually someone will fold
3 out. I mean, if you do it by motion -- or
4 that's why we have done it -- when we have
5 been very divided, we have done a straw vote
6 thing, because there have been times when --
7 MR. MENDENHALL: Just as a suggestion, I
8 was talking to Erin earlier as we were hearing
9 some of the presentations, one of the things
10 you might consider doing, I think, as
11 referenced by your Chair, you have some
12 latitude here, you can have a person nominate
13 all four candidates for consideration.
14 Basically, you know, each of you
15 individually write down who you choose on a
16 piece of paper, turn it in. Those pieces of
17 paper become public record, but it kind of
18 takes the uncomfortableness out of kind of
19 hashing out, going over each candidate, each
20 of you voting, that sort of thing. So it's
21 something to consider.
22 MR. CHESNEY: Appreciate you bringing
23 that up right away.
24 MR. MENDENHALL: Yes, I didn't want to
25 interrupt your comments.

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1 MR. CHESNEY: When does your contract
2 come up?
3 MR. MENDENHALL: Wanted you to get your
4 thoughts out.
5 MR. CHESNEY: Sure. We actually have
6 done it that way, too. I remember it.
7 MR. MENDENHALL: Yes. When we merged,
8 we did it that way, or at least a version of
9 that.
10 MS. McCORMICK: Right.
11 MR. ZEIGLER: So do that --
12 MR. CHESNEY: Sure. Yeah. Okay.
13 MR. ZEIGLER: -- and then we narrow it
14 down from there?
15 MS. McCORMICK: Yes. And just thinking
16 about that, it's really kind of a straw vote
17 concept, so maybe as opposed to making a
18 motion right now, everybody just take a piece
19 of paper and write down who they want to --
20 who would be their first choice to appoint,
21 and then we can have a formal motion after
22 that. That's one way to do it.
23 MR. MENDENHALL: Sure.
24 MR. ROSS: Do we put our name on our
25 piece of paper?

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1 MR. MENDENHALL: I don't think so. I'll
2 defer to Erin.
3 (Multiple speakers speaking at once.)
4 MR. ROSS: Just paper.
5 MR. MENDENHALL: Thanks.
6 MR. CHESNEY: I'm really at a loss.
7 MR. MENDENHALL: Well, this will be
8 easy. You have a tie: Two votes for
9 Mr. Payne and two votes for Mr. Argus.
10 MR. CHESNEY: Okay. All right. What
11 are the chances of that?
12 MR. MENDENHALL: You needed Doug's vote
13 for the tie breaker.
14 MR. BARRETT: I'm sorry. I didn't hear
15 it.
16 MR. MENDENHALL: I'm sorry. It was
17 basically the same as last meeting, two for
18 Mr. Payne and two for Mr. Argus.
19 MR. CHESNEY: Well, you know, I've heard
20 of a CDD that flipped a coin.
21 MR. MENDENHALL: Yes, that did happen.
22 MR. CHESNEY: Was that yours?
23 MR. MENDENHALL: That was not mine.
24 That was --
25 MR. CHESNEY: Someone else.

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1 MR. MENDENHALL: -- somebody else. I
2 believe that was Hillsborough County, the
3 other side of Hillsborough County.
4 MR. CHESNEY: Come on. I'll let you be
5 chairman. Make these tough calls.
6 MR. MENDENHALL: I mean, typically you
7 keep going. You know, like any tie vote, you
8 keep going until somebody changes their minds,
9 I mean, whether today or another day or --
10 CHAIRMAN RAGUSA: Well, I have a concern
11 with us continuing to have the possibility of
12 two-two failures.
13 MR. MENDENHALL: Sure.
14 CHAIRMAN RAGUSA: I would rather have
15 five members on this board go forward. And I
16 said it before, I voted for one person. I
17 think we have four great candidates. I think
18 to try to move this process along, I will
19 change my vote to Bob Argus.
20 MR. MENDENHALL: Okay. So that would
21 mean --
22 CHAIRMAN RAGUSA: Mr. Ross.
23 MR. ROSS: I make a motion that we
24 appoint Bob Argus to fill the empty seat.
25 CHAIRMAN RAGUSA: Okay. Do we have a

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1 second?

2 MR. CHESNEY: Second.

3 CHAIRMAN RAGUSA: Any further

4 discussion? All signify by raising your hand.

5 (All board members signify in the

6 affirmative.)

7 CHAIRMAN RAGUSA: That motion passes

8 four to nothing.

9 (Motion passes.)

10 MR. MENDENHALL: Okay.

11 MS. STEWART: Congratulations.

12 MR. MENDENHALL: Bob, I have the oath of

13 office with me, if you would like me to swear

14 you in, Bob. So, Bob, you have the option to

15 join the board today. I can swear you in if

16 you'd like.

17 MR. ARGUS: Yes.

18 MR. MENDENHALL: So if you could just

19 affirm when I'm done reading. Do you solemnly

20 swear or affirm that you will support, protect

21 and defend the Constitution and the Government

22 of the United States and of the State of

23 Florida, that you are duly qualified to hold

24 office under the Constitution of the state

25 and that you will well and faithfully perform

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1 the duties of a Westchase CDD supervisor?

2 MR. ARGUS: I so affirm.

3 MR. MENDENHALL: Okay. Welcome to the

4 board.

5 MR. ARGUS: I'd like to suggest to take

6 a break for the fingers.

7 CHAIRMAN RAGUSA: Bear with me -- Susan,

8 Keith, thank you. With all seriousness, you

9 guys were great supervisors. I think you

10 would do a great job going forward. It's not

11 easy for you to come in a room like this and

12 put it out there on the table and look for a

13 position, and you did -- you're wonderful

14 people, and you guys are great for the

15 community. And thank you for coming out.

16 Ready to take a break?

17 THE REPORTER: Sure.

18 (Recess from 5:33 p.m. to 5:40 p.m.)

19 CHAIRMAN RAGUSA: We have an issue. Can

20 you identify yourself?

21 MR. SNIZIK: Good afternoon, my name is

22 David Snizik. I live on Rochester Way in

23 Castleford. I've been a Westchase resident

24 for five, five and a half years.

25 I figure when we go through meetings and

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1 those types of things, it always helps to

2 bring pictures to bring clarity to a issue.

3 And on one of the vacation days over the

4 holidays, I decided to throw a little

5 presentation together.

6 What I'd like to propose to the CDD is

7 for a fence extension along the retention pond

8 in Castleford and -- okay. Just from

9 visualization, here's Linebaugh. I'm actually

10 right up the street here.

11 And right now what is occurring is, this

12 has become a pedestrian pathway along this

13 fence line, and then residents and other folks

14 have been using between these two houses is a

15 shortcut to go into Castleford and points

16 beyond.

17 My home is this one here. And what

18 we're proposing is that we put a fence across

19 here, and I wanted to show you a similar

20 solution in Radcliffe that already exists.

21 There's actually a fence right here. The

22 7-Eleven is right here. It provides some

23 perspective as to where this is.

24 And, again, you could kind of see the

25 distance between where Radcliffe is and where

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1 our issue is right here. This is the

2 Radcliffe site. And as you can see, the fence

3 comes along the brick and down to the water.

4 And this is a view kind of standing from here,

5 looking this way.

6 And what propose in Castleford is, this

7 issue right here, there's about five feet

8 between the edge of this fence to the water.

9 And -- and what's interesting here is the

10 grade. The grade here is probably 15, 20

11 percent grade, and along in here, there's a

12 lot of cypress stumps. And so if you get a

13 child or an adult that's walking through here,

14 generally if they slip on the bicycle, they're

15 in the water and they're walking through my

16 yard, but it's become -- it's a convenient

17 shortcut for folks.

18 We've had a couple challenges over the

19 years. First and foremost, there's the safety

20 issue, and somebody winds up in the pond,

21 that's not a desirable thing. We've had three

22 eight-foot alligators removed from our back

23 yard in the five years we've been here. You

24 know, we followed the process and called for

25 the permit, and Julie, the gator person, comes

1 out, and have gotten to know Julie fairly well
2 over the last five years.

3 The issue with the theft and the
4 properties in the cul-de-sac being robbed last
5 year, that was my house. And I'll show you.
6 What happened was, if you kind of look --
7 whoever broke into our house literally cut a
8 hole through our lanai, went in through here
9 and busted open the sliding glass doors and
10 robbed the house, and then went, whoosh,
11 whoosh, whoosh, and then off they went.

12 And nobody out front here saw it. And
13 my wife actually came home in the middle of
14 the theft. And so we know they went out that
15 way just because, you know, she came through
16 the front of the house. Not a desirable
17 position.

18 The other thing that happens from a
19 wildlife perspective is, as the deer are
20 moving around through Westchase, they actually
21 run through here, and then run through the
22 yards. I don't necessarily have an issue with
23 the deer running through the yards.

24 It's, you know, more of the people
25 challenge than anything else. And then you

1 get other four-legged friends that they're
2 running through Westchase, such as raccoons
3 and the occasional coyote runs through there.

4 CHAIRMAN RAGUSA: David, on that
5 picture, where does that fence that was in the
6 shrubbery end?

7 MR. SNIZIK: The fence would go right
8 here, and it's literally -- if I move a couple
9 slides forward --

10 CHAIRMAN RAGUSA: Keep going. There's a
11 fence in the right picture, in the lower --

12 MR. SNIZIK: Right. This ties into the
13 retention wall that is -- there's a similar --

14 MR. CHESNEY: That's it.

15 MS. WHYTE: No.

16 MR. SNIZIK: There's a wall that comes
17 along here --

18 MS. WHYTE: A brick wall.

19 MR. SNIZIK: -- on the north side of
20 Linebaugh, and there is a fence that parallels
21 the bushes in my backyard.

22 CHAIRMAN RAGUSA: Aluminum fence.

23 MR. SNIZIK: It's steel.

24 MR. MAYS: It's wrought iron.

25 MR. SNIZIK: It's metallic. I know that

1 much.

2 CHAIRMAN RAGUSA: Okay.

3 MR. SNIZIK: There's kind of two ways I
4 think we can do this from a design
5 perspective. You know, the one would be, you
6 know, we could sink a piece of rebar or
7 concrete in here, and you can see it as it
8 over time, depending on the depth of the
9 retention pond, you know, this could either be
10 an eyesore or it's not an issue.

11 The other issue -- the other perspective
12 that could potentially happen is, if we put it
13 -- hung this out 90 degrees and cantilevered
14 it with a strong enough piece of steel that's
15 architecturally compatible, and just have it
16 hang out, and whether or not we want to have
17 the ability to be fixed or flexible. I'm
18 certainly open to that. But I'm just trying
19 to pick our way through a barrier here.

20 Kind of the low-cost solution here
21 potentially might be a bush. You know, if we
22 built a bush big enough, I think the majority
23 of the traffic would disappear, and if the CDD
24 was open to that.

25 MR. CHESNEY: Putting a bush in?

1 MR. SNIZIK: A big bush.

2 MR. CHESNEY: Well, it --

3 CHAIRMAN RAGUSA: Sure.

4 MR. SNIZIK: My preference would be a
5 fence.

6 MR. CHESNEY: I mean, have you looked
7 into how much the fence is going to cost you?

8 MR. SNIZIK: I haven't, in that, first
9 off, I'm not sure of the ownership of the
10 current fence behind me, which I think is a
11 CDD property and --

12 MR. CHESNEY: That's a CDD fence there?

13 CHAIRMAN RAGUSA: Yes.

14 MR. CHESNEY: Oh, I see.

15 MR. SNIZIK: Yes, the CDD owns this
16 already. And I'm not really sure how to move
17 forward here. That's why --

18 MR. CHESNEY: The Radcliffe guy, the
19 gentleman -- excuse me -- he paid for -- he
20 reimbursed us for the fence. We paid -- it is
21 our fence, but he reimbursed us the cost of
22 the fence.

