

RE: WESTCHASE COMMUNITY DEVELOPMENT DISTRICT

TRANSCRIPT OF: BOARD MEETING

DATE: June 4, 2013

PLACE: Westchase Community
Association Office
10049 Parley Drive
Tampa, Florida

TIME: 4:04 p.m. to 7:16 p.m.

REPORTED BY: Kimberly Himes
Notary Public
State of Florida at Large

RICHARD LEE REPORTING

(813) 229-1588

TAMPA: email: rlr@richardleereporting.com ST. PETERSBURG:
100 North Tampa Street, Suite 2060 535 Central Avenue
Tampa, Florida 33602 St. Petersburg, Florida 33701

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APPEARANCES:
WESTCHASE COMMUNITY DEVELOPMENT DISTRICT
BOARD MEMBERS:Mark Ragusa, Chair
Greg Chesney
Brian Ross
Brian Zeigler
Bob Argus

ALSO PRESENT:

WESTCHASE COUNSEL:
Erin McCormick, Esquire
SEVERN TRENT SERVICES:
Andy Mendenhall, District ManagerWESTCHASE STAFF:
Doug Mays
Sonny Whyte

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<p style="text-align: right;">Page 5</p> <p>1 The transcript of the Westchase Community 2 Development District Board Meeting, taken on the 4th 3 day of June, 2013, at the Westchase Community 4 Association Office, 10049 Parley Drive, Tampa, 5 Florida, beginning at 4:04 p.m., reported by 6 Kimberly Himes, Notary Public in and for the State 7 of Florida at Large. 8 * * * * * 9 CHAIRMAN RAGUSA: Good afternoon. I'm 10 Mark Ragusa. Welcome to the June 4, 2013 11 meeting of the Westchase Community Development 12 meeting -- Westchase Community Development 13 District. It's been a long day already. I'm 14 sorry. 15 The record should reflect that all 16 supervisors are present. We are waiting for 17 counsel, but we're going to go ahead and get 18 started before Erin appears. 19 Mr. Zeigler, would you lead us in the -- 20 in the -- in saying the Pledge of Allegiance. 21 MR. ZEIGLER: All right. 22 (The Pledge of Allegiance was recited.) 23 CHAIRMAN RAGUSA: Thank you. 24 All right. On the Consent Agenda, I am 25 aware that Mr. Argus did point out a scrivener</p>	<p style="text-align: right;">Page 7</p> <p>1 didn't see you there. Tonja, do you want to go 2 ahead and start? 3 MS. KNAST: Here's a chair right here. 4 MS. STEWART: Oh, no, I'm fine. Thank 5 you. 6 MR. BARRETT: I showered. 7 MS. KNAST: I did, too. 8 CHAIRMAN RAGUSA: That's not what it is, 9 Chris. 10 MS. STEWART: I'm here for a couple 11 reasons. The first one is Doug and I have 12 discovered the infamous sump -- can you say 13 the last name of the resident? Konzelmann -- 14 MR. MAYES: Konzelmann. 15 MS. STEWART: That's what you probably 16 know it as, but it's interconnected with the 17 drainage system in West Park Village in 18 general. But what's happened is they 19 submitted a concern over some erosion, so I 20 started doing some further investigation, and 21 it's kind of leading to some direction from 22 the Board. 23 The area in orange is the area where the 24 sump is supposed to be. Okay? It, basically, 25 is supposed to go right up to the five-foot</p>
<p style="text-align: right;">Page 6</p> <p>1 error that, candidly, I don't know that it can 2 really be corrected. It does appear that 3 there's a word or two missing. Were there any 4 other changes? 5 MR. ARGUS: I had four others. It was 6 mostly capitalization and spelling. 7 CHAIRMAN RAGUSA: Okay. I was not aware 8 of anybody else's corrected. Do we have a 9 motion to approve the Consent Agenda with 10 those listed errors from the transcription? 11 MR. ARGUS: So moved. 12 CHAIRMAN RAGUSA: We have a motion to 13 approve the Consent Agenda. Do we have a 14 second? 15 MR. ZEIGLER: Second. 16 CHAIRMAN RAGUSA: All in favor, please 17 signify by raising your hand. 18 (All board members raised their hands.) 19 CHAIRMAN RAGUSA: That motion passes 20 five to nothing. 21 (Motion passes.) 22 CHAIRMAN RAGUSA: Tonja is not here yet, 23 am I correct? 24 MS. WHYTE: She is. She's out there. 25 CHAIRMAN RAGUSA: Oh, I'm sorry. I</p>	<p style="text-align: right;">Page 8</p> <p>1 side yard of the lot. Okay? The area in blue 2 is what's been built. 3 You can see the size is significantly 4 smaller. And what's happened is the area 5 where the pond actually exists that's supposed 6 to be a pond, basically, we have some 7 playground encroachments; we some landscaping 8 encroachments; we have some fence 9 encroachments. 10 I told the resident -- we met on site. 11 I told the resident that this system was just 12 cleaned out last year. The bulkheads were all 13 removed. So I wanted to wait until we had a 14 nice rainy season to see how this functioned. 15 We do have some water that is flowing over the 16 sidewalk into this pond through the system. 17 So do have some -- some different conditions 18 that we need to take a look at in this area in 19 general. 20 But, obviously, if we wanted to excavate 21 this to the limits of the design, it would 22 impact both of these property owners. So I, 23 basically, suggested to them to let us get 24 through some rain. Let's see how it 25 functions. If this all flows okay, then we'll</p>

<p style="text-align: right;">Page 9</p> <p>1 come back to the Board and say, "Hey, it's okay 2 to leave it this way." But the one thing we 3 may have to deal with is the fact that their 4 fence is right up on the slope and whether or 5 not we have any erosion repair. 6 So I wanted to advise the Board of the 7 situation and see if you have any questions or 8 concerns or any instructions in terms of how 9 we handle it at this point. 10 CHAIRMAN RAGUSA: Let me back you up. 11 Tell us what you mean by a sump. 12 MS. STEWART: A sump is basically just 13 a small hole in the ground that stores water. 14 It is -- basically, it pretreats the water 15 before it discharges into the wetland itself. 16 CHAIRMAN RAGUSA: Being different than a 17 detention pond? 18 MS. STEWART: Yeah, and -- and believe 19 it or not, "detention, retention," don't 20 listen to all that. It's a storm-water pond, 21 and it's got its own little, you know, 22 operational thing. So your ponds are wet -- 23 wet detention ponds. 24 CHAIRMAN RAGUSA: And the pic -- the 25 color photo you held up -- yes -- what is the</p>	<p style="text-align: right;">Page 11</p> <p>1 CHAIRMAN RAGUSA: And what direct impact 2 is that having at this stage? 3 MS. STEWART: It -- there are some -- 4 water had backed up in the past and created 5 some problems, but I believe that is 6 associated with the bulkheads in the outfall 7 structure. 8 So I got my fingers crossed that when we 9 get into the rainy season, that the water will 10 flow out since they removed those bulkheads 11 and not create the back-up that we had 12 before. 13 CHAIRMAN RAGUSA: Well, we did -- the 14 property was brought to our attention by 15 virtue of erosion. Correct? 16 MS. STEWART: Correct. 17 CHAIRMAN RAGUSA: Now, has that been 18 stabilized, or have we not taken any action on 19 the erosion? 20 MS. STEWART: We haven't taken any 21 action on that. Pretty much because, first of 22 all, it's a complicated washout because it's 23 right up against the fence. So getting access 24 to it and being able to make that kind of 25 repair is a little complicated all by itself,</p>
<p style="text-align: right;">Page 10</p> <p>1 black circle -- oval? 2 MS. STEWART: That's, basically, the 3 actual pond area. Ignore the blue shading. 4 That's not exactly -- I actually tried to 5 print it so it wouldn't show that in blue. 6 And just underneath where I hand drew it is 7 actually the limits of the water. And it's 8 supposed to be all the way over here up and 9 around. So it's probably about half the size 10 it is supposed to be. 11 MR. ARGUS: Then it's not supposed to 12 connect to the other blue area? 13 MS. STEWART: It connects through a weir 14 right here into this wetland. This blue area, 15 it flows through, and there's an outfall 16 structure in this wetland, and it pops off 17 into -- 18 MR. ARGUS: Okay. 19 MS. STEWART: -- this pond. And then 20 it's connected to the outfall structure, which 21 is the main outfall structure in West Park 22 Village. 23 CHAIRMAN RAGUSA: So the as-build is 24 roughly half the size of the as-designed? 25 MS. STEWART: That's correct.</p>	<p style="text-align: right;">Page 12</p> <p>1 which kind of led to this whole thing about: 2 Well, we might need to do their fence anyway. 3 We might want to regrade that slope a lot 4 flatter so that when we do put grass on it, 5 it might be a lot more stable than the way it 6 is today. 7 CHAIRMAN RAGUSA: Who owns the fence? 8 MR. MAY: Mr. Gilligan. The Gilligans. 9 CHAIRMAN RAGUSA: The residents -- 10 MR. MAY: Yes. 11 CHAIRMAN RAGUSA: -- are the -- 12 gentlemen, any other questions? 13 MR. ZEIGLER: This is not the same 14 property as the one that had the depression in 15 the ground? 16 MS. STEWART: No. We're still 17 monitoring that situation. 18 CHAIRMAN RAGUSA: What is your 19 recommendation? 20 MS. STEWART: I think we can -- let's 21 get through a rainy -- you know, next month, 22 and let the rain go through the system, and 23 let's see if it backs up. And if it flows 24 properly, then I'll recommend maybe we just 25 basically in order to stabilize the slope, ask</p>

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1 them to move their fence and flatten that
2 slope out and leave it alone.
3 MR. ARGUS: And if it turns out not to
4 be adequate -- when this fills up, it just
5 washes over the sidewalk and it doesn't affect
6 any other property owners?
7 MS. STEWART: Not so far it hasn't.
8 MR. ARGUS: Okay.
9 MS. STEWART: So far it's been just the
10 sidewalk on the backside.
11 CHAIRMAN RAGUSA: Mr. Barrett, you had a
12 question.
13 MR. BARRETT: Just a clarification.
14 When you say -- excuse me -- it is half the
15 size it was designed, is that because it just
16 wasn't built right, or has something happened
17 since it was built that has shrunk the size of
18 it?
19 MS. STEWART: I don't know the answer to
20 that. My suspicion is it probably was built
21 like that. Because it appears from some
22 historical documents that this sump was an
23 afterthought. It wasn't part of the original
24 master drainage system.
25 So it looks like they came back and

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1 said, "Oh, no. We need to put a pretreatment
2 sump here." So somebody threw it in, and so
3 chances are it was overlooked, and somebody
4 said, "Oh, we forgot to put the pretreatment
5 sump in," so they rushed out there and built
6 it, so -- I just don't it -- the way it's
7 configured, it's very odd that it would have
8 just washed in.
9 (Ms. McCormick entered the room.)
10 MR. BARRETT: Thanks.
11 MS. STEWART: The builder could have
12 filled some stuff in, too. That's not
13 uncommon either, because it is in an easement.
14 It's not CDD property.
15 CHAIRMAN RAGUSA: Doug, are we
16 continuing to monitor any erosion?
17 MR. MAYS: Yes, sir, we are.
18 CHAIRMAN RAGUSA: Have you spoken to the
19 resident about our proposed plan?
20 MS. STEWART: We told them we would get
21 back with them after we got through a few rain
22 events to see how the sump was functioning. I
23 think they're pretty much aware of the
24 situation.
25 MR. MAYS: Mr. Gilligan is the --

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1 yeah, he's the one we did address it with.
2 Mr. Konzelmann hasn't seen a difference in the
3 pond. The erosion seems to be on the Gilligan
4 side, so Mr. Konzelmann was very happy.
5 CHAIRMAN RAGUSA: Any other comments?
6 (No response.)
7 CHAIRMAN RAGUSA: Is everybody in
8 agreement that we should proceed forward with
9 the engineer's recommendation?
10 (All board members nod in agreement.)
11 CHAIRMAN RAGUSA: Will you and Doug
12 communicate that to the resident?
13 MR. MAYS: (Moves head up and down.)
14 CHAIRMAN RAGUSA: Thank you. You had
15 another item?
16 MS. STEWART: The other item I have is
17 in regard to the streetlights. I didn't know
18 first of all if we decided to move forward
19 with it, because we do need to initiate
20 permitting if we're going to do that, and then
21 enter into a contract. So the permitting will
22 take about 30 days. So if it was something
23 that was going to move forward, if you wanted
24 me to initiate that, I could do it.
25 CHAIRMAN RAGUSA: So we have two issues

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1 that I suspect we have a number of residents
2 here on today. Why don't we go ahead and take
3 the Harbor Links lighting. That will free you
4 up.
5 MS. STEWART: Okay.
6 CHAIRMAN RAGUSA: Nancy, do you have any
7 -- or is it you and anybody else want to go
8 ahead and start that? We'll open up the
9 Harbor Links lighting issue.
10 MS. SELLS: Sure. I can tell you that
11 we had 17 respondents out of 172 homes. None
12 of them were against it. Four didn't say one
13 way or the other. They just had questions,
14 and the rest were all, yes, let's get it
15 done. But the questions were on the finances
16 and how we were going to finance them.
17 CHAIRMAN RAGUSA: And I received a
18 number of those questions, and, candidly, you
19 know, we did not have the answer. And I don't
20 -- Andy, do we have the answer now?
21 MR. MENDENHALL: As --
22 MR. CHESNEY: Now we do.
23 CHAIRMAN RAGUSA: Well, that's the
24 simple, but --
25 MR. CHESNEY: Well, I made a suggestion,

1 and that's -- some of the people had asked,
2 and there was some confusion on this, is I
3 made a suggestion that we take the amount
4 that's on reserve and then do the balance
5 over a three-year period where we do it.