23 I mean, I wouldn't -- if we plant some
24 bushes there, that's usually an insignificant
25 expense.

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1 CHAIRMAN RAGUSA: Do you have more of
 2 your presentation?
 3 MR. SNIZIK: There's the alligators in
 4 the backyard just in case anybody wanted to
 5 see.
 6 Again, what I petition the group is to
 7 consider extending the current fence 90
 8 degrees to the retention pond to restricting
 9 the access, and if there's a -- you know, I'm
 10 certainly willing to work with the group to
 11 figure out what's -- you know, what balances
 12 what -- what everybody's intentions as to what
 13 would be the best way to do this.
 14 My preference would be to be a fence.
 15 If there is a challenge with that either
 16 economically or there's just -- they want to
 17 go in a different direction and it's some
 18 sort of architecturally friendly obstruction
 19 would be helpful.
 20 CHAIRMAN RAGUSA: Can you go back to the
 21 aerial photo of your house and the one besides
 22 you?
 23 MR. SNIZIK: Yes.
 24 CHAIRMAN RAGUSA: One more.
 25 MR. SNIZIK: Here. Yes.

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1 CHAIRMAN RAGUSA: I guess, Doug, we have
 2 the land that is between the fence and the
 3 lake. Correct?
 4 MR. MAYS: Yes.
 5 CHAIRMAN RAGUSA: And we obviously have
 6 the fence.
 7 MR. MAYS: Yes.
 8 CHAIRMAN RAGUSA: Do we have the
 9 shrubbery on the right-hand side as we're
 10 looking at that photo of the fence?
 11 MR. MAYS: No.
 12 CHAIRMAN RAGUSA: That's the
 13 homeowners.
 14 MR. MAYS: That's the homeowners.
 15 MR. SNIZIK: Yeah, that's mine.
 16 CHAIRMAN RAGUSA: So we have land that
 17 would go all the way around that retention
 18 pond?
 19 MR. MAYS: Yes.
 20 CHAIRMAN RAGUSA: Do we have any egress
 21 or access between those two homes? Do we have
 22 a right of way or anything in there?
 23 MR. MAYS: I'm not sure if there's a --
 24 MS. WHYTE: Water drain.
 25 MR. MAYS: -- water drain, drainage in

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1 between those two houses, then we would. I'm
 2 not sure on that one. Is there one of those
 3 drainage inlets in front of your house?
 4 MR. SNIZIK: I don't believe so.
 5 MS. STEWART: I don't see it.
 6 MR. MAYS: I don't see one either.
 7 MS. STEWART: I don't see it.
 8 MR. CHESNEY: And that's what I failed
 9 to ask is, I mean, would we still have access
 10 if he puts the fence in?
 11 MR. MAYS: Well, we really -- yes, we
 12 would, because you can go around -- because
 13 most of the time to mow back there, we go
 14 around by the medical center anyway.
 15 MR. CHESNEY: Go back.
 16 MR. MAYS: On the north side of the
 17 pond.
 18 MR. SNIZIK: Yeah, the medical center is
 19 right here.
 20 MR. MAYS: We go around the north side
 21 to maintain all that.
 22 MR. SNIZIK: Yes.
 23 MR. MAYS: At this time, I believe the
 24 residents maintain most of it anyway. They
 25 probably go all the way down to the pond. We

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1 may take a weed eater back there in that area,
 2 but it's not big enough -- you can't get a
 3 mower through that.
 4 CHAIRMAN RAGUSA: No, you can't get a
 5 mower through that gap.
 6 Tonja, have you looked at this?
 7 MS. STEWART: No.
 8 CHAIRMAN RAGUSA: What's the staff say?
 9 MR. MAYS: It's similar to the issue
 10 that we had at Radcliffe, but the homeowner
 11 did pay for the fence, but it's just a lot
 12 smaller. So it's not going to affect us
 13 maintenance-wise.
 14 Bushes would be good, because that's
 15 bush that he has on the back side is called a
 16 viburnum hedge. And viburnum grows quick.
 17 It's cheaper than the fence. It would be
 18 probably a good way to try it first.
 19 MR. SNIZIK: Quite honestly, I cut it on
 20 the back side, so --
 21 MR. MAYS: Yes, it's on his side, so
 22 he's maintaining that hedge so --
 23 MS. WHYTE: The kids will get through --
 24 MR. MAYS: -- either way. But, yeah, my
 25 biggest fear would be that if we put bushes,

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1 that the kids would damage them before they
 2 had a chance to get large enough to make that
 3 block, so I would think the fence would be
 4 better.
 5 CHAIRMAN RAGUSA: Sonny, did you look at
 6 this?
 7 MS. WHYTE: Yes.
 8 CHAIRMAN RAGUSA: What are your
 9 thoughts?
 10 MS. WHYTE: Either way, I mean, I don't
 11 know -- I personally think a bush would be a
 12 problem, as you said, because we've done that
 13 over in the Stonebridge area. Am I correct?
 14 MR. MAYS: Yes.
 15 MS. WHYTE: We added a shrub and the
 16 kids just went around the shrub.
 17 CHAIRMAN RAGUSA: Well, I guess one of
 18 the questions I have is, is there -- if
 19 someone were to walk off of Linebaugh, walk
 20 behind that house and the other house, is
 21 there anywhere else to go besides cutting
 22 between the two lots?
 23 MS. WHYTE: There's just homes back
 24 there. How many are there? I think there's
 25 three.

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1 MR. SNIZIK: There's three on the
 2 water.
 3 MS. WHYTE: There are three on the
 4 water, turnaround on the curb. So one, two
 5 and three.
 6 MR. SNIZIK: Yeah. One here, here and
 7 here. There is a separate pond to the two
 8 homes -- the pond, this way, goes like this.
 9 MR. MAYS: That's really not a bad
 10 location for them to go, unless they go all
 11 the way around by the medical center.
 12 MR. SNIZIK: Yeah. And generally what
 13 -- what, you know, folks do is, you know, they
 14 sneak back through here, they come across
 15 here, and then they head somewhere into the
 16 Fords --
 17 MR. MAYS: Into the Fords, right.
 18 MR. SNIZIK: -- versus going all the way
 19 down to Gretna Green and then coming up.
 20 CHAIRMAN RAGUSA: Does staff have a
 21 recommendation?
 22 MR. MAYS: Well, I mean, the homeowner
 23 did it before in Radcliffe. Our
 24 recommendation would be that the homeowner is
 25 allowed to put that fence in that location,

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1 matching the black wrought iron fence.
 2 CHAIRMAN RAGUSA: I look at this as
 3 different than the Radcliffe situation.
 4 That's an easement. That's an access issue.
 5 I look at it as different. This is much
 6 tighter and more restricted.
 7 MR. MAYS: Mr. Richey, his complaint was
 8 that people were doing the same thing.
 9 CHAIRMAN RAGUSA: I understand that
 10 they're cutting the corner, but physically I
 11 look at it a little differently.
 12 Did they offer to have us contract --
 13 put the fence in at your expense?
 14 MR. SNIZIK: I understand that's the
 15 arrangement. I would like to kind of talk
 16 through -- I don't know if this is fifty
 17 dollars or five million dollars.
 18 CHAIRMAN RAGUSA: Neither.
 19 MR. SNIZIK: You know, it's -- I think
 20 if we can -- you know, if we can work together
 21 on what this is going to cost and it's
 22 architecturally compatible --
 23 MR. MAYS: It's probably a couple
 24 hundred dollars.
 25 MS. WHYTE: Under five hundred probably.

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1 MR. CHESNEY: Under five hundred.
 2 MS. WHYTE: The post and concreted into
 3 the --
 4 MR. ZEIGLER: Would it make more sense
 5 that to not put the fence that far -- that
 6 extending piece that far over that it would
 7 allow someone to go up to that and still slip
 8 into pond, I mean, because you have all those
 9 tree stumps?
 10 MS. WHYTE: Bring it up --
 11 MR. ZEIGLER: Why not bring it up a few
 12 more sheets of fence so that no one tries to
 13 get by?
 14 MR. SNIZIK: Yeah, you're thinking
 15 further up towards --
 16 MR. ZEIGLER: Yeah, because this is --
 17 MR. SNIZIK: -- this is Linebaugh, right
 18 here.
 19 MR. ZEIGLER: If they come up to this
 20 point here, fooling around or fishing or
 21 whatever they're doing, they're still going to
 22 fall in.
 23 MR. SNIZIK: I mean, there's the
 24 likelihood of falling in.
 25 CHAIRMAN RAGUSA: Are you talking about

<p style="text-align: right;">Page 109</p> <p>1 extending it back toward the second house?</p> <p>2 MR. ZEIGLER: No. Back towards</p> <p>3 Linebaugh.</p> <p>4 (Multiple speakers speaking at once.)</p> <p>5 MR. MAYS: One at a time.</p> <p>6 MR. SNIZIK: The distance here is five</p> <p>7 feet, and if you were to move up the walkway</p> <p>8 here, you would be looking at, you know, 20 to</p> <p>9 22 feet of fence up there, you know, moving up</p> <p>10 there.</p> <p>11 And I'm looking at this and saying, if</p> <p>12 we cantilever a piece of fencing right here, we</p> <p>13 don't even have to put a post in the ground</p> <p>14 here.</p> <p>15 MS. WHYTE: You have to support it in</p> <p>16 case the kids go around it.</p> <p>17 CHAIRMAN RAGUSA: The kids are going to</p> <p>18 swing around it.</p> <p>19 MR. SNIZIK: They're going to go around</p> <p>20 it anyway.</p> <p>21 MR. MAYS: Unless you go out a little</p> <p>22 further, like he says, put a post in. Let it</p> <p>23 hang over the edge.</p> <p>24 CHAIRMAN RAGUSA: Go back to the aerial</p> <p>25 of the two homes.</p>	<p style="text-align: right;">Page 111</p> <p>1 piece of fence the size of an interior door</p> <p>2 versus do we really want to extend this out</p> <p>3 there.</p> <p>4 I would offer if the CDD is willing to</p> <p>5 to go that way, you know, it's open for</p> <p>6 discussion.</p> <p>7 MR. CHESNEY: I'm just curious. Doug,</p> <p>8 you said you go around the other side to go --</p> <p>9 how do you go all the way there with all those</p> <p>10 bushes at his neighbor's house?</p> <p>11 MR. MAYS: We don't. That's why I say</p> <p>12 the homeowner maintains most of that.</p> <p>13 MR. CHESNEY: Oh.</p> <p>14 MR. SNIZIK: If you look at the next</p> <p>15 door neighbor's yard, he has bushes that are</p> <p>16 between his pool and the water line. And so</p> <p>17 there is no access that way.</p> <p>18 MR. MAYS: We basically maintain the</p> <p>19 north side of that property.</p> <p>20 CHAIRMAN RAGUSA: All right. Erin, do</p> <p>21 you have any comments?</p> <p>22 MS. McCORMICK: No, I don't -- Tonja,</p> <p>23 are there any permit issues with putting</p> <p>24 anything in that area that close to the edge</p> <p>25 of the pond?</p>
<p style="text-align: right;">Page 110</p> <p>1 MR. SNIZIK: (Complying.)</p> <p>2 CHAIRMAN RAGUSA: Where does your</p> <p>3 property line end?</p> <p>4 MR. SNIZIK: I believe it's right at the</p> <p>5 bush line here, and then it's kind of where</p> <p>6 the red line is, the division between my</p> <p>7 neighbor and here.</p> <p>8 CHAIRMAN RAGUSA: And I take it your</p> <p>9 neighbor doesn't have a fence behind his</p> <p>10 house.</p> <p>11 MR. MAYS: No.</p> <p>12 MR. SNIZIK: He doesn't, but he's got --</p> <p>13 you really can't walk back here because his --</p> <p>14 the bushes back here go all the way to the</p> <p>15 water line.</p> <p>16 CHAIRMAN RAGUSA: Have you talked to</p> <p>17 your neighbor about extending that fence back</p> <p>18 through to his lot, the existing wrought iron</p> <p>19 fence all the way to his property?</p> <p>20 MR. SNIZIK: I have not. I guess I</p> <p>21 looked at this as this is the short and simple</p> <p>22 answer to fixing this versus extending the</p> <p>23 fence out this way.</p> <p>24 Again, I don't own the fence, so I'm</p> <p>25 looking at this as kind of one -- you know, a</p>	<p style="text-align: right;">Page 112</p> <p>1 MS. STEWART: No.</p> <p>2 MS. McCORMICK: Then I don't have any</p> <p>3 issues that I see with, you know, if you were</p> <p>4 to go ahead and put a fence in there to extend</p> <p>5 where the water starts in the pond.</p> <p>6 CHAIRMAN RAGUSA: Okay. What do the</p> <p>7 supervisors -- anybody have a motion or</p> <p>8 suggestion?</p> <p>9 MR. ARGUS: Could you go to the next</p> <p>10 slide, please?</p> <p>11 MR. SNIZIK: (Complying.)</p> <p>12 MR. ARGUS: Thank you.</p> <p>13 MR. SNIZIK: This is Radcliffe.</p> <p>14 MR. ARGUS: Never mind. Go back to the</p> <p>15 other one then.</p> <p>16 MR. SNIZIK: Okay.</p> <p>17 MR. CHESNEY: I'll make a motion.</p> <p>18 MR. SNIZIK: This is the west cul-de-sac</p> <p>19 in Rochester Way right here, and then</p> <p>20 Rochester Way runs parallel to Linebaugh</p> <p>21 here.</p> <p>22 MS. WHYTE: I'm just pulling it up on</p> <p>23 Google Maps.</p> <p>24 CHAIRMAN RAGUSA: Mr. Chesney.</p> <p>25 MR. CHESNEY: I make a motion to allow</p>

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1 the homeowner to reimburse us for putting a
 2 fence extension along the narrower part of our
 3 property line. I don't know if I said that
 4 correctly. You get the idea.
 5 CHAIRMAN RAGUSA: With fencing material
 6 consistent with the existing fence?
 7 MR. CHESNEY: Yes, like us putting the
 8 fence up.
 9 CHAIRMAN RAGUSA: Okay.
 10 MR. CHESNEY: Only if the homeowner
 11 agrees to reimburse us for the full cost of
 12 the fencing.
 13 CHAIRMAN RAGUSA: Would we do that
 14 in-house or --
 15 MR. MAYS: Yes, we can do that.
 16 CHAIRMAN RAGUSA: Okay.
 17 MR. MAYS: We have a place to order the
 18 fence from.
 19 CHAIRMAN RAGUSA: Do we have a second?
 20 MR. ARGUS: I'll second it as long as it
 21 doesn't infringe on any permitting or, you
 22 know, legally everything is allowable. I'll
 23 second it.
 24 CHAIRMAN RAGUSA: You have heard the
 25 motion. Do you want to talk about it?

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1 MR. SNIZIK: Yeah. I guess in a perfect
 2 world I -- you know, no surprise here. I'd
 3 prefer for the CDD to pay for this, but if
 4 that's -- you know, I mean, it's -- is there
 5 any way that we can work it that way or --
 6 CHAIRMAN RAGUSA: The motion is to have
 7 you reimburse us.
 8 MR. SNIZIK: Yes.
 9 MR. CHESNEY: What did he say? I didn't
 10 hear him.
 11 MR. SNIZIK: My preference would be that
 12 the CDD pays, but that's no big surprise.
 13 MR. CHESNEY: That's not going to happen.
 14 We've never done that.
 15 MR. SNIZIK: Okay. Can we at least work
 16 together -- like I said, I don't want to
 17 commit to something and find out I have a
 18 thousand dollar bill.
 19 CHAIRMAN RAGUSA: You will have the --
 20 if it comes to \$2,000, you have the right to
 21 say, "I don't want it."
 22 MR. CHESNEY: Yes.
 23 CHAIRMAN RAGUSA: We're not going to
 24 force it on you.
 25 MR. SNIZIK: Okay.

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1 MR. ARGUS: And I believe we heard that
 2 staff will be providing the labor, so that's
 3 saving you money right there.
 4 MR. SNIZIK: As long as we can work
 5 together, I think we can make it work.
 6 MR. MAYS: I can get an estimate and
 7 bring it to your house and show it to you.
 8 MR. CHESNEY: We're just being good
 9 neighbors. Excuse me. I'm going to go back
 10 here.
 11 MR. SNIZIK: Yeah.
 12 MR. MAYS: The labor is going to be no
 13 cost. There's no cost in labor, that's why,
 14 so --
 15 MR. SNIZIK: Okay.
 16 MR. MAYS: -- we can do that in-house.
 17 MR. SNIZIK: Okay. As long as we can
 18 figure out a way that we can be involved in
 19 the process, I'd be happy to make that happen
 20 that way.
 21 MR. MAYS: Sure.
 22 CHAIRMAN RAGUSA: Any further
 23 discussion?
 24 (No response.)
 25 CHAIRMAN RAGUSA: All in favor of the

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1 motion, please raise your hand.
 2 (All board members signify in the
 3 affirmative.)
 4 CHAIRMAN RAGUSA: That motion passes
 5 five to nothing.
 6 (Motion passes.)
 7 CHAIRMAN RAGUSA: Thank you.
 8 MR. SNIZIK: Thank you. Appreciate your
 9 time.
 10 CHAIRMAN RAGUSA: Engineer's report.
 11 Let's get the high-paying people out of here.
 12 MS. STEWART: And I'm really highly
 13 paid, let me tell you.
 14 I have just two things. Number one, I
 15 have the contract for the paving company.
 16 I've been working with them since the last
 17 meeting, trying to get them scheduled.
 18 Mr. Chairman, could you please sign
 19 this? It's the same contract that we used in
 20 the previous ones.
 21 Do you mind passing that down?
 22 CHAIRMAN RAGUSA: What's the dollar?
 23 MS. STEWART: 128,000, blah, blah, blah,
 24 whatever was approved at the last meeting.
 25 MR. ROSS: When will the work occur?

<p style="text-align: right;">Page 117</p> <p>1 MS. STEWART: I requested that they give 2 me a schedule so that we can notice the 3 residents and he can give me his performance 4 and payment bond. I haven't heard back from 5 him. 6 MR. ROSS: Do you know what month or 7 what quarter? 8 MS. STEWART: He told me just after the 9 first of the year when I was talking to him 10 during the holidays. So I would anticipate we 11 should commence prior to the next meeting. 12 (Chairman Ragusa signs the contract.) 13 CHAIRMAN RAGUSA: The record should 14 reflect that I executed that contract on 15 behalf of the CDD. 16 MS. STEWART: I'll send you the 17 original, Andy. 18 MR. MENDENHALL: Thanks. I appreciate 19 it. 20 MS. STEWART: The other item I have is 21 in regard to the bid documents for the street 22 lights. 23 MS. McCORMICK: Yes. 24 MS. STEWART: I don't know, Erin, if you 25 want to take lead on that and just have me</p>	<p style="text-align: right;">Page 119</p> <p>1 that we have in our rules for the time period 2 that they have to submit sealed bids. It 3 would be a very tight time frame, though, 4 because the proposals would be due back to the 5 district on January 28th, and then our next 6 CDD meeting that we would be having in -- I'm 7 sorry -- they would be due on Friday, February 8 1st, and then we would potentially have the 9 board consider those proposals and rank them 10 on February 5th of 2013. 11 If you recall, we had the drawings for 12 this project done. We had those completed. 13 The contractor that put together the drawings 14 also put together a proposal package that 15 Tonja reviewed, and then she sent me proposed 16 evaluation criteria for selecting the 17 contractor that's actually going to do this 18 work. 19 And I'm not sure that these are the 20 selection criteria that we ultimately want to 21 use, so this is an issue that I wanted to 22 discuss with the board. Because what was in 23 -- and I don't know if this came from you, 24 Tonja, or if it came from the contractor that 25 did the drawings for this project --</p>
<p style="text-align: right;">Page 118</p> <p>1 provide support information. 2 MS. McCORMICK: Yes, I think so. I'm 3 going to pass out a request for proposals. 4 Tonja, did you see the revised document -- 5 MS. STEWART: I did. 6 MS. McCORMICK: -- that I sent you. 7 MS. STEWART: I did. 8 MS. McCORMICK: Okay. I'm just going to 9 pass this around to the board members, and we 10 need to talk about the proposal process, about 11 the schedule that we're looking at for the gas 12 lamp conversion and how the proposal is going 13 to be evaluated. 14 Initially what we are trying to do is to 15 go ahead and start the proposal process, which 16 would mean we would advertise and notice in 17 the newspaper on Friday and the project 18 manual, including the contract documents and 19 the drawings and specifications for the gas 20 lamp conversion would be available for 21 contractors that are interested in bidding on 22 this project to pick up on Friday, and then we 23 could try to set this up so that the proposals 24 would be due by January 28th. 25 That would meet the 21-day requirement</p>	<p style="text-align: right;">Page 120</p> <p>1 MS. STEWART: It was drafted up by the 2 designer, that's correct. 3 MS. McCORMICK: Okay. So the designer. 4 So that proposal would be that these would be 5 evaluated based on 75 percent of the weight 6 being given for price, 20 percent for 7 contractor experience and personnel and 8 references, and then 5 percent based upon the 9 completeness of the proposal, essentially that 10 they've met all of the requirements of the 11 proposal. 12 You know, there's other things -- 13 there's other factors you may want to consider 14 when you're awarding this contract. You may 15 want to think about the schedule. That could 16 be one of the criteria that you would look 17 at. You may want to look at the understanding 18 of the scope of the work. 19 MR. CHESNEY: Well, a lot of times with 20 bids we've set selection -- I mean, we put 21 some requirements in here, but we set the 22 scoring after we received the bids, so, I 23 mean -- 24 MS. McCORMICK: Well, you would, I 25 think, have to determine how you're going to</p>

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1 evaluate the bids, these proposals, in
2 advance, but you would actually score them
3 after you received the proposals.
4 And, you know, different CDDs do this
5 different ways. Sometimes they have the board
6 just rank these proposals, and sometimes
7 they'll set up a committee that might be
8 comprised of the district engineer and one
9 board member to rank the proposals and make a
10 recommendation to the board, and then the
11 board has the ultimate decision about that.
12 You might want, you know, your field
13 staff to be on that committee, too. So there
14 are different ways that you can do this
15 process, but this is -- this is a very fast
16 track, I think, ambitious schedule, if we're
17 going to try to award this in February. So
18 definitely, you know, take some more time
19 before we award this proposal.
20 I think the issue, my understanding from
21 talking to Tonja and Sonny, is that we're
22 trying to -- we may want to get this work done
23 before the rainy season starts, and it could
24 be that this is going to be a 90- to 120-day
25 project. Is that right, Tonja?

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1 MS. STEWART: That is correct. The
2 contractor or the designer has expressed to
3 Sonny and Doug that it's a minimum of 90 days,
4 and 120 days if we have rain delays.
5 And one of the things I would like to
6 note, in the bid documents, we very clearly
7 separated out any restoration work, because I
8 believe that Doug will want to handle
9 restoration work because we wanted to do it to
10 a level of quality that the residents are
11 going to deem acceptable.
12 So we very specifically said what
13 restoration work they will be responsible for
14 and what Doug would be responsible for. So
15 one of the reasons we get into this rainy
16 season is that restoration costs can go up,
17 there is a lot of disruption. So if we can
18 get, you know, just on the edge of that rainy
19 season, I think we will have less restoration
20 issues.
21 CHAIRMAN RAGUSA: Explain what you mean
22 by restoration issue.
23 MS. STEWART: Sod replacement,
24 irrigation repair, sidewalk repair --
25 MR. MAYS: Plants.