6 Now some people misconstrued that to
7 mean that there was a three-year payback
8 period. I do not know what the actual payback
9 period is, so --

10 MR. MENDENHALL: Yeah.

11 MR. CHESNEY: I was just talking about
12 using a -- three years just seemed like a
13 reasonable number. I think it broke it down
14 to 75,000 a year or something maybe.

15 MR. MENDENHALL: I'm trying to remember
16 back. And as far as how you do it, I mean
17 that's -- Greg, you opened up with exactly the
18 point. I mean it's really how the Board, as
19 well as obviously potentially some input from
20 the residents on the structure -- I mean, you
21 can -- there's any number of methods of using
22 current funds that are available within your
23 reserves or -- or going off the books and
24 using anything from your line of credit to --
25 to any other type of loan. Really the options

1 -- I would recommend general fund. You know,
2 if we're going to do it inter-funds, you
3 probably might go into the general fund that
4 way. It's equitable.

5 CHAIRMAN RAGUSA: And Alan approved
6 that?

7 MR. MENDENHALL: What's that?

8 CHAIRMAN RAGUSA: Alan approved that?

9 MR. MENDENHALL: Yeah. I mean, we've --
10 we've talked about it, and that's -- that's --
11 typically, with projects like this, that's --
12 it's a pretty standard way to -- you know, to
13 use to finance these sorts of things; projects
14 that are beyond, you know, the one-year budget
15 of a community.

16 CHAIRMAN RAGUSA: And is interest being
17 paid?

18 MR. ARGUS: That wasn't discussed last
19 month. It was when Alan was here.

20 CHAIRMAN RAGUSA: He raised it as an
21 option, but I wanted to know if he was signing
22 off on that.

23 MR. MENDENHALL: Well, I don't know if
24 he officially signed off on it, so to speak,
25 but I -- I have no doubt that he would as far

1 are numerous.

2 MR. CHESNEY: Yeah. Just so we're
3 clear, my suggestion is you do it over three
4 years, and we borrow it ourselves. That would
5 be the simplest and cheapest for the
6 residents.

7 CHAIRMAN RAGUSA: How do we book that?

8 MR. CHESNEY: We just put a negative in
9 the account.

10 MR. MENDENHALL: Yeah. In the initial
11 year, you would -- you would -- yeah, you
12 would go negative, and then you would hope to
13 replenish it in the subsequent years, whether
14 it be three years or whatever the case might
15 be.

16 MR. CHESNEY: Yeah.

17 CHAIRMAN RAGUSA: So that particular
18 fund is borrowing from the general fund?

19 MR. MENDENHALL: You would do -- yeah.
20 You would do an inter -- inter-fund borrowing,
21 basically.

22 MR. CHESNEY: I don't know if I'd call
23 it the general fund or -- or some other
24 neighborhood's reserves. I mean, yeah.

25 MR. MENDENHALL: I -- I would recommend

1 as -- you know, if he were to advise you, I
2 have no doubt that he wouldn't have an issue
3 with it.

4 CHAIRMAN RAGUSA: And is it contemplated
5 that there will be interest on that loan?

6 MR. MENDENHALL: Once again, I mean
7 that's -- that's something that you as a board
8 can contemplate. I mean, when it -- when it
9 come down to it, the way that your investments
10 are set up right now with your reserve funds,
11 they're in staggered investments, which have
12 varying degrees of interest. All relatively
13 low, because of, you know, what you are;
14 you're a government.

15 So if you wanted to charge interest, you
16 certainly could. You certainly don't have
17 to. You could do something that was -- was
18 equivalent to what you were earning, which is
19 very low, you know, or you could go -- you
20 could go higher.

21 You could look at what potentially
22 interest would be if you went with say a loan
23 with the bank or with your line of credit and
24 -- and have some blend in between those two
25 figures.

<p style="text-align: right;">Page 21</p> <p>1 MR. CHESNEY: If I may comment on that?</p> <p>2 On the line of credit, the only downside I see</p> <p>3 is that there is a charge to put it in force.</p> <p>4 And I don't remember exactly what the numbers</p> <p>5 are, but let's say one to \$3,000, and we</p> <p>6 wouldn't necessarily want to incur that.</p> <p>7 And, historically, when we did it on the</p> <p>8 East, we did not charge interest. There was a</p> <p>9 -- I mean Bill always thought we should charge</p> <p>10 interest.</p> <p>11 MS. MCCORMICK: It might require an</p> <p>12 opinion from District Counsel, too, for doing</p> <p>13 the line of credit. So I'm not sure if that</p> <p>14 meant -- I'm not sure what the --</p> <p>15 MR. CHESNEY: Yeah.</p> <p>16 MS. MCCORMICK: -- bank fee would be.</p> <p>17 MR. CHESNEY: Yeah, the line of credit,</p> <p>18 I think, would be more complicated than it's</p> <p>19 worth since it's only this one thing we're</p> <p>20 going to do.</p> <p>21 MR. ZEIGLER: Do we know what the</p> <p>22 interest would be on that line?</p> <p>23 MR. CHESNEY: It's -- yeah, we do. It's</p> <p>24 something plus --</p> <p>25 MR. MENDENHALL: Yeah. I mean it's --</p>	<p style="text-align: right;">Page 23</p> <p>1 business or much district business impacts,</p> <p>2 you know, all of the Board members, so I don't</p> <p>3 think that's a basis for recusal.</p> <p>4 CHAIRMAN RAGUSA: Okay. What are your</p> <p>5 thoughts, gentlemen? Mr. Ross.</p> <p>6 MR. ROSS: What's been surprising to me</p> <p>7 is how little feedback we've gotten. I</p> <p>8 received no emails; nothing about it.</p> <p>9 Certainly, Nancy has done a diligent job as</p> <p>10 the representative of the community.</p> <p>11 I don't have a sense other than just</p> <p>12 everybody is tired of the issue, and let's</p> <p>13 just get it done. But I have no sense from</p> <p>14 the residents that they're really in favor of</p> <p>15 it or they're really against it, and I wish I</p> <p>16 had a better notion of that.</p> <p>17 Do you -- do you have any information as</p> <p>18 being a resident as to what everybody wants in</p> <p>19 there? And I'm not minimizing what Nancy</p> <p>20 shared with us, but I'm just looking for</p> <p>21 additional information.</p> <p>22 CHAIRMAN RAGUSA: My personal experience</p> <p>23 -- and I have talked to a number of residents</p> <p>24 and neighbors who I don't think provided</p> <p>25 formal responses. For example, I didn't give</p>
<p style="text-align: right;">Page 22</p> <p>1 MR. CHESNEY: It's LIBOR plus one --</p> <p>2 MR. MENDENHALL: -- still relatively</p> <p>3 low.</p> <p>4 MR. CHESNEY: -- or something like</p> <p>5 that.</p> <p>6 MR. MENDENHALL: We can find out the</p> <p>7 specifics.</p> <p>8 MR. CHESNEY: We'd have to dig it up.</p> <p>9 It's like -- I don't know if "LIBOR" is the</p> <p>10 right word. Prime plus two maybe. Prime plus</p> <p>11 one. Something like that.</p> <p>12 CHAIRMAN RAGUSA: Well, before we go</p> <p>13 into the substance of this discussion,</p> <p>14 obviously, I live in Harbor Links in The</p> <p>15 Estates. So I would be directly impacted by</p> <p>16 this assessment.</p> <p>17 Erin, please tell me. If you think</p> <p>18 I need to recuse myself from either the</p> <p>19 discussion or the vote, I will do so. I don't</p> <p>20 know if -- I don't know where I stand with</p> <p>21 that.</p> <p>22 MS. MCCORMICK: No, I -- I don't think</p> <p>23 recusal is necessary. I mean, I think your</p> <p>24 comment to, you know, have that on the record</p> <p>25 is fine, but really, I mean any district</p>	<p style="text-align: right;">Page 24</p> <p>1 a formal response. What -- what I have heard</p> <p>2 is similar to what you just said. Those</p> <p>3 residents who have been here for a while are</p> <p>4 like, "Just get it over with. You know, we're</p> <p>5 going to pay for it."</p> <p>6 They wanted to know what it was going to</p> <p>7 cost, and they're always curious, you know,</p> <p>8 "Is it" -- "I am paying for it in one</p> <p>9 assessment or over time?" Things of that</p> <p>10 nature. So everybody wants to know the</p> <p>11 economics of the decision, but they all</p> <p>12 support it.</p> <p>13 And I don't think the number shocked --</p> <p>14 I have not heard from anybody that they were</p> <p>15 shocked with the number or they thought it was</p> <p>16 so high it wasn't worth doing, especially when</p> <p>17 you're looking at a return three, four, five</p> <p>18 years, depending how it's assessed.</p> <p>19 The -- the consensus of the -- I probably</p> <p>20 spoke to 10 residents, who I don't know that</p> <p>21 all of them gave a written response, and every</p> <p>22 single one of them wanted to do it. And six of</p> <p>23 the 10 said, "How are we going to pay for it?"</p> <p>24 Which I think is the smart question.</p> <p>25 So I do get the impression that the</p>

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1 residents need this, and just from a -- a
 2 government -- a governance, we need to replace
 3 those lights. They're a wasting asset.
 4 They're a deteriorating asset. They're not
 5 cost effective anymore. So I think it -- we
 6 need to do it as a board.
 7 MR. ROSS: To that point, just to update
 8 the record, are you recommending that we do
 9 it?
 10 MS. STEWART: The streetlight
 11 conversion?
 12 MR. ROSS: Uh-huh.
 13 MS. STEWART: That's I would say not
 14 something I would make a recommendation on.
 15 MR. ROSS: I didn't know.
 16 MS. STEWART: Yeah. I think it's
 17 strictly a community decision, but forgive me
 18 for -- technically, there is no reason to do
 19 it or not to do it. I don't think.
 20 MR. ROSS: Then why are you saying that
 21 you think we should do it?
 22 CHAIRMAN RAGUSA: Me as a resident, I
 23 smell gas every 80 or 90 feet. I'm convinced
 24 from the experts that it's not a safety risk,
 25 but I view it as wasting money. We're pouring

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1 gas out into the environment, which we don't
 2 need to be.
 3 I also look at the long-term cost of
 4 operating that system. If we're paying
 5 \$65,000 a year for gas and we can knock that
 6 down to \$5,000 a year, that's -- that's a
 7 quick return on the initial investment, the
 8 capital investment. I think 10 years from now
 9 every resident in there will say that was a
 10 really smart move that we did.
 11 I would agree that, you know, they're
 12 not going to explode. I don't think they're a
 13 safety hazard, but they're certainly -- they
 14 have years on them. I think we just need to
 15 update the community and get with the
 16 technology, and -- and the yearly savings is
 17 just so tremendous.
 18 MR. ROSS: And do you agree with that?
 19 MS. STEWART: Yes, I do.
 20 CHAIRMAN RAGUSA: That's why I'm -- I'm
 21 convinced it's the right thing, but -- also,
 22 it's a different lighting. I like the light
 23 better than the gas light, the actual -- the
 24 color and the lighting it puts out. Mr. Ross.
 25 MR. ROSS: I'll move that we move