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1 MS. STEWART: -- landscaping.
2 CHAIRMAN RAGUSA: Okay. Well -- go
3 ahead.
4 MR. CHESNEY: Maybe I don't understand,
5 but, I mean, this is very general, the
6 proposal evaluations.
7 MS. McCORMICK: This is not my proposed
8 criteria. This was what the designer proposed
9 for the evaluation criteria.
10 What I was actually suggesting is that
11 you may not want -- you may not want to weigh
12 price that heavily. You may want to give some
13 weight to another issue, such as the schedule,
14 for this project because that may be an
15 important issue for you to think about.
16 CHAIRMAN RAGUSA: Didn't we specify a
17 guaranteed maximum time?
18 MS. STEWART: It states in the draft
19 contract that it has to be done within 120
20 days. If you want to change it to 90, we
21 could. I don't know how comfortable the
22 contractors will feel about that, but, I
23 guess, we can limit it to 90, and then they
24 have to have the staff to be able to
25 accomplish the 90.

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1 CHAIRMAN RAGUSA: Well, can it be done
2 in 90?
3 MS. STEWART: Doug.
4 MR. MAYS: Pretty close, yeah. Most of
5 of the stuff is going to be the underground
6 wiring, you know, the jetting of the driveways
7 -- the borings of the driveways. Excuse me.
8 MS. STEWART: Are there any material
9 ordering issues? Is there a lag time for
10 materials at all?
11 MR. MAYS: There were some equipment --
12 some material issues still in question.
13 That's why he put his proposed bid in such a
14 wide range, like 350 to 9 dollars on certain
15 things.
16 MS. STEWART: What about -- is there
17 like material that takes three weeks to order
18 that would affect our ability to initiate --
19 MR. MAYS: He didn't mention any of
20 that. The biggest thing he said he had to
21 buy, is that they would have to buy the spools
22 that cover 3,000 feet. He said that's not an
23 issue.
24 MS. STEWART: Okay.
25 CHAIRMAN RAGUSA: Can I step back and

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1 make a comment about timing? This has been
 2 around for -- what? -- three and a half years?
 3 MR. MAYS: Somewhere around there.
 4 CHAIRMAN RAGUSA: I don't want to ram
 5 this down the residents' throats right before
 6 our Harbor Links meeting. Do you know when it
 7 is?
 8 MS. WHYTE: It's next Monday.
 9 CHAIRMAN RAGUSA: I was going to say
 10 it's next week. I would be inclined to push
 11 the schedule back 30 days.
 12 MS. STEWART: Okay.
 13 CHAIRMAN RAGUSA: Put it in front of the
 14 residents who show up for the meeting, let
 15 them know we're getting ready to go to bid.
 16 MR. MAYS: Okay.
 17 CHAIRMAN RAGUSA: And make sure that
 18 they're all in agreement and they fully
 19 understand that once that thing goes out to
 20 bid and if we get proposals back that are
 21 acceptable and we waive them, we're going to
 22 be incurring expenses on their behalf.
 23 I don't want to do this and then go to
 24 them and tell them, "Hey, we did this." I'd
 25 rather get the input from a timing

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1 perspective.
 2 Now, whether you just push this back two
 3 weeks or 30 days, I don't know, because
 4 fundamentally if the supervisors are in
 5 agreement with moving forward, maybe we do
 6 just move the schedule back two weeks to avoid
 7 the --
 8 MS. STEWART: I don't think two weeks is
 9 going to make a difference. I mean, we don't
 10 know what Mother Nature is going to do. So
 11 far, she's -- we're in a wet dry season so
 12 far.
 13 So if the past two years are any
 14 reflection, we may not have a reasonable dry
 15 season. So we're going to be up against the
 16 weather anyway, so it's just a shot in the
 17 dark.
 18 CHAIRMAN RAGUSA: Well, if we're all in
 19 agreement tonight, we wouldn't need to come
 20 back for another meeting to approve anything
 21 in the contract, unless the residents
 22 uniformly say no.
 23 MS. STEWART: Okay.
 24 MR. MAYS: That's all going to really
 25 depend on the price, which is what they're

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1 looking for, so --
 2 CHAIRMAN RAGUSA: We can't get them --
 3 MR. MAYS: -- we've kind of got to give
 4 them an RFP first -- I mean, we probably have
 5 to do that first so we can give them the
 6 pricing.
 7 MS. WHYTE: Do we have to accept pricing
 8 on an RFP?
 9 MR. MAYS: We don't have to take it.
 10 CHAIRMAN RAGUSA: Based on that, I
 11 agree, you're right, we don't have to take
 12 it. I'm inclined to move this schedule back
 13 two weeks to accommodate the Harbor Links
 14 meeting. Keep them in the chain, let them
 15 know what's going on, explain that process to
 16 them.
 17 MR. MAYS: Right.
 18 CHAIRMAN RAGUSA: At least let them know
 19 it's going out next week. Does anybody
 20 disagree with the timing?
 21 MR. CHESNEY: No. I'm still kind of
 22 hung up, I guess --
 23 CHAIRMAN RAGUSA: The criteria we need
 24 to hash out, but if you're telling us we're
 25 ready to go out to RFP and you've signed off

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1 on it and you're comfortable with the plans
 2 and everything else, then we might as well do
 3 it. Let the residents know we're doing it the
 4 next week, not last week --
 5 MS. STEWART: For the record, I did have
 6 our electrical engineers take a look at the
 7 plans, and they were very complimentary. They
 8 said they were an excellent set of plans. So
 9 I did review the bid documents and made many,
 10 many modifications myself, so I worked to
 11 solidify the documents.
 12 CHAIRMAN RAGUSA: Okay. Now, do we need
 13 to address the bid criteria separately?
 14 MS. McCORMICK: I think what we need --
 15 I think we need to decide who is going to be
 16 evaluating these, if you're going to set up a
 17 committee that will include some of your
 18 staff, or if you, as a board, are going to
 19 take these proposals and then rank them and
 20 also what criteria you want to use, if you
 21 want to do -- if you want to heavily weigh
 22 price when you're evaluating those or you
 23 want to look at, you know, experience of the
 24 contractors and schedule and the understanding
 25 of the scheduled work.

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<p>1 And when I talk about schedule, I mean, 2 I think you would look at that from an 3 evaluation ranking standpoint by saying, 4 "Okay. We want the bidders to give us a 5 schedule of what the milestones are going to 6 be, that they're going to be accomplishing to 7 make sure that they get us to that 90-day or 8 120-day time period." 9 CHAIRMAN RAGUSA: In a short period, 10 though, a schedule isn't something you 11 typically weight. That's my experience. 12 MS. McCORMICK: Okay. 13 CHAIRMAN RAGUSA: If you're looking at a 14 90-day construction schedule, the milestones 15 can't be that divergent. If you're looking at 16 a three-year project, absolutely. 17 MS. McCORMICK: Well -- and this 18 residential construction project that I'm 19 seeing now scheduled is a significant 20 consideration, and it can be, you know, a 21 phase of a planned development community where 22 there was no schedule. 23 CHAIRMAN RAGUSA: And I don't know if 24 you guys looked at those criteria. I looked 25 at it -- I'd want to know the contractor's</p>	<p>1 going earlier. I mean, can we make this kind 2 of general for the document? I mean, do we 3 always have to -- I know you have to give them 4 some -- what they're going to be judged on, 5 but -- 6 MS. McCORMICK: What they're going to be 7 looking for. 8 MR. CHESNEY: The best. 9 MS. McCORMICK: Well, to the extent that 10 you could put certain weights on each of these 11 items, it's going to give you then a mechanism 12 so that each board member, when they fill out 13 their score sheet that gets tabulated, we'll 14 be able to say, "Okay. We give them one out 15 of 20 points for experience, and I give them, 16 you know, 1 out of 20 points for understanding 17 the scope of the work," and then you take 18 those ranking sheets and you tabulate them. 19 If you don't have any evaluation 20 criteria that you're using and you just say, 21 "Well, we're going to look at these different 22 factors, but, you know, we'll let each board 23 member weight that based on whatever they want 24 to give," you know, as far as weighting of 25 that, and we'll just have them rank those</p>
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<p>1 financial condition. 2 MS. McCORMICK: Okay. 3 MR. CHESNEY: I was going to -- 4 CHAIRMAN RAGUSA: I'm just throwing out 5 other criteria we need to talk about. 6 MR. CHESNEY: -- that's funny you said 7 that, because, well, we are going to require a 8 bond? 9 MS. STEWART: Yes. 10 MS. WHYTE: That's already listed in the 11 RFP. 12 MR. CHESNEY: Oh, is it? 13 CHAIRMAN RAGUSA: Because these are 14 almost a unique design build product. And I 15 want to make sure that whoever is building 16 them and is going to extend a warranty to us 17 has the financial ability to support them two, 18 three, five years down the line. 19 And I know there is no magic guarantee 20 in this economy, who's going to be in business 21 tomorrow. You know, I can list 25 items here, 22 but I just don't know that we really need to 23 go to that level of detail on terms of 24 weighting them. 25 MR. CHESNEY: And that's where I was</p>	<p>1 contractors, then you can do it that way, but 2 I think it makes it a lot more subjective 3 process, because you don't know, you know, if 4 one board member is looking at it the same way 5 another board member is looking at it. 6 CHAIRMAN RAGUSA: Can I ask, the 7 completeness of proposal with the five 8 percent, does that in and of itself say that 9 we don't -- we won't reject any incomplete 10 proposal? 11 MS. McCORMICK: I've never seen -- I 12 mean, like I said, this came from the 13 designer. This was the proposed -- this was 14 the evaluation criteria. I've never seen that 15 before. 16 CHAIRMAN RAGUSA: No. 17 MS. STEWART: We can take it out. 18 MR. CHESNEY: Yeah. And then I agree 19 with Mark. I mean, we don't have anything for 20 -- I don't know -- quality of contractors, 21 what I like to refer to it as. 22 I mean, I don't know if that was covered 23 in contractor's experience. That's not 24 really, I mean -- 25 CHAIRMAN RAGUSA: That's financial</p>

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1 wherewithal, unless you're going to require
2 financials.
3 MS. STEWART: Based on what you're
4 requesting, I believe we're going -- we'll
5 have to add some information on getting some
6 financial history.
7 CHAIRMAN RAGUSA: Yeah, because the
8 worst thing in the world is they start tearing
9 things up and they go belly up two months in.
10 MS. STEWART: And we can also ask for
11 references, that might help --
12 CHAIRMAN RAGUSA: Well, that's in
13 there.
14 MR. CHESNEY: I mean, I like the idea of
15 a schedule, though, but, I mean, if a schedule
16 is in there, then are we going to ask for
17 damages if they don't meet the schedule?
18 MS. STEWART: Okay.
19 MS. WHYTE: I think you keep that in
20 their contract.
21 MR. MAYS: He did mention that the
22 normal is -- for jobs like this is, I think,
23 he said a thousand dollars a day over the
24 120-day --
25 MS. McCORMICK: For liquidated damages.