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1 forward with the project.
 2 MR. ARGUS: Second.
 3 CHAIRMAN RAGUSA: And I think -- are we
 4 going to divide this into two parts?
 5 MR. ROSS: (Moves head up and down.)
 6 CHAIRMAN RAGUSA: So the -- technically,
 7 the motion --
 8 MR. CHESNEY: Why are we going to divide
 9 it into two parts?
 10 CHAIRMAN RAGUSA: Well, the second part
 11 I would say is how we're going to fund it.
 12 MR. ROSS: Exactly.
 13 MR. ARGUS: Right.
 14 CHAIRMAN RAGUSA: So, technically, we're
 15 -- we would be accepting --
 16 MS. MCCORMICK: We would issue a -- we
 17 would issue an intent to award the contract
 18 and a notice of commencement depending upon
 19 when you want to start with the project.
 20 MS. STEWART: And proceed with
 21 permitting.
 22 MS. MCCORMICK: Right.
 23 CHAIRMAN RAGUSA: That was your motion?
 24 MR. ROSS: That is my motion, with the
 25 additional caveat, subject to the board

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1 coming up with how we're going to finance it.
 2 I purposely want to separate the two. Let's
 3 just say we're going to do it, and then we'll
 4 figure out how we're going to pay for it.
 5 CHAIRMAN RAGUSA: Okay. Discussion.
 6 Any resident discussion? Do we have any
 7 residents who want to give input on the motion
 8 to proceed forward with the acceptance of the
 9 proposal?
 10 MS. MILLS: I just have --
 11 CHAIRMAN RAGUSA: Yes.
 12 MS. MILLS: -- a comment. My name is
 13 Dixie Mills. I live on Emerald Lakes Drive,
 14 and I've volunteered with Nancy and Sonny and
 15 Doug. We did the demonstration of the lights
 16 a year ago last spring near our house and ran
 17 some extension cords. And a number of people
 18 came; everybody thought it was fine.
 19 I know the first night I moved in -- the
 20 first holiday I moved in, we had to call the
 21 gas company, because of the -- you know, the
 22 gas -- a gas leak outside of our house in the
 23 light. But there was only one person who had
 24 expressed a concern about it aesthetically who
 25 came that night, and he wrote a very long and

<p style="text-align: right;">Page 29</p> <p>1 very nice email to Nancy this week and said</p> <p>2 that after he saw it -- as he came down the</p> <p>3 street, he couldn't tell which light had been</p> <p>4 fitted with LED and which one for gas. And</p> <p>5 after he saw it -- and, you know, he was -- he</p> <p>6 was very supportive of the project. And</p> <p>7 that's the only negative thing that we've</p> <p>8 heard the whole time except for the questions</p> <p>9 about, you know, what's it going to cost.</p> <p>10 But even as people asked the question of</p> <p>11 cost, they didn't say they didn't -- nobody</p> <p>12 said that they were against it, so -- and it</p> <p>13 is -- it just stinks, you know, when you walk</p> <p>14 around the neighborhood. It just -- there's a</p> <p>15 lot of gas around the neighborhood.</p> <p>16 CHAIRMAN RAGUSA: Yes. Ms. Sells.</p> <p>17 MS. SELLS: Well, that and the fact that</p> <p>18 the ones who are really paying attention, they</p> <p>19 want the better light. They're tired of the</p> <p>20 dim and -- and it's obviously dark in a lot of</p> <p>21 the areas of the community, because those gas</p> <p>22 lights just don't give off enough light.</p> <p>23 CHAIRMAN RAGUSA: Well, the other</p> <p>24 problem from an engineering -- we've heard</p> <p>25 from Doug on this issue, the glass is etched.</p>	<p style="text-align: right;">Page 31</p> <p>1 call it three plus next.</p> <p>2 MR. MENDENHALL: Okay.</p> <p>3 MR. CHESNEY: So we'll have it funded --</p> <p>4 completely funded, let's see, next year. It's</p> <p>5 the '13-'14 year, so --</p> <p>6 MR. MENDENHALL: '15 -- '16-'17.</p> <p>7 MR. CHESNEY: Yeah, '16-'17.</p> <p>8 MR. MENDENHALL: By the end of fiscal</p> <p>9 year '17 --</p> <p>10 MR. CHESNEY: Yeah.</p> <p>11 MR. MENDENHALL: -- it will be paid</p> <p>12 off.</p> <p>13 MR. CHESNEY: Okay.</p> <p>14 CHAIRMAN RAGUSA: I'll come right back</p> <p>15 to this, but can I just -- let me just make</p> <p>16 sure everybody is on the same page. I'm</p> <p>17 talking rough dollars. \$350,000 projected</p> <p>18 cost.</p> <p>19 MR. CHESNEY: I think there's a hundred</p> <p>20 thousand in there.</p> <p>21 CHAIRMAN RAGUSA: A hundred thousand in</p> <p>22 the reserve. We have an assessment for the</p> <p>23 coming fiscal year of \$65,000 of which we</p> <p>24 would actually anticipate only using maybe</p> <p>25 five for the -- once the --</p>
<p style="text-align: right;">Page 30</p> <p>1 MS. SELLS: Yes.</p> <p>2 CHAIRMAN RAGUSA: And we can't repair</p> <p>3 that, so that will impact it.</p> <p>4 Are there any resident comments? Any</p> <p>5 supervisor comments?</p> <p>6 Okay. All in favor of the motion,</p> <p>7 please raise your hand.</p> <p>8 (All board members raised their hands.)</p> <p>9 CHAIRMAN RAGUSA: That motion passes</p> <p>10 five to nothing.</p> <p>11 Do we have a second accompanying motion?</p> <p>12 MR. CHESNEY: I'll make the motion from</p> <p>13 my recommendation that we -- we utilize our</p> <p>14 existing reserves and spread the difference</p> <p>15 over a three-year payback period. So -- so</p> <p>16 just to make it clear, because we don't have</p> <p>17 time to assess it -- let me think about this</p> <p>18 for a second. So, Andy, help me out just to</p> <p>19 make sure I don't get this wrong.</p> <p>20 We're not assuming that we're assessing</p> <p>21 it this year, you know, that we're going to</p> <p>22 have some assessment in there.</p> <p>23 MR. MENDENHALL: Yeah. You can't -- so</p> <p>24 you can't assess the additional --</p> <p>25 MR. CHESNEY: Right. So why don't we</p>	<p style="text-align: right;">Page 32</p> <p>1 MR. ARGUS: Yeah.</p> <p>2 CHAIRMAN RAGUSA: -- change-out has</p> <p>3 occurred.</p> <p>4 MR. ARGUS: Right.</p> <p>5 CHAIRMAN RAGUSA: So we would have</p> <p>6 \$160,000 of current -- of dollars available</p> <p>7 within the first fiscal year. So we would</p> <p>8 need to come up with a 190,000 over the next</p> <p>9 three fiscal years?</p> <p>10 MR. CHESNEY: Yes.</p> <p>11 MR. ARGUS: I'll second his motion for</p> <p>12 discussion purposes so we can --</p> <p>13 CHAIRMAN RAGUSA: I'm just getting a</p> <p>14 clarification on the motion.</p> <p>15 MR. CHESNEY: Yes. That's what I'm</p> <p>16 anticipating, yes.</p> <p>17 MR. ARGUS: (Inaudible.)</p> <p>18 MR. CHESNEY: You've got to remember</p> <p>19 each year, also, that you're still going to</p> <p>20 have that 65 off. So I mean I haven't done</p> <p>21 the rough math --</p> <p>22 CHAIRMAN RAGUSA: But the reality is the</p> <p>23 assessment is only going to go up about</p> <p>24 \$10,000 a year.</p> <p>25 MR. MENDENHALL: Probably. Right.</p>

1 Yeah, you'll deduct out your -- the service.
 2 CHAIRMAN RAGUSA: Okay. Do you have a
 3 second?
 4 MR. ARGUS: I second it for discussion.
 5 CHAIRMAN RAGUSA: Discussion, please.
 6 MR. ARGUS: I would like to propose
 7 though that whatever the current assessment
 8 rate is, since it is a savings -- we will be
 9 saving money over the year -- approximately
 10 \$60,000 -- that we take the cost, divide it by
 11 that \$60,000, so we don't change the
 12 assessment, and that will give us a number --
 13 the term of the loan.
 14 CHAIRMAN RAGUSA: Whoa. You lost me.
 15 MR. ARGUS: Okay.
 16 MR. CHESNEY: He means keep the
 17 assessment the same and then --
 18 MR. ARGUS: Keep the assessment the
 19 same.
 20 MR. CHESNEY: -- like -- so it could go
 21 4.5 years or -- I was just -- you know or
 22 whatever. Whatever it takes to pay it off.
 23 In other words, keep the assessment the same.
 24 MR. ARGUS: And I would -- I would also
 25 want some sort of interest to be on there.

1 MR. CHESNEY: I don't think it will be
 2 much different either way, because you're only
 3 talking about --
 4 MR. ARGUS: Correct.
 5 MR. ZEIGLER: Did you have a rough
 6 calculation? I thought before when you
 7 proposed that three-year that it was only
 8 going to be a nominal increase with the --
 9 MR. CHESNEY: Well, yeah, but we'll --
 10 the problem is I didn't have -- I don't know
 11 where the -- the --
 12 MR. MENDENHALL: Oh, the payback?
 13 MR. CHESNEY: -- the payback numbers
 14 came from. That wasn't me. That's why I was
 15 like concerned that my name got tagged to
 16 those payback, because I really have no idea
 17 of what the savings are going to be, and I
 18 don't -- so, yeah. If the savings are
 19 accurate, then, yeah, it's not going to be a
 20 big deal, but I don't -- I don't know what
 21 those savings are going to be, and I have not
 22 seen that other than secondhand.
 23 CHAIRMAN RAGUSA: Running the math, Bob,
 24 the fourth fiscal -- the fourth additional
 25 fiscal year, it would be -- it would be de

1 minimis.
 2 MR. MENDENHALL: Yeah, it should be the
 3 same thing.
 4 CHAIRMAN RAGUSA: I would -- I see what
 5 you're saying --
 6 MR. ARGUS: Yeah.
 7 CHAIRMAN RAGUSA: -- but I'm not in
 8 favor of raising the assessment. But I think
 9 that you're -- you're looking at -- you have a
 10 minimal assessment in the fourth additional
 11 fiscal year. It could be as little as
 12 \$10,000. So I'd just as soon have a finite
 13 start and end refinance period --
 14 MR. ARGUS: Okay.
 15 CHAIRMAN RAGUSA: -- so there's no
 16 confusion of when that what I'm going to call
 17 a special assessment to our capital
 18 improvement occurs.
 19 I -- obviously, if that's what you want
 20 to do in terms of a motion, we can do that. I
 21 just don't know why -- what we gain from
 22 that.
 23 MR. ARGUS: Just keeping it the same,
 24 but I'd also like to see some nominal interest
 25 being paid.