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1 MS. STEWART: I think I took all that
2 out. I think he used the AIE contract, and I
3 threw all that out and I put in our standard
4 contract. We can put in a thousand dollars a
5 day damages.
6 MS. WHYTE: If they don't complete the
7 project, they -- you know, because you don't
8 want the resident to be --
9 MR. CHESNEY: Okay. So, I mean, I guess
10 what's the next step? I mean, can we get a
11 revised proposal evaluation? Do we have to
12 accept this tonight?
13 MS. McCORMICK: No, we don't have to
14 accept it. And if we're not going to -- so
15 are we going to go ahead and have the project
16 manuals be picked up before the February
17 meeting then? Do you have a desire to do
18 that, or do you want to wait until --
19 MR. CHESNEY: If we don't agree on
20 proposal evaluation, then we can't pass the
21 rest of it --
22 MS. McCORMICK: Right, because we want
23 that to be in the project manual, so --
24 MR. CHESNEY: It has to be,
25 MS. McCORMICK: Yeah. I mean --

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1 CHAIRMAN RAGUSA: We're going to have to
2 wait until February.
3 MS. STEWART: I guess what we can do is,
4 I can work on revising these documents within
5 a week or so, and then redistribute it so that
6 you all have adequate time to review
7 everything and then can contact me directly
8 with any changes individually, and then I can
9 redistribute another draft so that you will
10 have something approvable in February.
11 CHAIRMAN RAGUSA: But you will run that
12 by Erin first?
13 MS. STEWART: Oh, yeah.
14 CHAIRMAN RAGUSA: Okay.
15 MS. STEWART: Erin and I work together.
16 CHAIRMAN RAGUSA: And I know no one has
17 a crystal ball. But how many contractors are
18 are going to respond?
19 MS. STEWART: Not many, I believe.
20 MS. WHYTE: A very unique project.
21 CHAIRMAN RAGUSA: Are we on a single
22 source?
23 MS. STEWART: It's possible.
24 CHAIRMAN RAGUSA: But we don't expect
25 that?

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1 MS. STEWART: To be honest with you, I
2 can't answer that.
3 CHAIRMAN RAGUSA: Okay.
4 MS. STEWART: That's why tightening up
5 the criteria may complicate things.
6 MR. CHESNEY: I mean, tightening up the
7 criteria. A proposal -- I mean, the proposal
8 evaluation is not tightening the criteria.
9 It's determining what we're going to use to
10 judge something. So, I mean, even if it is
11 just one, we still have to say why we accepted
12 them. We have to have a fiduciary duty to say
13 why.
14 CHAIRMAN RAGUSA: Is everybody in
15 agreement? Do we know where we're going?
16 MR. CHESNEY: (Moves head up and down.)
17 CHAIRMAN RAGUSA: Staff and counsel and
18 the engineer are going to work to tighten up
19 the proposal to include some of the things we
20 discussed, the liquidated damage provisions,
21 the schedule, we're going to work on some of
22 the evaluation criteria, we're going to go to
23 the Harbor Links meetings next week, explain
24 to them that this is going to happen in the
25 next 30 days, and then I take it we'll bring

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1 this back to the February 5 meeting.
 2 MS. McCORMICK: Uh-huh. Uh-huh.
 3 CHAIRMAN RAGUSA: Is everybody good with
 4 that?
 5 MR. CHESNEY: Yeah. When is next Harbor
 6 Links meetings?
 7 MS. WHYTE: January 15th, next Monday.
 8 MR. CHESNEY: So, I mean, they just have
 9 an annual meeting?
 10 CHAIRMAN RAGUSA: Yes.
 11 MR. CHESNEY: So we're not going to get
 12 -- I mean, like Doug says, I mean, they're
 13 really interested in the price. I mean --
 14 CHAIRMAN RAGUSA: They can communicate
 15 the price. They can have a special meeting.
 16 MR. MAYS: Yeah.
 17 CHAIRMAN RAGUSA: I hope they would if
 18 they're going to incur this expense.
 19 MR. ZEIGLER: How is the RFP going to be
 20 published or --
 21 MS. McCORMICK: It would be -- it would
 22 be advertised in the newspaper, in Tampa
 23 Tribune or the St. Pete Times, and then they
 24 would pick up the packages from -- well, I
 25 think the way it's set up is they would pick

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1 up the packages from here. The pre-proposal
 2 meeting would be here, and then they would
 3 submit the proposals to Andy's office.
 4 CHAIRMAN RAGUSA: And just out of --
 5 Andy --
 6 MR. MENDENHALL: Yes.
 7 CHAIRMAN RAGUSA: -- you work for Severn
 8 Trent Environmental Services, Inc.?
 9 MR. MENDENHALL: Yes. That's our parent
 10 company basically.
 11 CHAIRMAN RAGUSA: Okay. That's
 12 different than I have seen in everything else.
 13 MR. MENDENHALL: Oh, it's -- yeah, we're
 14 a division of Severn Trent --
 15 CHAIRMAN RAGUSA: Okay. Anything else
 16 on that issue?
 17 MR. ARGUS: No.
 18 CHAIRMAN RAGUSA: Anything else, Tonja?
 19 MS. STEWART: Just real quick. On the
 20 paving, I do want to let you all know that
 21 there are some permanent survey markers on
 22 Whitmarsh for the abutting commercial
 23 properties. So I had the surveyor out, and
 24 he's going to locate them, and then after
 25 we're done, come back and put them in place.

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1 So I just wanted to let you know to
 2 protect those abutting property owners from
 3 any survey problem. That's it. Happy New
 4 Year.
 5 CHAIRMAN RAGUSA: Thank you.
 6 MR. ARGUS: Happy New Year.
 7 MS. WHYTE: Thanks.
 8 CHAIRMAN RAGUSA: Erin.
 9 MS. McCORMICK: That's the only thing I
 10 had.
 11 CHAIRMAN RAGUSA: Okay. What else do we
 12 have?
 13 MR. CHESNEY: That's the only thing you
 14 had? What about the soccer agreement?
 15 MS. McCORMICK: Oh, I'm sorry. Yes, I
 16 have the soccer -- thank you. We have the
 17 soccer agreement that I transmitted to the
 18 board members before this meeting that is for
 19 the spring season.
 20 It's exactly the same format as we've
 21 done in the previous soccer seasons, and I
 22 think the season is starting in February. So
 23 this is our last board meeting that we're
 24 going to be having before the soccer season
 25 would start.

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1 MR. CHESNEY: Okay.
 2 MR. ARGUS: Move to approve it.
 3 MR. MAYS: Actually the last meeting is
 4 -- the soccer season starts the 23rd. They
 5 have assessments.
 6 MS. WHYTE: They have assessments on the
 7 3rd, and then their season starts the 23rd.
 8 MS. McCORMICK: Of January?
 9 MS. WHYTE: February.
 10 MS. McCORMICK: Yeah, but they
 11 assessments February 2nd and 3rd, so that's --
 12 MR. MAYS: My bad.
 13 CHAIRMAN RAGUSA: Do you have the
 14 contract here?
 15 MS. McCORMICK: I did not bring a copy
 16 of it with me.
 17 MR. CHESNEY: Do you want a copy?
 18 MS. McCORMICK: I don't think it was in
 19 my agenda package.
 20 MR. MENDENHALL: No. It was emailed
 21 out, I believe.
 22 MS. McCORMICK: Yes.
 23 CHAIRMAN RAGUSA: Does someone have it?
 24 MS. WHYTE: I don't.
 25 MR. CHESNEY: Not printed out.

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1 MS. WHYTE: I can get it to you
2 tomorrow, Mark.
3 MR. CHESNEY: I thought you all you
4 lawyers are on the iPad now.
5 CHAIRMAN RAGUSA: We have, but I leave
6 it on my desk, though.
7 Yeah, can you get me a good copy? I
8 will swing by and execute it.
9 MS. WHYTE: I'll get you a hard copy.
10 CHAIRMAN RAGUSA: Do we need a motion?
11 MS. McCORMICK: Yes.
12 CHAIRMAN RAGUSA: Mr. Ross.
13 MR. ROSS: I think Mr. Argus made the
14 motion. I'll second it.
15 CHAIRMAN RAGUSA: Oh, I'm sorry.
16 I missed the motion. Thank you. What was the
17 motion?
18 MR. ARGUS: To approve it.
19 CHAIRMAN RAGUSA: Okay.
20 MR. ROSS: Second.
21 CHAIRMAN RAGUSA: All in favor, please
22 raise your hand.
23 (All board members signify in the
24 affirmative.)
25 CHAIRMAN RAGUSA: That motion passes

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1 five to nothing.
2 (Motion passes.)
3 CHAIRMAN RAGUSA: Anything else to
4 remind counsel of?
5 MR. CHESNEY: No. I'm good.
6 CHAIRMAN RAGUSA: You're good.
7 MR. CHESNEY: I didn't look at my list,
8 quite frankly, though.
9 CHAIRMAN RAGUSA: You can come back in.
10 Field manager's report.
11 MR. MAYS: Mine or district?
12 MS. PITHERS: I'm sorry. I feel like
13 I've been skipped maybe.
14 MR. ARGUS: You have.
15 CHAIRMAN RAGUSA: Yeah, we ignored you.
16 MS. PITHERS: Is there any chance that
17 maybe I could go in order?
18 CHAIRMAN RAGUSA: Yes, you actually -- I
19 did skip you. You're up.
20 MS. PITHERS: I've been here for 2
21 hours and 24 minutes to about my --
22 CHAIRMAN RAGUSA: I'm sorry. I missed
23 you, Dyan. Come on up.
24 MS. PITHERS: I was like, what number
25 are we on? Thank you.

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1 I'm here on behalf of the Westchase
2 Community Association. I'm Dyan Pithers,
3 current vice president.
4 We are respectfully requesting -- there
5 have been new posts installed for the banners
6 that are on the median between Sheldon and
7 Linebaugh and Countryway and Linebaugh, which
8 are fabulous. I love the way they flop right
9 into those poles now.
10 We would like to request that we can put
11 a banner up one week before registration of
12 youth and tennis -- adult tennis programs to
13 try to boost participation in those programs,
14 similar to what we do for boosting
15 participation in summer camp.
16 It was a massive success. We had the
17 best summer camp participation in years. As
18 you know, I'm also chair of the master plan
19 committee, which we just approved, and we're
20 working very, very hard to increase
21 participation by residents and provide value
22 for the amenities in the community.
23 So this is part of our plan to be able
24 to raise awareness for those. We currently do
25 have them in the WOW. We just don't seem to

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1 be getting the kind of saturation that we want
2 to get. It seems like people are just so used
3 to looking at it, it's not jumping out.
4 And we don't have -- even though we've
5 increased the sign of our marquees and spent
6 the money to put those, we don't have enough
7 lines to be able to continually put up there
8 either. So we're respectfully requesting that
9 we put it up one time per month, one week
10 before the registration is due, and then take
11 it back down.
12 MR. CHESNEY: So moved.
13 MS. PITHERS: And it's the same banner,
14 four by six, you know, essentially going up.
15 CHAIRMAN RAGUSA: Where is it going
16 now?
17 MS. PITHERS: Both ends of Linebaugh,
18 where like movies in the park, the summer
19 camp.
20 CHAIRMAN RAGUSA: And you want to run
21 them every month.
22 MS. PITHERS: Every month the one week
23 before registration.
24 CHAIRMAN RAGUSA: What do we do when we
25 run into someone else who wants a sign or a

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1 banner up that week?

2 MS. PITHERS: It would be, I guess, at

3 your discretion. I mean --

4 MR. ARGUS: I'm confused.

5 MS. PITHERS: We're just trying to boost

6 participation. We're not looking for

7 exclusivity on specific weeks. So if it was

8 in conflict with another event --

9 CHAIRMAN RAGUSA: The garage sale is the

10 easiest example.

11 MS. PITHERS: Yeah.

12 CHAIRMAN RAGUSA: That sign will go up

13 end of April, early May. How do we handle

14 that conflict?