1 CHAIRMAN RAGUSA: Mr. Ross, you had your
 2 hand up.
 3 MR. ROSS: I was just going back to the
 4 exact same point, that I don't have a
 5 theoretical opposition to the community
 6 deciding when these situations come up we're
 7 not going to charge interest. At some point
 8 we're just punishing one side for the benefit
 9 of the other.
 10 The flip side is I understand the reason
 11 why we charge interest, but for charging
 12 interest and with today's rates, at some point
 13 is it just more cumbersome and more
 14 aggravating than anything?
 15 What interest rate would we be talking
 16 about? What are we getting on --
 17 MR. MENDENHALL: Yeah.
 18 MR. ROSS: -- some of our --
 19 MR. MENDENHALL: I mean I was --
 20 MR. ROSS: -- our bonds?
 21 MR. MENDENHALL: -- kind of like
 22 thinking that it's such -- it's such a low
 23 amount that is it worth the trouble?
 24 MR. ROSS: Yeah. I was going to say
 25 we're at a quarter or a half on some of these

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1 CDs, I mean, if I'm not mistaken.
 2 MR. MENDENHALL: Yeah.
 3 MR. ROSS: At some point it's just --
 4 but I would -- I would like to have a set
 5 policy, because this -- this situation will
 6 very likely will come up in the future, and
 7 let's just have the same policy in all
 8 instances. Either we charge interest or we
 9 don't.
 10 CHAIRMAN RAGUSA: My concern with having
 11 an established policy is it doesn't take into
 12 consideration the potential amounts that may
 13 be borrowed.
 14 MR. ROSS: I hear you.
 15 MR. CHESNEY: Because I -- because I can
 16 give you -- what happens most of the time is
 17 someone needs something like -- I'll give you
 18 an example. Stonebridge. Something happened
 19 to their fence one time, and -- I don't know
 20 if someone ran into it or -- I don't remember
 21 exactly, but something happened to it. Well,
 22 it caused a negative number to be there. So
 23 instead of jumping the assessment up and
 24 making up for it, we just kind of kept the
 25 assessment the same and brought it up to -- to

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1 speed.
 2 MR. ROSS: And that sounds great to me.
 3 I'm just talking about the interest rate;
 4 purely the interest rate.
 5 MR. CHESNEY: Yeah. So we didn't charge
 6 any interest. We didn't even --
 7 MR. ROSS: So we didn't charge interest,
 8 and so, like I say, if that's the approach
 9 we've taken in the past, let's just do the
 10 same thing. Charge no interest, and it would
 11 be the same thing forever and ever. I think
 12 you were saying, no, that's not a good idea.
 13 MR. CHESNEY: Well, I'm just trying to
 14 explain. Sometimes there's like unforeseen,
 15 and then this is a planned thing, you know.
 16 MR. ROSS: I just --
 17 MR. CHESNEY: But personally I agree; I
 18 don't think we should charge interest.
 19 CHAIRMAN RAGUSA: Mr. Zeigler.
 20 MR. ZEIGLER: From a -- from the
 21 standpoint of interest, it sounds like it
 22 would be more of a moral decision, I guess, to
 23 -- to -- whether we do or don't. From a
 24 financial standpoint, it does not appear to be
 25 any kind of benefit whatsoever. I would go

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1 along the lines of considering zero interest.
 2 CHAIRMAN RAGUSA: Okay. All right. I'm
 3 hearing at least three people that say no
 4 interest on the inter-fund loan, so that
 5 component would pass.
 6 Is -- are we in complete understanding
 7 of what the motion was? Do you want to
 8 restate it with your second, or are you still
 9 happy with your second?
 10 MR. ARGUS: Yeah, the second is still
 11 good.
 12 CHAIRMAN RAGUSA: Mr. Ross, do you want
 13 to --
 14 MR. ROSS: I call the question.
 15 CHAIRMAN RAGUSA: It was your motion.
 16 MR. ROSS: It's his.
 17 CHAIRMAN RAGUSA: Oh. Would you just
 18 clarify it for the record what the motion is?
 19 MR. CHESNEY: That we -- that we take
 20 the initial -- that we -- we -- that we offset
 21 the contract amount by the amount currently
 22 reserved and then we use a three-year payback
 23 for the remainder.
 24 CHAIRMAN RAGUSA: And we're also going
 25 to apply the 2013-2014 assessed surplus.

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1 Correct?
 2 MR. CHESNEY: Yes.
 3 MR. MENDENHALL: And we're talking about
 4 the reserves of the general fund?
 5 MR. CHESNEY: Yes.
 6 MR. ARGUS: And the payback begins --
 7 CHAIRMAN RAGUSA: '14-'15.
 8 MR. ARGUS: '14-'15, so --
 9 MR. CHESNEY: Yeah. I mean technically
 10 it begins this next year. It's just the
 11 assessment is not going to be --
 12 MR. ARGUS: Correct.
 13 MR. CHESNEY: -- changed.
 14 CHAIRMAN RAGUSA: Okay. Any further
 15 discussion?
 16 All in favor, please raise your hand.
 17 (All board members raised their hands.)
 18 CHAIRMAN RAGUSA: That motion passes
 19 five to nothing.
 20 (Motion passes.)
 21 MS. MCCORMICK: Can I ask a question?
 22 Tonja, are you going to be working with the
 23 contractor on getting the certificates of
 24 insurance and the bond?
 25 MS. STEWART: Sure.

<p style="text-align: right;">Page 41</p> <p>1 MS. MCCORMICK: Okay.</p> <p>2 MS. STEWART: Sure.</p> <p>3 MS. MCCORMICK: We'll just need to make</p> <p>4 sure that --</p> <p>5 MS. STEWART: Because we also had a</p> <p>6 standard contract form that we included in the</p> <p>7 bid documents.</p> <p>8 MS. MCCORMICK: Right.</p> <p>9 MS. STEWART: So we'll get that all</p> <p>10 finalized, too, so --</p> <p>11 MS. MCCORMICK: Okay. And then once you</p> <p>12 have the bond, get that to me, so I can get it</p> <p>13 recorded.</p> <p>14 MS. STEWART: Okay.</p> <p>15 MR. CHESNEY: And you are going to get</p> <p>16 the bond?</p> <p>17 MS. STEWART: Yes. Yes.</p> <p>18 CHAIRMAN RAGUSA: Anything else from us?</p> <p>19 MS. STEWART: Nope, that's it.</p> <p>20 CHAIRMAN RAGUSA: Thank you.</p> <p>21 MS. STEWART: Uh-huh. Thank you very</p> <p>22 much.</p> <p>23 CHAIRMAN RAGUSA: All right. Why don't</p> <p>24 we go ahead and address the Stonebridge issue,</p> <p>25 because I suspect everybody else who is here</p>	<p style="text-align: right;">Page 43</p> <p>1 additional swimming pool.</p> <p>2 He wanted to know what our thoughts</p> <p>3 were. A, can we enlarge our CDD? Would we be</p> <p>4 interested in doing so with concessions from</p> <p>5 that developer knowing that they would be</p> <p>6 bringing 20 -- less than 20 units in?</p> <p>7 And he did indicate that they're not</p> <p>8 looking for a lot of units. They're looking</p> <p>9 for what would be consistent with the existing</p> <p>10 community that they would need access through.</p> <p>11 MS. MCCORMICK: Okay.</p> <p>12 CHAIRMAN RAGUSA: So that was the -- and</p> <p>13 I said, you know, those are legal questions</p> <p>14 that counsel will need to address with us, and</p> <p>15 then we have to get -- we have to address the</p> <p>16 fundamental issues. Are we interested in</p> <p>17 expanding the boundaries? How would it work?</p> <p>18 What would the impacted residents think?</p> <p>19 And he fully understood that, but that's</p> <p>20 the first time we had ever heard really what</p> <p>21 they're looking for, and that's different than</p> <p>22 what we have heard in the past.</p> <p>23 So I want to -- I want to throw that out</p> <p>24 there and let the residents know that that is</p> <p>25 something that has been proposed informally to</p>
<p style="text-align: right;">Page 42</p> <p>1 wants to address that issue. And I think,</p> <p>2 actually, we have two issues that could be of</p> <p>3 import. I want to make sure that we're not</p> <p>4 mixing them.</p> <p>5 Erin, please correct me if I'm wrong, I</p> <p>6 received communications and I spoke</p> <p>7 immediately before the start of this meeting</p> <p>8 with an attorney who indicated that he</p> <p>9 personally acquired the -- what I'm going to</p> <p>10 call the Bailey property from the bank, or he</p> <p>11 has a contract that is a contingent contract.</p> <p>12 And the question he has for the CDD is:</p> <p>13 Would the CDD consider expanding its</p> <p>14 boundaries to annex or otherwise acquire the</p> <p>15 Bailey property with the understanding that</p> <p>16 that property would be developed consistent</p> <p>17 with the community? Infrastructure would be</p> <p>18 put in -- I would imagine at the developer's</p> <p>19 expense -- and they would offer access to the</p> <p>20 Castleford residents to that infrastructure --</p> <p>21 MR. ARGUS: Stonebridge.</p> <p>22 CHAIRMAN RAGUSA: Stonebridge, thank</p> <p>23 you. The Stonebridge residents would be</p> <p>24 offered access to those amenities, which would</p> <p>25 include a lake-front clubhouse and an</p>	<p style="text-align: right;">Page 44</p> <p>1 the CDD and that we're going to certainly</p> <p>2 have to address and that we want to hear the</p> <p>3 residents input on it. Mr. Barrett, go ahead.</p> <p>4 MR. BARRETT: Did he mention anything</p> <p>5 about also joining the Stonebridge HOA or</p> <p>6 the WCA, or was that not discussed?</p> <p>7 CHAIRMAN RAGUSA: We did not. I think</p> <p>8 he recognizes that I really can't speak for</p> <p>9 either HOA. Those are certainly issues that</p> <p>10 I view as subject to discussion if -- if this</p> <p>11 goes further, but I -- I will need to know</p> <p>12 from counsel where we stand, and then those</p> <p>13 are all, obviously, negotiated issues.</p> <p>14 MS. MCCORMICK: Well, as far as the</p> <p>15 process for expanding the district's</p> <p>16 boundaries, it, unfortunately, would not be a</p> <p>17 really easy process, because of the fact that</p> <p>18 we -- when we merged the districts, we're</p> <p>19 over a thousand acres now, so we are actually</p> <p>20 established by rule of the Florida Land and</p> <p>21 Water Adjudicatory Commission. Whereas, in --</p> <p>22 prior to the merger, the county had adopted</p> <p>23 ordinances creating both of the CDDs.</p> <p>24 And so the process under the statute for</p> <p>25 expanding the district boundaries is that you</p>

<p style="text-align: right;">Page 45</p> <p>1 would actually have to go back through the</p> <p>2 rule-making process with the Florida Land and</p> <p>3 Water Adjudicatory Commission, which means --</p> <p>4 I think means we would even have to have an</p> <p>5 administrative hearing before the Division of</p> <p>6 Administrative Hearings.</p> <p>7 So the whole process, from a timing</p> <p>8 standpoint, could take as much as, you know,</p> <p>9 eight months plus, and there would also be</p> <p>10 significant costs just to do the expansion.</p> <p>11 MR. ARGUS: And all of that takes place</p> <p>12 in Tallahassee?</p> <p>13 MS. MCCORMICK: It does. I mean the --</p> <p>14 well, the hearing -- the local hearing by DOAH</p> <p>15 would be here locally. Last time we did it at</p> <p>16 the public library on Countryway Boulevard.</p> <p>17 But then there are advertisements that get</p> <p>18 published in the Florida Administrative Weekly</p> <p>19 and at least two meetings before the Florida</p> <p>20 Land and Water Adjudicatory Commission before</p> <p>21 the rule becomes final.</p> <p>22 And it sounds like the impetus is that</p> <p>23 they want to be part of the Westchase</p> <p>24 Community. Another thing to think about might</p> <p>25 be, even if we didn't include it within the</p>	<p style="text-align: right;">Page 47</p> <p>1 When that property was initially sold to</p> <p>2 the developer, the initial easement back in</p> <p>3 '96 was one house on 5.5 land of acres. Since</p> <p>4 then we know what has transpired. So the</p> <p>5 first concern is: So they open that up. What</p> <p>6 happens if that development fails? Who is</p> <p>7 going to continue to maintain that level of</p> <p>8 Westchase property look and feel that we all</p> <p>9 pay to live here? And if it -- it would</p> <p>10 depend on over time if that starts getting</p> <p>11 degraded. Now we just opened up -- we opened</p> <p>12 up our street to community that we can't --</p> <p>13 that does not live by the Westchase and</p> <p>14 CDD guidelines.</p> <p>15 Also, would they -- as far as with</p> <p>16 having access to our street, are they also</p> <p>17 going to pay into the CDD for the gate?</p> <p>18 Because currently Stonebridge gets assessed by</p> <p>19 the CDD in our annual taxes, you know, to</p> <p>20 maintain that gate. Would they also be</p> <p>21 charged for that?</p> <p>22 Those are just the initial, you know,</p> <p>23 thoughts and concerns with hearing this. I'm</p> <p>24 sure if I thought about it a little bit more,</p> <p>25 I would probably come up with more.</p>
<p style="text-align: right;">Page 46</p> <p>1 boundaries, would there be a way to, you know,</p> <p>2 contractually come up with some agreements</p> <p>3 that might even be recorded where those units</p> <p>4 that would be developed within the property</p> <p>5 would pay the similar amount of assessments</p> <p>6 that the CDD residents pay, but they would</p> <p>7 not, most likely, be assessed on the tax roll</p> <p>8 the way that residents of the community are</p> <p>9 and the commercial property owners are. It</p> <p>10 would be an off-roll, basically, payment to</p> <p>11 the District that would have to be made. So</p> <p>12 that's -- that's kind of the -- of the pitfall</p> <p>13 of not bringing them into the district</p> <p>14 boundaries.</p> <p>15 CHAIRMAN RAGUSA: I'll open it up for</p> <p>16 resident comments and input on that. If you</p> <p>17 want, you can sit or stand, just if you would</p> <p>18 identify your name and home address for us.</p> <p>19 MS. KNAST: Yes. My name is Joan Knast,</p> <p>20 9845 Bridgeton Drive. I guess a couple of</p> <p>21 concerns initially is, is this just a way</p> <p>22 they're trying to skirt the issue and to get</p> <p>23 -- easily get access to our street? Right?</p> <p>24 Try to open it up. That was my first</p> <p>25 concern.</p>	<p style="text-align: right;">Page 48</p> <p>1 CHAIRMAN RAGUSA: Well, you know, your</p> <p>2 concerns are -- I think they're -- you're dead</p> <p>3 on.</p> <p>4 I view this as -- it certainly is an</p> <p>5 effort to end potential litigation -- or to</p> <p>6 avoid potential litigation and allow the</p> <p>7 developer to proceed forward with the</p> <p>8 development and access our roads and your</p> <p>9 gate.</p> <p>10 The conversation I had was very</p> <p>11 collegial and it was, "We understand we're</p> <p>12 going to need to pay the CDD. We know we're</p> <p>13 going to have to pay." There's no doubt in my</p> <p>14 mind the material term, that they would have</p> <p>15 to pay any assessment for the gates and the</p> <p>16 roads behind -- behind those gates. So I -- I</p> <p>17 think that those are issues.</p> <p>18 And in terms of the density behind -- in</p> <p>19 that new development, that's something that</p> <p>20 would have to be negotiated, but I think</p> <p>21 certainly you could negotiate the number down</p> <p>22 so the number of units and traffic that would</p> <p>23 flow from that could be minimized.</p> <p>24 Now, I don't know how you protect us</p> <p>25 from a development failing or what I would</p>

<p style="text-align: right;">Page 49</p> <p>1 call a substandard building and environment. 2 I don't know how you avoid that other than 3 wrapping the landscaping into one unified 4 contract for the entire community and things 5 of that nature. So you know what the 6 landscaping would be at least, but, you know, 7 those are -- these are issues that Erin could 8 further explore. 9 And I think we would have to get the 10 homeowners' association's counsel involved in 11 those discussions if they're going to move 12 forward. Because you're right. You would 13 certainly want to incorporate the guidelines 14 -- the WCA's guidelines and any particular HOA 15 guidelines. So you'd want a consistent look; 16 you would want a consistent landscaping plan. 17 Things of that nature. And those are all 18 things that you negotiate or at least 19 discuss. But I mean we're -- we're at such an 20 early stage. 21 MS. KNAST: Sure. 22 CHAIRMAN RAGUSA: You know, they haven't 23 had a face-to-face between the lawyers. 24 Actually, the lawyers haven't even talked 25 yet. Yes, sir.</p>	<p style="text-align: right;">Page 51</p> <p>1 one was because it was gated. Two, by them 2 building those houses back there or whatever 3 they want to build, they're changing the 4 quality of life for 66 residents. 5 Now, they want to make their quality of 6 life better, and they want to take away from 7 our quality of life. If they're going to keep 8 my quality of life the same as their 9 residents, that's fine. 10 They also used the argument -- I heard a 11 rumor, and I don't know how true it is -- that 12 they want a Westchase address. If they have 13 to come in off of Sheldon, they don't get a 14 Westchase address, because it's not considered 15 Westchase. I don't know whether that's true 16 or not true. But if this condominium guy can 17 come in off of Sheldon, there's no reason why 18 they can't come off of Sheldon. They just 19 want to come down that street, and that's a 20 problem for everybody. It's a traffic 21 problem; it's a school problem; it's a 22 quality-of-life problem. 23 I just don't see how they can -- and to 24 offer -- to come up and offer and say, you 25 well, "Well, we'll let you use" their pool,</p>
<p style="text-align: right;">Page 50</p> <p>1 MR. KOZLOSKI: Ray Kozloski, 9837 2 Bridgeton Drive. One of the problems I see 3 with this coming through the neighborhood -- 4 one, is the traffic problem. There's no way 5 -- and this even reverts back to -- I don't 6 know if you'll get into it, but they did a 7 traffic study. 8 Well, their traffic study -- and this 9 wasn't the Bailey property. This is the 10 condominiums over there -- from 8:00 to nine 11 o'clock. Well, anybody can do a traffic study 12 for any hour that you pick, but if you want to 13 drive out there at seven o'clock in the 14 morning or 7:15 in the morning trying to get 15 out of Montague, it's impossible. 16 And to add 20 more houses, 10 more 17 houses or 15 houses to come through our 18 property -- which now means if I want to go to 19 work or anybody else wants to go work, they're 20 not only going to be backed up on Montague, 21 they're going to be backed all the way up in 22 the whole neighborhood. 23 As far as I'm concerned, I bought in 24 that neighborhood -- and I'm sure most of the 25 other residents bought in that neighborhood --</p>	<p style="text-align: right;">Page 52</p> <p>1 we don't need their pool. We have our own 2 pool. They're going to let us use the lake. 3 Why? Nobody can go on the lake as it is now. 4 What are they going to do? Put motor craft on 5 this lake? 6 There's a problem here. You -- 7 everything is suspicious or up in the air. I 8 don't agree. I think we should -- or the CDD 9 should go back and say to them, "Try to come 10 in from Sheldon." And find out why they don't 11 want to come in from Sheldon. No one knows, 12 and they're not about to tell you. 13 CHAIRMAN RAGUSA: Can you clarify what 14 you meant by a Westchase address? 15 MR. KOZLOSKI: I had heard a rumor that 16 by coming in off of Montague, they can call 17 that the Westchase whatever they want. But 18 coming off of Sheldon, that's not really 19 considered -- you can't really call it that. 20 And I don't know if that's accurate or not. 21 I'm just saying it's a rumor, but -- 22 CHAIRMAN RAGUSA: There's Westchase 23 stuff 20 miles from here. It's pretty amazing 24 how far we've grown. 25 MR. KOZLOSKI: I'm just saying -- all</p>

<p style="text-align: right;">Page 53</p> <p>1 I'm saying is I don't agree with them coming 2 up -- in there. And I've been down that 3 road. You can get into that property from -- 4 from Sheldon. So why all of the sudden they 5 don't want to go that way? It doesn't make 6 any sense to me, and then no one can seem to 7 explain it. 8 CHAIRMAN RAGUSA: Mr. Barrett. 9 MR. BARRETT: It just strikes me -- and 10 I'm not taking a position one way or the 11 other. I don't envy Stonebridge, but if maybe 12 Erin can talk about the issue -- the judicial 13 kind of rock and a hard place potentially the 14 community is in, so they're fully informed, 15 you know, just about the fact that you can't 16 have landlocked property. And if a judge 17 grants them access through Stonebridge, 18 there's -- I mean they're kind of -- then it 19 just happens, and there's no control. 20 I mean just -- that's the kind of thing 21 that -- sometimes things get lost in the 22 discussion that the potential downside is the 23 judge could grant access, and then it would 24 have to happen, and there would be nothing you 25 guys could go.</p>	<p style="text-align: right;">Page 55</p> <p>1 information to make the decision. 2 MR. KOZLOSKI: Well, maybe somebody 3 should show us whether it is private or not. 4 Let them go spend the money to show whether 5 it's private and why they can't use it, not 6 well, we want to come through our 7 community. 8 CHAIRMAN RAGUSA: Yes, ma'am. 9 MS. KOVARIK: Meredith Kovarik, 9834 10 Bridgeton. I did actually go onto the 11 property appraiser's website and do a GIS -- 12 GIS search before coming here today. Both 13 Promise Lake and Bridgeton are both private 14 roads, Bridgeton being owned by the Westchase 15 East CDD. 16 Promise is also a private road. And the 17 question is, is could it be accessed by 18 Sheldon directly? Then they have, you know, 19 complete egress, ingress. The thing is though 20 is that if you look at the density count on 21 Promise Lake versus looking at Stonebridge, 22 Stonebridge has a higher population density 23 than looking at Promise Lake. 24 So if the county wants to settle this in 25 a matter of recourse that would affect the</p>
<p style="text-align: right;">Page 54</p> <p>1 And, again, I don't -- I'm not telling 2 you what you should do. Just make sure that 3 you're -- you know both potential options and 4 weigh them carefully, because one you're 5 rolling the dice. Well, in either case you're 6 rolling the dice. 7 MR. KOZLOSKI: Well, I understand 8 exactly what you're saying, but that property 9 is not landlocked, because you can get in 10 there from Sheldon. So you can't tell me it's 11 a landlocked drive, and it's not a flag lot. 12 It's not landlocked. They can get there from 13 the other way. 14 MR. BARRETT: I'm not -- I'm not, sir, 15 taking a position on it. I just want to know 16 -- I just wanted you to know what has 17 transpired previously. 18 And the -- and the issue of the other -- 19 the other road that accesses that property, 20 there's some question about whether it's 21 privately owned. And if it is, it would 22 technically be a landlocked piece of 23 property. I'm just giving you the 24 information. I don't -- that's just what I've 25 heard, so just so you guys have all of the</p>	<p style="text-align: right;">Page 56</p> <p>1 least number of their tax-paying residents, I 2 would expect that they would want to settle it 3 through the ingress, egress that would -- 4 affected the least number of residents and, 5 also, didn't have to do with expansion of CDD 6 fees and things like that. 7 I think the -- you know, to reiterate 8 maybe some of Ray's concerns, I don't -- I 9 don't know anything about rumors, but I would 10 start to worry that -- that they want to be 11 able to access the community through Westchase, 12 so that from a marketing standpoint they can 13 say it is incorporated or part of Westchase, 14 and that may be why the very collegial or 15 congenial phone call prior to the meeting 16 today. 17 I think -- you know, I did actually pull 18 the contract in 1997 when the developer moved 19 then the -- the street to the Westchase CDD, 20 and there is actually a provisional clause in 21 there for ingress and egress of -- by the 22 Thomas family. 23 I also pulled cases of juris precedent 24 that say that in many cases ingress and 25 egress, even if it's nonexclusive, cannot be</p>

1 transferred for multiple -- for divisional
2 purposes.

3 So if they want to now rezone that land
4 to a PD zoned land for planned development,
5 then that is a rezoning, and, therefore, I
6 think according to some juris precedent in
7 other states -- I couldn't find a Florida
8 case, but in other states, then it null and
9 voids that clause in the contract that
10 provides them any kind of ingress or egress.

11 CHAIRMAN RAGUSA: Mr. Ross.

12 MR. ROSS: To the two people in the
13 back, I'm an attorney by trade, and I'm not
14 giving you legal advice, but what happens in
15 my world is nobody comes to me seeking to hire
16 me and says, "I've got a bad case." Everybody
17 says, "I've got a good case."

18 And so they would, in essence,
19 articulate what the two of you were just
20 articulating. "This is why I'm going to win."
21 But the bad news is I can't tell them, "Okay.
22 We're going to win."

23 You go to court, and you take your
24 position, and you take that confidence and
25 resources that you're going to prevail. You

1 And so that's what I think Mark is just
2 encouraging, is just think it through. It's
3 not a matter of who's right, who's wrong or, as
4 Chris said, what's the right position or the
5 wrong position. We just want the right
6 result. We just want the right result.

7 CHAIRMAN RAGUSA: Yes, sir.

8 MR. BULLARD: My name is Dave Bullard,
9 9818 Bridgeton Drive. We are in the process
10 of putting together a petition that argues why
11 this is a bad idea for Stonebridge, and there
12 are safety concerns.