15 MS. PITHERS: Really, we're very

16 relaxed. This is something we're just looking

17 to boost participation. So if we even make,

18 you know -- if you say, you know, it's not

19 happening in April and October because it

20 conflicts with the garage sale week, that's

21 fine. Just work with Sonny in the office

22 and --

23 CHAIRMAN RAGUSA: Mr. Chesney.

24 MR. CHESNEY: Well, in my mind, I mean,

25 if all we're doing is authorizing or giving

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1 the WCA use of the facility for the signs, I

2 mean, it's their sign for garage sale.

3 I'm trying to think of anyone else -- we

4 never let anyone else put up a sign other

5 than --

6 CHAIRMAN RAGUSA: Sure, we have.

7 MR. CHESNEY: -- I guess, the WOW --

8 CHAIRMAN RAGUSA: Great Westchase, the

9 fall festival.

10 MR. MAYS: Santa parade.

11 MR. CHESNEY: Who does the Santa

12 parade? The WCA?

13 MS. PITHERS: No. That's the Westchase

14 Charitable Foundation.

15 MR. ROSS: What about soccer

16 registration?

17 CHAIRMAN RAGUSA: No, they've never had

18 one.

19 MS. WHYTE: They've never requested one.

20 MR. ROSS: We do it for movies in the

21 park.

22 CHAIRMAN RAGUSA: Mr. Argus.

23 MR. ARGUS: I'm all confused. You mean

24 you're asking for 12 times a year, or just at

25 the beginning of the registration period?

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1 MS. PITHERS: 12 times per year, just to

2 kind of flash it up and -- "It's time to

3 register again." Brings awareness, and then

4 take it right back down, and we would

5 obviously be responsible for payment of the

6 signs, putting them up and taking them down.

7 CHAIRMAN RAGUSA: Do we put them up?

8 MR. MAYS: (Moves head up and down.)

9 CHAIRMAN RAGUSA: We do.

10 MS. PITHERS: You put them up. oh,

11 okay. Well, thank you.

12 CHAIRMAN RAGUSA: Obviously I --

13 MR. MAYS: Sonny's got a suggestion.

14 CHAIRMAN RAGUSA: Yes. Go ahead.

15 MS. WHYTE: I have a suggestion that we

16 try it for a month to see if whether or not it

17 helps your program to see whether or not an

18 issue for the next 11 --

19 MR. ROSS: So move.

20 MR. CHESNEY: Well, how about three

21 months? I mean, one month --

22 MR. ARGUS: Yeah. Yeah.

23 MS. WHYTE: No other than just seeing if

24 you see any kind of an improvement over, you

25 know, of your registration.

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1 MR. CHESNEY: One month is not --

2 CHAIRMAN RAGUSA: It's not realistic.

3 MR. ARGUS: Yeah.

4 MS. WHYTE: Okay. Even two months --

5 even two or three months. But I'm just saying

6 rather than committing to 12 --

7 MS. PITHERS: Why not just permission

8 until revoked, like kind of what you talked

9 about before? It's becoming too onerous,

10 there's too many conflicts. It's your

11 meeting.

12 MR. ROSS: What are you recommending,

13 Sonny?

14 MS. WHYTE: You know, rather than

15 committing to 12, let's see how it goes,

16 because, you know, ultimately we do get a fair

17 amount of requests for banners for charitable

18 -- you know, Westchase-funded programs.

19 MR. ROSS: One, two, three, twelve?

20 MS. PITHERS: We're not charitable. I

21 mean, we're non-profit and we're working

22 together for the community.

23 MS. WHYTE: What do you think? Three

24 months?

25 MR. MAYS: I kind of like what Dyan

<p style="text-align: right;">Page 149</p> <p>1 had. If you see it's a conflict, we just</p> <p>2 don't put them up. If it's a month that</p> <p>3 works, then we go forward with it.</p> <p>4 MR. ROSS: The concern I have about that</p> <p>5 is it puts you guys and staff in a horrible</p> <p>6 position. What happens if somebody else comes</p> <p>7 along and says they've got a great project</p> <p>8 and they want to put their sign up?</p> <p>9 And then you're having to defend why you</p> <p>10 picked this person's sign over that person's</p> <p>11 sign. Almost like what Mark is saying in a</p> <p>12 different way. It's not that we don't trust</p> <p>13 you guys. You're wonderful. But our job is</p> <p>14 not to make your job more difficult. It's to</p> <p>15 provide clarity and make it easier.</p> <p>16 MS. WHYTE: Most times we bring it to</p> <p>17 you, we bring it to the board's attention and</p> <p>18 request your permission.</p> <p>19 MR. ROSS: So you don't mind being the</p> <p>20 bad guy, is what you're saying?</p> <p>21 MS. WHYTE: Do it every day.</p> <p>22 MS. PITHERS: I would like to propose</p> <p>23 that the WCA is not like any other entity or</p> <p>24 charity coming to the CDD for permission. We</p> <p>25 are co -- I don't know -- in this together.</p>	<p style="text-align: right;">Page 151</p> <p>1 MR. ARGUS: For the next three months,</p> <p>2 we sort of agreed to allow the movies in the</p> <p>3 park to have the banner for one week out of</p> <p>4 the month.</p> <p>5 It may make sense to let them do it for</p> <p>6 a six-month trial period at the end of the</p> <p>7 movies of the month. So it would be April,</p> <p>8 May, June, those six months. That way, it's</p> <p>9 not the constant WCA, that you were referring</p> <p>10 to, promotion. That gives them --</p> <p>11 MS. PITHERS: Would that leave the</p> <p>12 summer off?</p> <p>13 CHAIRMAN RAGUSA: When are you starting</p> <p>14 these programs?</p> <p>15 MS. PITHERS: They're ongoing.</p> <p>16 MR. ARGUS: Yes. The tennis leagues</p> <p>17 are --</p> <p>18 MS. PITHERS: We're just trying to</p> <p>19 bolster partition. And actually the summer is</p> <p>20 probably the least effective time to recruit</p> <p>21 promotion -- you know, partition in the</p> <p>22 programs.</p> <p>23 MR. ARGUS: I thought one of the</p> <p>24 programs you wanted to promote is the summer</p> <p>25 camp.</p>
<p style="text-align: right;">Page 150</p> <p>1 We're --</p> <p>2 CHAIRMAN RAGUSA: Well, I think we</p> <p>3 recognize that.</p> <p>4 MS. WHYTE: Oh, absolutely.</p> <p>5 CHAIRMAN RAGUSA: Let me just say my</p> <p>6 personal view. From a fundamental</p> <p>7 perspective, what you are asking to us do is</p> <p>8 to have a semi-permanent banner up one fourth</p> <p>9 of the time for the next year. And that's</p> <p>10 me. The banners are great for a day or two.</p> <p>11 Me, personally, I don't want to see a</p> <p>12 banner there one week a month, absolute</p> <p>13 minimum, and then throw in all the other ones</p> <p>14 that we put up. It can almost becomes a</p> <p>15 permanent fixture. That's my concern.</p> <p>16 MS. PITHERS: I think we use it for, you</p> <p>17 know --</p> <p>18 CHAIRMAN RAGUSA: I'm not saying that</p> <p>19 the purpose isn't there.</p> <p>20 MS. PITHERS: Right.</p> <p>21 CHAIRMAN RAGUSA: Right. And we do want</p> <p>22 to be good neighbors, and we do recognize what</p> <p>23 the WCA is. It's just an advertising that i</p> <p>24 think could be overkill one week a month.</p> <p>25 That's my concern. Bob.</p>	<p style="text-align: right;">Page 152</p> <p>1 MS. PITHERS: We've approved that in the</p> <p>2 past. It's already been in use. That was</p> <p>3 just one of the examples that I used.</p> <p>4 MR. ARGUS: Okay.</p> <p>5 CHAIRMAN RAGUSA: Well, let me just</p> <p>6 throw something else out there.</p> <p>7 Have you given any thought to putting up</p> <p>8 another banner further into the entrances,</p> <p>9 even if it's only 200 yards in?</p> <p>10 MR. MAYS: We've had to do that on a few</p> <p>11 occasions. When we've had two events, we had</p> <p>12 to do it a couple times.</p> <p>13 MS. WHYTE: The parade and food drive, I</p> <p>14 think it was.</p> <p>15 CHAIRMAN RAGUSA: I don't want to have</p> <p>16 banners going up and down Countryway, but that</p> <p>17 that may ease some problems. Mr. Ross.</p> <p>18 MR. ROSS: I would like to make a motion</p> <p>19 subject to further review. I move that we</p> <p>20 permit the WCA to post the requested signage</p> <p>21 no more than once a quarter, and when it is</p> <p>22 posted, to not be longer than a time period</p> <p>23 that we allow the other banners to go up.</p> <p>24 So if everybody else has to take their</p> <p>25 banner down in three days, they take theirs</p>

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1 down.

2 MR. CHESNEY: Is it ten days?

3 MS. WHYTE: No. It's a week.

4 MR. MAYS: That's three times a year.

5 MR. ROSS: No. It would be four times a

6 year, once a quarter.

7 MS. WHYTE: Would it be beneficial to

8 have them, since we don't have a banner sign

9 anywhere on Countryway near the swim and

10 tennis center, would it be -- we have two --

11 would it be beneficial to add another posting

12 somewhere down on Countryway near the swim and

13 tennis centers and further it up this way?

14 But then again, we're going to have

15 movies in the park this month, and we're

16 probably going to have movies in the park next

17 month.

18 MR. CHESNEY: Put one on Hillsborough.

19 No one ever looks up there. We have that

20 piece of land in.

21 MS. WHYTE: I was just throwing it out

22 there, but we do not have any sign at all on

23 Countryway at all.

24 MR. MAYS: I think you're going to start

25 getting to many signs all over there.

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1 MR. CHESNEY: Yeah, that's very narrow,

2 too.

3 MS. PITHERS: Yeah, and I think the two

4 and the traffic pattern is probably the best

5 spot.

6 MS. WHYTE: Okay.

7 MS. PITHERS: You know, we're just

8 trying to, like I said, boost participation.

9 If it conflicts with the movies in the park

10 that's already been approved, or the garage

11 sale, then certainly that can take

12 precedence.

13 MR. CHESNEY: I just want to point out

14 that when you guys asked for the signs

15 originally, you know, I said -- did I not say,

16 why is that -- why didn't you make them bigger

17 to have more announcements?

18 And I don't remember who came to the

19 meeting. It was like, "Oh, no one told me of

20 the meeting" -- I think it was Carlos.

21 CHAIRMAN RAGUSA: I think it was

22 Carlos.

23 MR. CHESNEY: Really? I think he needed

24 really big ones, because I knew this was

25 going -- now we're putting banners all up and

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1 down --

2 MS. PITHERS: I think we put up as big

3 as we could with the easement there with the

4 width. And we actually -- we did put the

5 largest amount of -- because I was involved in

6 that project -- of lines because it has to

7 come up on easel. It's quite a heavy sign

8 with --

9 MR. ARGUS: I'll second the motion, but

10 I have a question.

11 Your motion is once a quarter, but

12 that's of additional banners, and not for the

13 movies and not for the garage sale?

14 MR. ROSS: Exclusive of any other

15 banners.

16 MR. ARGUS: Okay. Yeah, I second the

17 motion.

18 CHAIRMAN RAGUSA: Any discussion?

19 MR. ROSS: We have to pick something.

20 CHAIRMAN RAGUSA: I see where the motion

21 is going. I like the -- I like the test

22 period of a quarter. I would like to see if

23 it helps.

24 MR. ARGUS: So --

25 MR. ZEIGLER: Is it once a month for a

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1 quarter, or is it --

2 MR. ARGUS: Yeah.

3 MR. ZEIGLER: -- once a quarter?

4 MR. ROSS: And this is arbitrary.

5 You've got to pick something. It's either

6 once every six months, once every four months,

7 once a month. I mean, what -- I'm just

8 suggesting to address everybody's concerns

9 because --

10 MR. ZEIGLER: I just don't think it's

11 going to accomplish what she's probably trying

12 to do, but at the same time we're going to

13 have competition for banner space now. You

14 know, we're going to start creating a demand

15 for it.