13 We have a sidewalk on the south side of
14 the street, not on the north side of the
15 street, with an elderly population. We have a
16 street that is 21-feet wide. We park on both
17 sides of it. We have very narrow ingress-
18 egress access. It's difficult for garbage
19 trucks to get in and out.

20 We have a very wide driveway at the
21 entrance to the Stonebridge Villas. We have
22 students that cross that driveway on foot, on
23 bicycle, on skateboards twice a day from
24 Davidsen Middle School. And there's a large
25 number of students who are crossing there. We

1 just have to remember the other side is doing
2 the same thing, and the consequence of that is
3 if you're willing to go to court, there's the
4 uncertainty that you may lose. And if you
5 lose, you're then stuck with those
6 consequences.

7 And in this particular instance, as much
8 as you all think you're right, if for some
9 reason the judge says, "Nope, I don't agree
10 with you," they're going to end up with what
11 they want. And let there be no doubt, clearly
12 their reasons are selfish. They think it will
13 help them make more money. They're not going
14 to do it because they're nice people or
15 something like that. So it's not a matter of
16 whether they're evil or not. It's just a
17 matter of what's the best way to -- to achieve
18 a result that is satisfactory to the
19 residents, that gives you certainty in what
20 you want, versus do you really want to roll
21 the dice and have an uncertain result where
22 they may end up with that easement and not
23 have to financially contribute? That I think
24 would really irritate you if for some reason
25 that outcome were to occur.

1 do have congestion. We have safety issues
2 that are going to be aggravated by this.

3 But having said all of that, I
4 understand what you're saying. We may not be
5 able to prevail, and I guess one of the
6 questions I have is: Why was the easement
7 granted in 2005? What was the ruling at that
8 time that allowed a court or, in fact, it
9 never reached a court decision, it was agreed
10 by the CDD with the then property owner?

11 Why did that happen? And do we -- do we
12 have to take that as evidence that that's
13 likely the course that's going to happen again
14 no matter what we say or what we do?

15 CHAIRMAN RAGUSA: The agreement that
16 resolved the litigation in 2005 -- and I was
17 not personally involved with that. I was on
18 the periphery. That ended a dispute that had
19 great uncertainty. I'll leave it at that.

20 I also -- I fully understand what that
21 settlement says, and I understand what it
22 means, and I have the advantage of being able
23 to discuss it with counsel. And it was
24 suggested that we need to have an open forum
25 and have Erin tell everybody what the law is.

<p style="text-align: right;">Page 61</p> <p>1 That's not going to happen. It's just not. 2 We're not going to open the CDD's counsel and 3 her legal opinions up to the public. There's 4 a reason why we have closed meetings at 5 certain times, so she can talk to us and give 6 us the ups and downs of potential risk and 7 litigation. 8 She can generally define what the legal 9 issues are, and I think actually we've heard a 10 lot of those. But it was -- people settle 11 lawsuits every day all day long, and you do it 12 for a lot of different reasons. And I think 13 that the CDD East had a good settlement that 14 ended what could have been a very expensive 15 and challenging lawsuit, and I -- I've never 16 second guessed that. Mr. Chesney led that 17 effort. 18 MR. CHESNEY: I was going to say that 19 the agreement in 2005 had a five-year shelf 20 that expired. I don't know if they -- 21 CHAIRMAN RAGUSA: I understand. 22 MR. BULLARD: Yes, we understand that. 23 CHAIRMAN RAGUSA: It has -- on its face 24 it expires, but what you're facing is the same 25 argument now in 2013 that you faced when that</p>	<p style="text-align: right;">Page 63</p> <p>1 We've identified some of the issues that 2 would be put out on the table, but we want to 3 see where they stand to see if it makes any 4 sense to go forward. You know, it's -- it's 5 not an ideal situation for anybody. It just 6 isn't. Not for them; not for us. And I think 7 the bottom line, as Mr. Ross said, is we could 8 end up back in litigation. And I don't know 9 that that's in anybody's best interest. 10 Yes, ma'am. 11 MS. KNAST: So I mean to Mr. Ross' 12 point, you know, if we roll the dice, right, 13 you could end up with 20 townhomes, a pool and 14 a lake-front clubhouse. Or we roll the dice 15 and go to court and lose, and we end up with 20 16 townhomes and a pool and a lake house. I 17 mean, so -- I mean, I'm -- I'm willing to 18 fight, because I bought into Westchase for a 19 certain type aesthetic, the feel, the look 20 what -- that's what we bought into. And to 21 change that now is -- I mean, we're -- you 22 know, many of the residents feel that, you 23 know, we are being undermined. That's not -- 24 it's not what the initial easement was back in 25 '96 when -- when it was sold; the developer</p>
<p style="text-align: right;">Page 62</p> <p>1 lawsuit was filed -- the same legal type of 2 argument, as opposed to a contractual 3 argument. 4 So there are -- there's issues on both 5 sides of this, and you heard -- he didn't give 6 you legal advice, but Mr. Ross gave you the 7 mediator's view on litigation and where it 8 goes and how it happens. And the reality is 9 there is a great deal of uncertainty. It's 10 going to be an expensive fight if we get 11 there. 12 What I want the residents to understand 13 is we understand your sensitivities. We do. 14 We spent -- the East spent a lot of money 15 litigating that issue a number of years ago. 16 So we are sensitive to the community's needs, 17 the desires. I -- we want -- I'm sure we want 18 to see a petition. If you've identified 19 safety issues, we certainly want to see it. 20 But by the same token, I think it makes sense 21 for us to at least have the CDD's counsel talk 22 to these folks and see where they're at and 23 where they're coming from so we can provide 24 you with more detailed and specific 25 information.</p>	<p style="text-align: right;">Page 64</p> <p>1 sold that. 2 And for whatever reason, to narrow this 3 point -- again, I'm not an attorney, and I 4 don't know, but if this -- if Bridgeton is 5 technically a private road owned by the CDD 6 and Promise Lake is a private road, then we 7 have two -- in theory, two landlocked pieces 8 of property. 9 And if it goes in front of a judge -- I 10 don't want to confuse facts with logic, but if 11 you have a piece of land and there's an 12 existing road that goes right in front of it 13 versus driving through the end of a street 14 through a TECO easement to build a new road, 15 what would a logical judge -- how would a 16 logical judge rule? Going down the existing 17 path or reinventing the wheel? 18 MR. BULLARD: Do you regard our street 19 as private -- the Stonebridge portion of 20 Bridgeton? 21 CHAIRMAN RAGUSA: I don't know that it 22 matters how I regard it. I mean I understand 23 what it is. I understand that it impacts 66 24 homeowners. 25 MR. BULLARD: Is it legally defined as a</p>

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1 private street?

2 CHAIRMAN RAGUSA: The property appraiser

3 defines it as a private street. Without going

4 into too much detail -- and Erin can stop me

5 here.

6 MR. CHESNEY: I would stop right now.

7 CHAIRMAN RAGUSA: There is a difference

8 -- there is a difference between our street

9 and Promise.

10 MR. BULLARD: There is?

11 CHAIRMAN RAGUSA: I'll leave it at

12 that. Mr. Ross.

13 MR. ROSS: I want to emphasize what's

14 been said so far. We're not drawing

15 conclusions or anything like that. I

16 personally have spent a fair amount of time on

17 this. I've met with the present owner of the

18 property and blah, blah, blah, and I've

19 exchanged information, et cetera.

20 I believe there is certain benefits to

21 the Westchase community to have that property

22 within the Westchase CDD. Without getting

23 into specifics because I don't want to say

24 anything that's inappropriate, would it be the

25 position of Stonebridge that if this board

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1 said, "We think it's better for -- to move

2 forward with that being within Westchase" and

3 Stonebridge said, "We don't want it," would

4 Stonebridge be willing to incur the legal

5 expenses to defend the case?

6 MR. KOZLOSKI: Let me answer that.

7 MR. ROSS: Yeah.

8 MR. KOZLOSKI: You're trying to pass the

9 buck, because we pay to the CDD. It is your

10 job to represent us. And I've seen this

11 before, and this is exactly what you do.

12 You're passing the buck around. You're

13 responsible. We might be willing to share

14 part of it, but don't go around, "Well, would

15 you guys be willing to pay?"

16 No. We pay money to you; you've got a

17 counsel. Right now nobody wants to answer.

18 "Is it a private road or isn't it a private

19 road?"

20 "Well, I don't really want to go that

21 far."

22 What is it? Is it a private road or it

23 isn't a private road? That's the answer.

24 MR. BARRETT: Sir --

25 MR. KOZLOSKI: That's the answer. Is it

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1 the same?

2 MR. BARRETT: Sir, he -- we could

3 jeopardize your legal case by answering that.

4 That's why they're not answering it.

5 MR. KOZLOSKI: Well, then maybe they

6 should say that. Don't tell me "I can't tell

7 you." I don't know why.

8 MR. BARRETT: What I'm saying is by

9 going publicly on the record, all right, and

10 saying what the CDD thinks it is, he could

11 jeopardize -- he could weaken your case in

12 court.

13 MR. KOZLOSKI: Okay. So there's an

14 attorney sitting right there. Why don't she

15 say, "Well, we really shouldn't say that

16 because it could jeopardize your case?"

17 Did anybody in this audience other than

18 this gentleman know that it could jeopardize

19 the case? No. So you -- all you're doing is

20 leading us down a blind path.

21 MR. ROSS: Since you're pointing your

22 finger at me, let me respond. I wasn't trying

23 to inflame you. I wasn't trying to agitate

24 you. I was genuinely trying to gather

25 information. And it's not a matter of me

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1 passing the buck, because we haven't been

2 asked to make a decision at this point.

3 In trying to make decisions, I like to

4 have as much information as possible. You've

5 now indirectly answered my question, but I'm

6 sorry you took my comment as trying to pass

7 the buck or be inflammatory. I was just

8 trying to understand --

9 MR. KOZLOSKI: Okay.

10 MR. ROSS: -- what --

11 MR. KOZLOSKI: Well, let me ask you

12 this: When you went to talk to the owner of

13 this property, wouldn't it have behooved you

14 to ask Dave Bullard, who is the president of

15 the association, to go with you so he could

16 hear what this guy had to say? So it's not

17 secondhand knowledge?

18 MR. ROSS: No, I don't think in this

19 instance it would have been. No, sir. No,

20 sir.

21 MR. KOZLOSKI: We're -- we're the ones

22 that are going to be affected by this, so I

23 think certainly think somebody from

24 Stonebridge should have been there.

25 MR. ROSS: Okay. We'll just have to

1 respectfully disagree.
 2 MR. KOZLOSKI: Okay.
 3 MS. KNAST: And one last comment I would
 4 like to make as far as the traffic. I mean,
 5 traffic would impact all the people that live
 6 in The Bridges as -- not just Stonebridge, but
 7 all The Bridges on Montague, because everyone
 8 accesses Montague, as well as Tree Tops, as
 9 well as Lake Chase. So it's just not -- so
 10 from a traffic perspective, it's just not
 11 isolated to Stonebridge.
 12 MR. BULLARD: We will present our
 13 petition to you, and it will clarify all the
 14 safety issues that we -- that we see. And
 15 those are the primary issues, and we don't
 16 fully understand why those have not been taken
 17 into account in the past, or if they have been
 18 taken into account in the past, why they were
 19 dismissed.
 20 CHAIRMAN RAGUSA: I would go back to
 21 Mr. Ross' comment. Well, go ahead, Greg.
 22 MR. CHESNEY: Well, I mean I'm -- and I
 23 don't want to argue over nothing, because
 24 there is nothing, but I'm not sure what you
 25 mean by the -- the -- the negotiations that we

1 had before were very specific on safety
 2 issues, on when they could enter, what times
 3 of day they were -- they -- you couldn't do it
 4 during school hours and things like that.
 5 MR. KOZLOSKI: That was only
 6 construction vehicles. It was very clear that
 7 was construction vehicles.
 8 MR. CHESNEY: Well, I'm just saying that
 9 -- whatever. I'm -- we're done. You guys are
 10 very -- for people looking for help, sometimes
 11 you need to be a little less abrasive.
 12 MR. KOZLOSKI: Maybe you ought to look
 13 and try to help us instead of sitting there on
 14 a -- on a throne. When I send you CDD money
 15 every month or once a year, you're supposed to
 16 be taking care of us. And don't tell me about
 17 disrespect. There is no disrespect here. We
 18 -- we're concerned. I watch you people up
 19 here; you guys don't seem to be too concerned.
 20 CHAIRMAN RAGUSA: Well, those -- those
 21 comments are -- the supervisors on this board
 22 are some of the hardest-working people in this
 23 community. And I've never seen this board
 24 make a bad decision in my 13 or 14 years on
 25 this board. And I have a lot of hindsight to

1 look back on. And if you think that these
 2 folks don't care about your issue, you're
 3 mistaken. You've never been to a CDD meeting
 4 before.
 5 MR. KOZLOSKI: I have.
 6 CHAIRMAN RAGUSA: Then I apologize,
 7 because I have never -- you have never spoken
 8 out.
 9 MR. KOZLOSKI: That's right. Because I
 10 sit here and I listen.
 11 CHAIRMAN RAGUSA: Okay. I --
 12 MR. KOZLOSKI: Now I'm ticked off. And
 13 for him to go and tell me --
 14 MR. CHESNEY: Don't point at me, sir.
 15 You know what?
 16 CHAIRMAN RAGUSA: Greg, just sit down.
 17 MR. CHESNEY: No. I'm just going to
 18 leave until they're gone, because --
 19 MR. KOZLOSKI: See, this is exactly why
 20 no one --
 21 MR. CHESNEY: What?
 22 MR. KOZLOSKI: -- trusts what you people
 23 do.
 24 MR. CHESNEY: Trusts what?
 25 MR. KOZLOSKI: This is -- this is a --

1 this is a five-year-old.
 2 MR. CHESNEY: Oh, a five-year-old.
 3 (Mr. Chesney exited the room.)
 4 CHAIRMAN RAGUSA: Listen, this is -- you
 5 need to understand this is a local government
 6 meeting. If this were Hillsborough County,
 7 the deputy would have taken you out already.
 8 I'm not -- I'm not into that. You have a
 9 right to address it. I want to hear what you
 10 have to say, but you need to be professional.
 11 For you to suggest that these folks don't care
 12 or don't listen to your issues is naive.
 13 You're naive.
 14 MR. KOZLOSKI: Well, when it comes
 15 across like that, how would you look at it?
 16 CHAIRMAN RAGUSA: I don't agree with his
 17 comments.
 18 MR. KOZLOSKI: Okay.
 19 CHAIRMAN RAGUSA: I will tell you that.
 20 This could have been handled better, and I
 21 will take responsibility for --
 22 MR. KOZLOSKI: And I'll take back what I
 23 said, but I'm not going to (inaudible). I'm
 24 not going to have somebody tell me that I
 25 shouldn't be talking.

1 CHAIRMAN RAGUSA: I don't think anybody
2 said that. But the fact remains is you need
3 to understand that we are working for you.
4 You need to understand that. And you seem to
5 have this level of distrust that I don't know
6 where you got it. You know, I don't know -- I
7 was not involved in settling the case in 2005,
8 and, candidly, I don't know all the details,
9 and I was not entitled to know the details. I
10 now know a lot more now than I did.

11 But you need to understand that we're
12 not trying to stick you with anything. We're
13 not trying to ignore your interests. We do
14 things as a government entity. We're not a
15 homeowners' association. We have Sunshine
16 requirements. We have a lot of requirements
17 that you may not understand or even know we're
18 subject to. So when Mr. Ross goes to meet
19 with someone, he doesn't need another
20 representative from another entity other than
21 a governmental entity present.

22 So we do things a little differently
23 than your homeowners' association, yes. And
24 maybe we haven't educated the public on those
25 differences. It's possible. But what I want

1 to do is make sure that you and all the other
2 residents throughout Westchase understand that
3 we hear your issues. That why I want to hear
4 the input on safety issues. Those are very
5 important. We hear those issues all the time
6 when we make decisions that affect this
7 community.

8 What we don't need are supervisors
9 getting into arguments with residents. It's
10 counterproductive. It's not going to do
11 anybody any good in the long run, and,
12 candidly, it strengthens our opponent. And
13 that's -- that's -- we've heard a little bit
14 about it. That's why we don't talk on the
15 record about certain issues, because if you
16 think the bank isn't reading our minutes and
17 if you think people that are doing business
18 with us don't read our minutes, you're kidding
19 yourself. Because this is the greatest source
20 of information when you're dealing with an
21 issue opposite of a government agency.

22 So I want to -- hopefully, everybody can
23 move beyond where we're at at least on this
24 issue. I think we've heard enough. I still
25 think counsel needs to explore the issue to

1 know where we better stand, and I'll come back
2 to Mr. Bullard.

3 MR. BULLARD: Just one final comment.
4 Thank you for your patience. Thank you for
5 that explanation. That was very helpful, and
6 we appreciate it.

7 CHAIRMAN RAGUSA: Again, our lines are
8 open. You can call us; you can email us.
9 We'll respond to the extent we can. Don't be
10 offended if I say I need to talk to counsel or
11 staff may get back to you. Because there's
12 only so much we can do outside of a public
13 forum. That's the bottom line. I can't
14 communicate with these gentlemen. We can't do
15 that.

16 MR. BULLARD: I understand.

17 CHAIRMAN RAGUSA: I can't talk to
18 Mr. Ross. I would love to talk to Mr. Ross on
19 these issues. I can't. Or Mr. Chesney,
20 because he's the only supervisor who truly
21 lived through the East's settlement of the
22 case. So there's a lot of information sitting
23 there, and I -- I can't pick his brain outside
24 of a public forum.

25 So let's shift gears to the more current

1 issue then that could have another impact on
2 this community. Can you go ahead and give an
3 overview of this, Erin?

4 MS. MCCORMICK: Sure. There was a --
5 there's been a rezoning application that was
6 filed on -- for -- and there is a hearing that
7 is scheduled on June 24th for a planned
8 development. This is north of Stonebridge,
9 also. I think it's 60-some acres, and they're
10 proposing 240 or --

11 MR. BULLARD: 220.

12 MS. MCCORMICK: -- 220 townhomes on the
13 property.

14 MR. BARRETT: Sorry. What was that
15 number again? I didn't hear you.

16 MS. MCCORMICK: 220 homes.

17 MS. KOVARIK: You said north of
18 Stonebridge?

19 MS. MCCORMICK: Yes. Yeah, they're
20 proposing access through I think it's Sunset
21 Lake is the name of the road that they would
22 access the community. They're not proposing,
23 you know, any access from this property south
24 toward the Westchase community.

25 There was an issue that I understand

1 that has been raised by the association, and
 2 it specifically deals with the homes that are
 3 located along the western boundary of this
 4 parcel, and along the southern boundary of
 5 Bridgeton Drive, which all of those units are
 6 really essentially south of where the proposed
 7 townhomes would go. They're along the
 8 man-made lake that's there. There's a 25-acre
 9 lake.

10 But the issue that was brought to my
 11 attention was the proposed buffering that the
 12 applicant for this rezoning is providing for
 13 between the lake and those homes. And that
 14 would be a five-foot, what they call type-A
 15 screening. And that's under the Hillsborough
 16 County Land Development Code.

17 So that type of screening is,
 18 essentially, planting mature trees or putting
 19 in a wall or a fence between the homes and
 20 that lake that's on the parcel. The issue is
 21 that that would then impact the views from
 22 those homes to the lake. And there is a
 23 50-foot maintenance and mowing easement that
 24 was entered into back in 1996 between the
 25 owners of this property where the proposed

1 would discuss it at the board meeting, and
 2 then I'll continue to reach out to Mr. Mezer
 3 and, you know, if the board directs us to --
 4 me to work with him with respect to the
 5 hearing that's coming up -- that's scheduled
 6 before the land use hearing officer on June
 7 24th, I can represent the district's interest
 8 at that hearing, as well.

9 CHAIRMAN RAGUSA: Mr. Argus.

10 MR. ARGUS: As -- I was emailed this
 11 chart, and as I looked at it, if you look
 12 across the northern boundary, you see that
 13 dashed line? It goes down the western
 14 boundary where it stops before the -- it hits
 15 the homes in Westchase.

16 Similarly, it goes down the eastern
 17 boundary all the way to the -- its southern
 18 border, but it's a solid line along
 19 Westchase. As I look at it, the dashed line, I
 20 believe, is that five-foot easement you're
 21 talking about. I do not believe it applies to
 22 the abutment of the Westchase properties. It
 23 looks to me to be a different drafting line,
 24 so --

25 MS. MCCORMICK: What -- you're proposing

1 development is going to go in.

2 It's -- it was at that time Charles and
 3 Betty Thomas. I think the owner of the
 4 property now is a Michael Thomas. So that may
 5 be the son of the Thomases, but the applicant
 6 for the rezoning is M/I Homes.

7 That 50-foot easement and mowing -- it's
 8 a -- the maintenance and mowing easement I
 9 have taken a look at, and I do think that it's
 10 pretty clear under that easement that the
 11 prior owners of this property had provided
 12 that there would not be any changes to that
 13 area between the homes on Bridgeton Drive and
 14 along the western boundary of the property and
 15 the lake. That it was to remain clear, and
 16 there wasn't going to be any additional
 17 landscaping or wall or structure that was
 18 going to be put into that place.

19 (Mr. Chesney returned to the room.)

20 MS. MCCORMICK: So I've seen an email
 21 from the association attorney. I had called
 22 and left a message for him, but I have not
 23 spoken with him directly yet. But my thought
 24 was that -- knowing of that -- at least that
 25 particular issue that the association has, we

1 put in the buffer?

2 MR. ARGUS: What I -- as I read this
 3 plat, this edge and this edge goes with the
 4 easement that we have, the 50-foot.

5 MS. MCCORMICK: Right.

6 MR. ARGUS: From here up and over and
 7 from here up and over, it would be the five-
 8 foot easement. So I agree we need to get a
 9 clarification on exactly what it is.

10 MS. MCCORMICK: You're saying we need
 11 clarification on where they're proposing to
 12 put in the five-foot --

13 MR. ARGUS: Because as I read this,
 14 they're not proposing to change the boundary
 15 with Westchase.

16 CHAIRMAN RAGUSA: Say that again.

17 MR. ARGUS: This line and across here is
 18 a solid line. If you look up here, it's a
 19 dashed line, and the -- the note and an arrow
 20 says that that dashed line was their proposed
 21 five-foot buffer.

22 Since this is a different type of line
 23 bordering Westchase, to me that implies that
 24 they're not talking about changing that, and
 25 in which case we just need to confirm that