16 MS. PITHERS: I know my opinion probably

17 doesn't matter with respect to your ultimate

18 decision, but I would rather have a three-

19 month trial period to see whether or not we

20 are able to actually boost participation than

21 have a sporadic quarterly sign.

22 MR. ROSS: Then I'll withdraw the

23 motion.

24 MR. CHESNEY: Okay. And I was going to

25 say, I would be willing to amend my motion --

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1 It never got a second -- to the quarterly
 2 since there obviously was no support for
 3 that.
 4 I mean, I think it would be worth
 5 trying, and then we can maybe think about some
 6 possible solutions here. Yeah, I agree. I
 7 never really gave it that much thought. I
 8 couldn't recall any where we had two at one
 9 time.
 10 MS. PITHERS: And, again, flexibility.
 11 You know, if Sonny calls me and says, "We have
 12 a conflict," we just don't put it up that
 13 month. We are just trying to raise --
 14 MR. CHESNEY: Or put it a different --
 15 MR. ARGUS: -- or we'd have to put it at
 16 a different week then.
 17 MS. PITHERS: We can't put it a
 18 different week because the programs cycle on a
 19 four-week period on a specific --
 20 MS. WHYTE: Do you have a specific
 21 date?
 22 MS. PITHERS: I could get a six-month
 23 schedule for you and maybe we can work with
 24 Mike on tailoring those so there aren't
 25 conflicts. We're open to doing those.

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1 MR. CHESNEY: Yeah. Yeah.
 2 MS. WHYTE: This time of the year is not
 3 a huge issue. The only thing we do have is
 4 movies in the park, but it would be movies in
 5 the park take down. It would probably -- most
 6 probably would be the tennis program up, so
 7 you'd have banners for a two-week period in
 8 the medians.
 9 CHAIRMAN RAGUSA: Can you stack the
 10 banners one on top of others?
 11 MR. MAYS: We didn't order big enough
 12 poles. We'd have to order bigger poles. Then
 13 it starts to become a line of sight.
 14 MS. PITHERS: Yeah.
 15 MS. WHYTE: And we don't want to get
 16 into --
 17 CHAIRMAN RAGUSA: Mr. Ross.
 18 MR. ROSS: So is your motion that we do
 19 it once a month for three months?
 20 MR. CHESNEY: Yeah.
 21 MR. ROSS: I'll second it.
 22 CHAIRMAN RAGUSA: Any further
 23 discussion?
 24 (No response.)
 25 CHAIRMAN RAGUSA: All in favor please

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1 raise your hand.
 2 (All board members signify in the
 3 affirmative.)
 4 CHAIRMAN RAGUSA: That motion passes
 5 five to nothing.
 6 (Motion passes.)
 7 MS. PITHERS: Thank you. I have a
 8 peripheral issue and request. Some of the
 9 banners that we have invested money in that do
 10 go up, like the garage sale banners, are too
 11 big for what was put in the ground, which is
 12 four by six, which I think is a more
 13 manageable size. I agree with what's put in,
 14 but we have money invested in larger banners
 15 that we don't really want to respond.
 16 We would like to request that at our
 17 expense, at WCA's expense, we can put in
 18 another post-hole receptacle to handle the
 19 post that already exists, to go out a little
 20 bit further, if that's a possibility to
 21 accommodate those --
 22 MR. CHESNEY: Just for the garage sale,
 23 just for the existing banners?
 24 MS. PITHERS: The garage sale --
 25 MR. MAYS: Movies in the park.

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1 MS. PITHERS: -- and movies in the park.
 2 MS. WHYTE: And movies in the park as
 3 well.
 4 MR. ZEIGLER: How much bigger is it?
 5 MS. PITHERS: They're six by eight. And
 6 right now we just use a -- I think it's a
 7 piece of --
 8 MR. MAYS: We use wrought iron --
 9 MS. PITHERS: Yeah. And it kind of --
 10 CHAIRMAN RAGUSA: Let me ask you, do we
 11 have mounts in the ground there?
 12 MS. PITHERS: Uh-huh.
 13 MR. MAYS: We have mounts, so we could
 14 use the custom posts that we use in the
 15 community --
 16 MS. WHYTE: So it's more decorative.
 17 MR. MAYS: Finials on top and --
 18 MS. PITHERS: Right.
 19 CHAIRMAN RAGUSA: So we would need to
 20 drop another hole in the ground to get another
 21 pole?
 22 MR. MAYS: No.
 23 MS. PITHERS: No. Same pole, just --
 24 MR. MAYS: Just move the pole out.
 25 CHAIRMAN RAGUSA: Yeah.

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1 MS. PITHERS: So we'll pay for the
 2 receptacle just to have some options there.
 3 CHAIRMAN RAGUSA: The problem is, we
 4 have a policy; we limited the size of the
 5 signs.
 6 The banner is -- what? -- \$200? Can't
 7 be more than that.
 8 MR. ARGUS: It's less.
 9 CHAIRMAN RAGUSA: Yeah, it's less than
 10 that.
 11 MS. PITHERS: They're not less than
 12 that.
 13 MR. ARGUS: Four by six.
 14 CHAIRMAN RAGUSA: I bought a bunch of
 15 them, believe me. Every sign shop in this
 16 side of town will do it less than \$200, six
 17 color, too.
 18 MR. ARGUS: Yeah.
 19 MS. PITHERS: So currently we put up six
 20 by eight, they're not allowed, our banners?
 21 MR. MAYS: The old ones, right.
 22 CHAIRMAN RAGUSA: Yes. We limited the
 23 size.
 24 MR. ARGUS: It's not six by eight. It's
 25 typically -- most of your banners are three by

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1 eight.
 2 MS. PITHERS: Our banners have always
 3 been six by eight. So I was not aware that
 4 you're not allowing the banners that go up
 5 now.
 6 MR. MAYS: We still use them --
 7 MS. PITHERS: Okay.
 8 MS. WHYTE: We use -- yeah. Sorry.
 9 MR. MAYS: -- all night long on that
 10 post.
 11 MS. WHYTE: We were using them -- as
 12 Charlie told us, you guys didn't have them in
 13 the funds because your budget was closed, so we
 14 let go this year until you rebudget and
 15 reorder and bring back to your board. It went
 16 to your board.
 17 MS. PITHERS: Oh. That didn't come back
 18 to us.
 19 CHAIRMAN RAGUSA: Size is a concern.
 20 What do you guys want to do?
 21 MR. CHESNEY: I just -- the way it's
 22 been going. I mean, why wouldn't you just do
 23 it the way it's been --
 24 CHAIRMAN RAGUSA: It's which sign?
 25 MS. PITHERS: Movies in the park and the

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1 garage sale are currently larger than the
 2 posts that were put in.
 3 MR. ZEIGLER: Is it a problem right now
 4 the existing way?
 5 MR. MAYS: No.
 6 MR. ARGUS: If you put the receptacle
 7 in, you never get rid of the larger banners.
 8 CHAIRMAN RAGUSA: All right. What's the
 9 board's inclination?
 10 MS. PITHERS: We just wanted it to look
 11 right and not sort of hanging --
 12 CHAIRMAN RAGUSA: I didn't realize the
 13 movies in the park was six by eight.
 14 MR. ARGUS: It's not.
 15 MR. MAYS: It's like a four by eight.
 16 It's short, but it's long.
 17 MR. ZEIGLER: I've never noticed it to
 18 be a problem. I never even noticed the
 19 difference, to be honest with you, so I --
 20 CHAIRMAN RAGUSA: The garage sale is
 21 bigger.
 22 MS. PITHERS: I think you use metal
 23 posts for that one, don't you?
 24 MS. WHYTE: We have to.
 25 CHAIRMAN RAGUSA: We're basically, to be

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1 consistent for policy purposes --
 2 MS. PITHERS: Would like us to buy new
 3 signs in 2014.
 4 CHAIRMAN RAGUSA: I think it would make
 5 sense to budget for it.
 6 MS. PITHERS: That didn't make it into
 7 our budget. Right?
 8 CHAIRMAN RAGUSA: It would make sense to
 9 budget for it. I think we can grandfather in
 10 the old signs that we've allowed.
 11 MR. CHESNEY: Which is what we've been
 12 doing.
 13 MS. PITHERS: Okay. And just to leave
 14 them hanging the way they are, rather than
 15 putting in a receptacle at our cost?
 16 CHAIRMAN RAGUSA: I'll let's staff deal
 17 with that. That's a logistical issue.
 18 MR. MAYS: Stop by. We'll work it out.
 19 MS. PITHERS: Okay. Thank you.
 20 CHAIRMAN RAGUSA: All right. Moving
 21 further up here, let's go with the manager's
 22 report.
 23 MR. MENDENHALL: All right. Just three
 24 quick updates, and then one to-do item. I
 25 have just been contacted by voice mail by the

<p style="text-align: right;">Page 165</p> <p>1 attorney for the Enclave homeowners 2 association.</p> <p>3 If you recall, they're the one village 4 we need to get the TECO lights transferred 5 back into their hands as they actually own 6 them. So that should happen shortly.</p> <p>7 We had an appraisal done awhile ago of 8 district property. We have that. It's 9 completed. Typically what we would do from 10 there is then of course talk to the insurance 11 company to make sure that everything is 12 covered in the appropriate amounts. That sort 13 of thing.</p> <p>14 The interesting thing that happened 15 between the process of getting the appraisal 16 and taking that step was the insurance company 17 was ready to send out somebody to appraise 18 your property. So I'm working with the 19 insurance company right now just to make sure 20 that they'll accept this appraisal, which, of 21 course, is independent from who they would 22 send out, and then I'll report back to you as 23 far as if there any changes, less or more, to 24 the property that you have and what it's 25 insured for.</p>	<p style="text-align: right;">Page 167</p> <p>1 MS. McCORMICK: Okay.</p> <p>2 MR. MENDENHALL: And then we'll talk 3 with the auditor and see if that's good 4 enough. It should be, I mean, at least from 5 what I've seen in other districts. So we 6 should be set with that.</p> <p>7 MS. McCORMICK: Okay.</p> <p>8 MR. MENDENHALL: Finally the one item 9 that's to do, we had last -- after each 10 election, by statute, you're required to 11 relocate your officer structure. You can 12 choose to do nothing or at least reaffirm what 13 you have, but it's an item that we tabled from 14 the last meeting because of the fact that 15 we're going to be appointing a potential board 16 member.</p> <p>17 And so in your meeting package you have 18 Resolution 2013-1. The way that this is 19 usually handled is you're -- a few ways. If 20 you want to reaffirm the current board 21 structure, you can do that by merely approving 22 this resolution with the same structure that 23 you have in place, of course, adding your new 24 board members as assistant secretaries, which 25 is typically what you wind up doing, as well</p>
<p style="text-align: right;">Page 166</p> <p>1 MR. CHESNEY: I'm sure they'll accept it 2 because it's a licensed appraiser.</p> <p>3 MR. MENDENHALL: I would guess, but it's 4 a formality. We actually had to stop the guy 5 from coming out here, so the -- we're working 6 on the audit right now we're working on the 7 audit right now. Just a few outstanding items 8 that are left that we've been working with 9 Erin and Tonja as far as really some 10 conveyance of properties. The auditor, of 11 course, wants to know, what was the value of 12 those conveyances and the details behind it.</p> <p>13 So that should be done probably by, I 14 understand, the 15th of January, and then, of 15 course, Alan comes out with the first draft of 16 the audit; that sort of thing.</p> <p>17 MS. McCORMICK: They don't need an 18 appraisal, though, of the roadway conveyance, 19 or do they?</p> <p>20 MR. MENDENHALL: It's my understanding 21 that they don't.</p> <p>22 MS. McCORMICK: Okay.</p> <p>23 MR. MENDENHALL: That's one of the 24 details we're finding out. Tonja is going to 25 be providing me with the estimates tomorrow.</p>	<p style="text-align: right;">Page 168</p> <p>1 if you want any changes, then in that case, 2 we're looking for nominations from anybody on 3 the board for a position of, first, we go with 4 chair, then we would go vice chair, and, of 5 course, any other positions that you choose to 6 appoint.</p> <p>7 Typically the secretary is myself, so I 8 can sign off on certain documents for the 9 district. The treasurer and assistant 10 treasurer are usually two folks from Severn 11 Trent, usually the director of our management 12 services, which is Bob Koncar, so he can sign 13 off on certain financial documents, if 14 necessary; and the assistant treasurer is 15 Stephen Bloom, who is the manager of our 16 accounting area, and he would be the back-up 17 for Bob.</p> <p>18 Of course, you always have the 19 opportunity that anybody on the board can have 20 one of those positions instead, but that's just 21 typically how it's handled for convenience of 22 being able to sign documents.</p> <p>23 So I'll kind of give that back to the 24 board as to how you want to handle it.</p> <p>25 CHAIRMAN RAGUSA: Mr. Ross.</p>

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1 MR. ROSS: I would like to make a motion
2 that we approve and adopt Resolution 2013-1 as
3 drafted with the addition that Mark Ragusa be
4 the chairman and Greg Chesney be the vice
5 chairman.
6 MR. ARGUS: The secretaries? Typically
7 the --
8 MR. ROSS: All the rest of us as
9 assistant secretaries.
10 MR. ARGUS: Second.
11 CHAIRMAN RAGUSA: Do you want to be
12 chair?
13 MR. CHESNEY: In title or just -- I
14 mean, I have no --
15 CHAIRMAN RAGUSA: If no one else desires
16 to be chair, I'll serve as chair.
17 MR. CHESNEY: That's fine.
18 CHAIRMAN RAGUSA: Do we have a second?
19 MR. ROSS: He did.
20 MR. ARGUS: I seconded it.
21 CHAIRMAN RAGUSA: All in favor of the
22 motion, raise your hand.
23 (All board members signify in the
24 affirmative.)
25 CHAIRMAN RAGUSA: That motion passes

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1 five to nothing.
2 (Motion passes.)
3 MR. MENDENHALL: That's my report this
4 evening.
5 CHAIRMAN RAGUSA: Thanks. Supervisor
6 requests.
7 MR. MAYS: We do have one thing,
8 Mr. Ragusa.
9 CHAIRMAN RAGUSA: Oh, okay. Field
10 manager's report.
11 MR. MAYS: It's nothing major. You got
12 our report. I just want to give you an update
13 on the irrigation audit that's being done.
14 He contacted Sonny today, and at this
15 point he needs another month to finish it,
16 then at this point everything is looking very
17 well done according to his report. So, so
18 far, it looks good. That's all.
19 CHAIRMAN RAGUSA: Excellent.
20 Supervisors.
21 MR. ZEIGLER: I think it was last
22 meeting that there was a topic brought up
23 about coyotes. We were going to look into
24 researching it or whatever.
25 I can kind of probably wrap this up for



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1 you guys. I spoke to a fish and wildlife
2 officer. He referred me to a guy at the USDA
3 that does trapping. And they have a program
4 that revolved around coyotes and nuisance
5 animals.
6 And basically they both said the same
7 thing: "Welcome to the neighborhood." The
8 only way that you will have a real problem,
9 one, is if you have one that's rabid. If
10 they're rabid, you're going to see them all
11 the time, throughout the daytime.
12 They're going to be kind of drunk
13 acting. They're not going to be normal
14 acting. Otherwise, they said they're highly
15 intelligent animals. They're going to stay
16 away from you.
17 If you want to pursue some type of
18 trapping program, it's fairly expensive, but
19 he said it's upwards of about \$6,000 a month
20 for five days a week on. They have an officer
21 come in the morning and the evening.
22 Saturdays and Sundays, they retrieve the
23 traps, take them out.
24 And basically it's -- you know, it's
25 like alligators. You know, you're just going

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1 to have to live with them. They said huge
2 problems in Bradenton. They even have them at
3 TIA. They pulled 18 out of TIA in the last
4 month -- year and a half, so they're here.
5 He said basically for the residents,
6 when it comes to warning residents or just
7 making them just aware of it, if they're
8 walking small dogs, keep small dogs close to
9 you, is what he said.
10 They're -- the animals are afraid of
11 humans to the point where they would never
12 ever try to attack an animal if it's close to
13 a human being. They're just not that bold.
14 That's kind of it in a nutshell.
15 MR. MAYS: That's pretty much the
16 information that Sonny received on the few
17 people that she contacted also.
18 CHAIRMAN RAGUSA: Is there a further
19 desire to explore that in light of the
20 potential cost?
21 MR. ROSS: (Moves head from side to
22 side.)
23 MR. ARGUS: (Moves head from side to
24 side.)
25 MR. ZEIGLER: No.

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<p>1 CHAIRMAN RAGUSA: Any desire to hire 2 some of Doug's buddies? 3 MR. ZEIGLER: Well, he did say being in 4 unincorporated in the county we can clearly 5 take a shot at one if it's in our yard. 6 MR. MAYS: Really. 7 MR. ZEIGLER: Yes. 8 CHAIRMAN RAGUSA: You can always defend 9 your life or your castle. 10 (Multiple speakers speaking at once.) 11 CHAIRMAN RAGUSA: All right. Anything 12 else on that issue? 13 (No response.) 14 CHAIRMAN RAGUSA: Thanks, Brian. Any 15 other supervisor comments. Welcome back, 16 Mr. Argus. 17 MR. ARGUS: Thank you. 18 CHAIRMAN RAGUSA: Mr. Barrett. 19 MR. BARRETT: Just from the peanut 20 gallery, I did run a report that a Florida 21 panther was spotted in Radcliffe, and I had 22 a Brentford resident reach out to me, who is 23 sane and is not known for exaggeration, and 24 she confirmed that she also spotted probably 25 the same panther at the back tree tops on her</p>	<p>1 become stagnant, we are only maintaining the 2 community versus enhancing and further 3 developing the community. And I know that the 4 WCA, including Dyan, has some ideas about 5 what we can do to improve the CDD's assets. 6 I would encourage all of you to think 7 about that and reach out to people to see if 8 there are things we can be doing to improve 9 our assets. I think we need to coordinate a 10 liaison with the WCA to pick their brain in 11 terms of recommendations that may have come up 12 through their capital improvement project plan 13 or their master plan, I think they called it. 14 So, you know, I would challenge all of 15 us, if you're so inclined, to go down that 16 path. Whether it's small or very large, let's 17 take a look at it over the coming year and 18 certainly be ready for the budget season. 19 MR. MAYS: CDD Bar and Grill. I want to 20 bring up -- I didn't bring up independently -- 21 I want to talk about enhancing the splash 22 park. It was on that list. That is something 23 I brought a couple of years ago. 24 MS. WHYTE: Playground. 25 MR. CHESNEY: Playground.</p>
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<p>1 run. 2 So I'm at the comfort level now that I 3 think there's probably a male panther in the 4 conservation floor that extends from the back 5 of the tree top, all the way over to 6 Radcliffe, probably up to Ed Radice Park. So, 7 again, nothing to be scared. 8 The same advice from fish and wildlife: 9 They're scared of humans. There's not much 10 you can do, but you might get some alarming 11 reports, but -- 12 MS. WHYTE: It's not a bobcat? 13 MR. BARRETT: It's not a bobcat. 14 CHAIRMAN RAGUSA: There is a big 15 difference. 16 MR. BARRETT: I mean, I just thought I'd 17 let you know there is a panther out there. 18 CHAIRMAN RAGUSA: Let me -- as much 19 grief as I gave Mr. Barrett for his annual 20 wrap-up article on in the World of Westchase, 21 it does raise a good point we need to think 22 about; and, that is, whether we want to engage 23 in any capital improvements over the next year 24 or two. 25 There is a belief among some that we've</p>	<p>1 CHAIRMAN RAGUSA: So my suggestion is, 2 if you have a suggestion, get it to staff, 3 staff can start exploring the possibilities in 4 terms of pricing, et cetera. Yes. 5 MS. WHYTE: I'd also -- as we're in 6 January now and we're getting closer to the 7 budget cycle and Alan will be calling me 8 shortly, please call me if you have anything 9 you'd like to see other than just capital 10 improvements that you would like to see in the 11 budget or that we need to look at -- 12 CHAIRMAN RAGUSA: Okay. 13 MS. WHYTE: -- because it is going to 14 take a little bit of time to do -- you know, 15 to do some research and get pricing on that. 16 So keep that in mind. I don't want to do it 17 at the end of the cycle -- at the end of 18 March. My daughter is getting married, so I 19 prefer earlier than later, if possible. 20 CHAIRMAN RAGUSA: Okay. And, Doug, for 21 the record, December was a record-breaking 22 month for Mays park. Six people -- 23 MS. WHYTE: Did you see -- 24 CHAIRMAN RAGUSA: -- including a 25 double.</p>

<p style="text-align: right;">Page 176</p> <p>1 CHAIRMAN RAGUSA: So my suggestion is, 2 if you have a suggestion, get it to staff, 3 staff can start exploring the possibilities in 4 terms of pricing, et cetera. Yes. 5 MS. WHYTE: I'd also -- as we're in 6 January now and we're getting closer to the 7 budget cycle and Alan will be calling me 8 shortly, please call me if you have anything 9 you'd like to see other than just capital 10 improvements that you would like to see in the 11 budget or that we need to look at -- 12 CHAIRMAN RAGUSA: Okay. 13 MS. WHYTE: -- because it is going to 14 take a little bit of time to do -- you know, 15 to do some research and get pricing on that. 16 So keep that in mind. I don't want to do it 17 at the end of the cycle -- at the end of 18 March. My daughter is getting married, so I 19 prefer earlier than later, if possible. 20 CHAIRMAN RAGUSA: Okay. And, Doug, for 21 the record, December was a record-breaking 22 month for Mays park. Six people -- 23 MS. WHYTE: Did you see -- 24 CHAIRMAN RAGUSA: -- including a 25 double.</p>	<p style="text-align: right;">Page 178</p> <p>1 affirmative and the motion passes.) 2 (At 6:55 p.m., the meeting concludes.) 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25</p>
<p style="text-align: right;">Page 177</p> <p>1 MS. WHYTE: -- did you see the Christmas 2 decorations on the oak trees? 3 MR. CHESNEY: Yes. I saw somebody 4 taking a nap on the -- I thought he was a 5 resident. At first, I was like -- 6 MS. WHYTE: A lot of the residents are 7 on the park benches. 8 CHAIRMAN RAGUSA: What it is, the people 9 in the medical -- the Bay Care facility go 10 there to smoke. 11 MS. WHYTE: Well, at least it's 12 comfortable. 13 CHAIRMAN RAGUSA: That's who that is. 14 MS. WHYTE: It does get used a lot, all 15 of the benches I've noticed. This winter, as 16 the weather is nice, there is a lot of people 17 out. 18 CHAIRMAN RAGUSA: And holiday 19 decorations look very good, by the way. 20 MR. BARRETT: Anybody interested 21 changing it to Mays Smoking Park? 22 MR. CHESNEY: Motion to adjourn. 23 MR. ZEIGLER: Second. 24 CHAIRMAN RAGUSA: All in favor, aye. 25 (All board members signify in the</p>	<div style="text-align: center;">  <hr/> Mark Ragusa Chairman, Westchase CDD </div> <div style="text-align: center;">  <hr/> Andrew P. Mendenhall, PMP Secretary, Westchase CDD </div>