<p style="text-align: right;">Page 81</p> <p>1 with their counsel.</p> <p>2 MR. ZEIGLER: Is -- if this is actually</p> <p>3 what's being presented in the zoning, is this</p> <p>4 -- do we know if this is the actual final?</p> <p>5 MR. ARGUS: Don't know.</p> <p>6 MS. WHYTE: This is the ledger for that</p> <p>7 parcel you were just referring to.</p> <p>8 MR. ARGUS: Right.</p> <p>9 MR. ZEIGLER: Because around that --</p> <p>10 that solid line on Stonebridge is a short</p> <p>11 metal fence, and then along Bayboro Bridge,</p> <p>12 it's a five -- I think a five-foot metal</p> <p>13 fence, as well.</p> <p>14 CHAIRMAN RAGUSA: So what's your</p> <p>15 concern, Bob?</p> <p>16 MR. ARGUS: I don't have a concern. I'm</p> <p>17 not sure --</p> <p>18 MR. ZEIGLER: It's going to impact us.</p> <p>19 MR. ARGUS: -- that we need to be</p> <p>20 concerned as I read the plat.</p> <p>21 MS. MCCORMICK: Well, I'm looking --</p> <p>22 MR. ARGUS: It may be taken care of.</p> <p>23 MS. MCCORMICK: -- at a copy of the site</p> <p>24 plan though, and it says, "The developer</p> <p>25 shall" -- this is very hard to --</p>	<p style="text-align: right;">Page 83</p> <p>1 MS. KNAST: A metal fence.</p> <p>2 MR. BULLARD: It's aluminum.</p> <p>3 MS. KNAST: It's aluminum. Similar to</p> <p>4 --</p> <p>5 CHAIRMAN RAGUSA: An aluminum, wire</p> <p>6 fence?</p> <p>7 MR. BULLARD: Uh-huh.</p> <p>8 MR. ARGUS: Is it black?</p> <p>9 MS. KNAST: Yes.</p> <p>10 MR. ZEIGLER: It's black, yes.</p> <p>11 MS. MCCORMICK: So you can see through</p> <p>12 the fence?</p> <p>13 MR. ZEIGLER: Yes.</p> <p>14 MS. MCCORMICK: And you have a view of</p> <p>15 the --</p> <p>16 MR. ZEIGLER: The entire length of</p> <p>17 Bayboro Bridge -- I live on that, and I</p> <p>18 actually face the lake --</p> <p>19 MS. MCCORMICK: Okay.</p> <p>20 MR. ZEIGLER: -- is complete lake view.</p> <p>21 You have a slatted, metal fence that is the</p> <p>22 consistent fence we have throughout the</p> <p>23 community.</p> <p>24 MS. MCCORMICK: Well, my thought would</p> <p>25 be after talking to the attorney for the</p>
<p style="text-align: right;">Page 82</p> <p>1 MR. ARGUS: Yes, yes.</p> <p>2 MS. MCCORMICK: It's teeny-tiny, but it</p> <p>3 says, "The developer shall provide a 10-foot</p> <p>4 wide Type-A buffer adjacent to Davidsen Middle</p> <p>5 School on the west side of the property and a</p> <p>6 Type-A, five-foot wide would need to be placed</p> <p>7 on the west side of property adjacent to</p> <p>8 single-family parcels if adjacent to</p> <p>9 townhomes. The south property line requires</p> <p>10 five-foot, Type-A buffer adjacent to multi-</p> <p>11 family property," so --</p> <p>12 MR. ARGUS: Okay.</p> <p>13 MS. MCCORMICK: -- I think that they're</p> <p>14 talking about putting in the buffer adjacent</p> <p>15 to the existing units.</p> <p>16 MR. ARGUS: Okay.</p> <p>17 CHAIRMAN RAGUSA: What is back there on</p> <p>18 the backside of Stonebridge?</p> <p>19 MS. KNAST: On the Stonebridge side</p> <p>20 as well as the Sturbridge side is just grass.</p> <p>21 North of the fence and east of the fence, it's</p> <p>22 just that 50-foot easement of just plain</p> <p>23 grass.</p> <p>24 CHAIRMAN RAGUSA: But what's the -- what</p> <p>25 type of fence is that?</p>	<p style="text-align: right;">Page 84</p> <p>1 association, I mean I'm not sure that this</p> <p>2 proposed developer or builder would really</p> <p>3 care about putting in the landscaping there,</p> <p>4 because they're not going to be adjacent to</p> <p>5 where their proposed units are going. So</p> <p>6 they -- you know, they may not care. They may</p> <p>7 just have put that in there, because it's a</p> <p>8 requirement of the land development code, but</p> <p>9 it seems to me like it would be a reasonable</p> <p>10 request for the county to waive that</p> <p>11 requirement for the screening if that's what</p> <p>12 both parties want, and it's not going to have</p> <p>13 any impact on anybody else.</p> <p>14 CHAIRMAN RAGUSA: Mr. Mezer represents</p> <p>15 who?</p> <p>16 MS. MCCORMICK: He represents the</p> <p>17 association.</p> <p>18 CHAIRMAN RAGUSA: Stonebridge HOA?</p> <p>19 MS. MCCORMICK: Yes.</p> <p>20 CHAIRMAN RAGUSA: Okay. Mr. Ross.</p> <p>21 MR. ROSS: I saw the email come in, but</p> <p>22 I didn't have a chance to read it, so I may</p> <p>23 not be able to hone in on some of the</p> <p>24 specifics that you're alluding to, but my</p> <p>25 general reaction to the issue, as I understood</p>

<p style="text-align: right;">Page 85</p> <p>1 it, was we could have objections or concerns</p> <p>2 that might fall onto I think three different</p> <p>3 areas.</p> <p>4 One, if they're proposing anything that</p> <p>5 would adversely impact any of our existing</p> <p>6 rights, such as violating an easement or</p> <p>7 something like that, in my view, clearly we</p> <p>8 would be opposed to a development that would</p> <p>9 interfere with our existing rights, property</p> <p>10 ownership, et cetera.</p> <p>11 Second would be something that would --</p> <p>12 where they have indirect impact on us. So if</p> <p>13 they're building 220 units and their storm</p> <p>14 water is going to go into a lake that we own</p> <p>15 and we're responsible for maintaining, that</p> <p>16 would be another reason why we would be</p> <p>17 concerned and have reason to object, and,</p> <p>18 personally, I would advocate us objecting on</p> <p>19 that ground.</p> <p>20 And then third would be something a</p> <p>21 little bit more intangible. Like if it was</p> <p>22 going to be ugly units and not aesthetically</p> <p>23 pleasing or add to transportation, I don't</p> <p>24 have enough information as to that, but to me,</p> <p>25 either one of the first two grounds, I would</p>	<p style="text-align: right;">Page 87</p> <p>1 that they, you know, do not drain into and</p> <p>2 adversely affect adjacent, surrounding property</p> <p>3 owners' stormwater management facilities.</p> <p>4 MR. ROSS: Well, it's beyond my area, so</p> <p>5 I don't know. I can only state that those</p> <p>6 first two reasons, I, as one supervisor, would</p> <p>7 be in opposition to the proposed project.</p> <p>8 MS. MCCORMICK: Right. And -- and I</p> <p>9 mean the other issue related to the</p> <p>10 maintenance easement is clearly, I think,</p> <p>11 affecting the district.</p> <p>12 CHAIRMAN RAGUSA: Let me ask you this:</p> <p>13 Have you seen any drawings that would show</p> <p>14 where they're planning on putting the</p> <p>15 townhomes?</p> <p>16 MS. MCCORMICK: All they have put is</p> <p>17 that dashed line that shows this area up here,</p> <p>18 which would be where they're going to be</p> <p>19 located and have access --</p> <p>20 CHAIRMAN RAGUSA: The north-west</p> <p>21 quadrant?</p> <p>22 MS. MCCORMICK: Right. Because really</p> <p>23 nothing else is buildable there.</p> <p>24 MR. ZEIGLER: From maintaining-the --</p> <p>25 I'm sorry. Go ahead.</p>
<p style="text-align: right;">Page 86</p> <p>1 think we'd be opposed to the project.</p> <p>2 MS. MCCORMICK: Well, I think we need to</p> <p>3 -- we need to keep in mind that we are</p> <p>4 representing for our purposes the district's</p> <p>5 interest, which would be, you know, related to</p> <p>6 the infrastructure that we're responsible for</p> <p>7 within the community.</p> <p>8 So, yes, if it -- if they were going to</p> <p>9 be draining into a pond that -- and it was</p> <p>10 going to adversely affect our stormwater</p> <p>11 management system, that's a direct impact to</p> <p>12 the district.</p> <p>13 MR. ROSS: And I don't know if they are</p> <p>14 or not.</p> <p>15 MS. MCCORMICK: That would be addressed</p> <p>16 during the permitting process. It wouldn't</p> <p>17 typically be addressed during the zoning</p> <p>18 stage. And that would be one of the things</p> <p>19 that would have to be evaluated during the</p> <p>20 permitting process.</p> <p>21 MR. ROSS: So that would not be a basis</p> <p>22 to object to the rezoning request if they --</p> <p>23 MS. MCCORMICK: I mean, I think the</p> <p>24 response by county staff would be that that's</p> <p>25 always something that we look at and require</p>	<p style="text-align: right;">Page 88</p> <p>1 CHAIRMAN RAGUSA: Go ahead.</p> <p>2 MR. ZEIGLER: From maintaining-the-</p> <p>3 easement standpoint, are we -- would we still</p> <p>4 be maintaining the perimeter around that lake</p> <p>5 even after the development, should it happen,</p> <p>6 takes place?</p> <p>7 MS. MCCORMICK: I don't think that we do</p> <p>8 any maintenance around the lake right now.</p> <p>9 Really what the easement provides for is that</p> <p>10 it's --</p> <p>11 MR. BULLARD: Yeah, we do.</p> <p>12 MS. MAYS: Yeah, we do.</p> <p>13 MS. MCCORMICK: Oh, we do do maintenance</p> <p>14 there?</p> <p>15 MR. MAYS: Just, basically, mow and</p> <p>16 maintain that 50-foot easement around --</p> <p>17 around that lake on the north side of</p> <p>18 Stonebridge and on the east side of Bayboro</p> <p>19 Bridge Drive.</p> <p>20 MS. MCCORMICK: Right. You --</p> <p>21 MR. ARGUS: It's all the way around?</p> <p>22 MR. MCCORMICK: -- certainly have the</p> <p>23 rights under --</p> <p>24 MR. MAYS: Just those two corners.</p> <p>25 MS. MCCORMICK: -- the easement to</p>

<p style="text-align: right;">Page 89</p> <p>1 continue to do that. So by virtue of them 2 rezoning this property, it wouldn't -- it 3 wouldn't impact our easement rights. 4 MR. ZEIGLER: Except if they put a 5 barrier wall around it, and then that would 6 impact us. 7 MS. MCCORMICK: Right, which would be a 8 violation of the easement. 9 CHAIRMAN RAGUSA: Yes, ma'am. 10 MS. KNAST: Yes. Joan Knast, 9845 11 Bridgeton Drive. I've been in contact with 12 the attorney representing the developer, Judy 13 James. 14 MS. MCCORMICK: Uh-huh. 15 MS. KNAST: I spoke with her on the 16 telephone and exchanged some emails, and she 17 had been given -- they had been given a copy 18 of this easement. 19 MS. MCCORMICK: Okay. 20 MS. KNAST: I'm under the impression 21 that they were willing to work with us and not 22 put up the wall. 23 MS. MCCORMICK: Uh-huh. 24 MS. KNAST: Also, as far as it was 25 rumored but it is not in any of the plans,</p>	<p style="text-align: right;">Page 91</p> <p>1 MS. MCCORMICK: Right. I did not see 2 anything in that application that talked about 3 a trail. They do provide for an optional 4 pedestrian access to the school property if 5 approved by the school board. 6 MS. KNAST: Also, from -- from county, 7 I've spoken with Michelle Heinrich, I think 8 who is the planner who is assigned to this, 9 because it's considered a PD project and not a 10 true rezoning; that they don't -- they don't 11 have to abide by the typical buffer laws and 12 zoning laws we have. For this sort of 13 property it would be a Type A, Type B and so 14 forth. 15 So I was led to believe that this is 16 something that they would be willing to take 17 under consideration. The only other thing, 18 again, is as far as being opposed to -- for 19 that is any use of the lake in regards to 20 watercraft -- motorized -- because that lake 21 is a habitat for a lot of protected birds, as 22 well as a protected turtle. And I think that 23 could disrupt those habitats. 24 MS. MCCORMICK: Okay. 25 MR. BARRETT: Mark, my question is</p>
<p style="text-align: right;">Page 90</p> <p>1 that there could be a possible walking trail, 2 and she said there's no intention to have a 3 walking trail around the lake. However, that 4 land has two lakes, so I've asked for 5 clarification, which lake we're referencing, 6 because as a Stonebridge resident, I mean I 7 would be opposed to a trail that would be 8 adjacent to the Stonebridge and Sturbridge 9 property. I can -- I can forward you some of 10 those communications -- 11 MS. MCCORMICK: You would be in 12 opposition to a trail that would be adjacent 13 to the Stonebridge property? 14 MS. KNAST: Yes, I would be in 15 opposition, because that would be directly 16 behind my house, and that land is only like -- 17 it says 50-foot wide, but -- 18 MS. MCCORMICK: It's not. 19 MS. KNAST: -- I think it's eroded over 20 time. And if you have EPC guidelines with a 21 minimum foot of 30-foot setback, you'd have no 22 room for a trail, so I don't know where, in 23 fact, it would go. 24 MR. ZEIGLER: Yeah. And on top of that 25 trail --</p>	<p style="text-align: right;">Page 92</p> <p>1 related to that issue. 2 CHAIRMAN RAGUSA: Yes, sir. 3 MR. BARRETT: Can I go ahead and ask it? 4 CHAIRMAN RAGUSA: Sure. 5 MR. BARRETT: Is there anything -- I'm 6 not that familiar with rezoning, but is there 7 anything in the request related to 8 recreational use of the lake, or is that 9 generally not stipulated, and how does that 10 happen? 11 CHAIRMAN RAGUSA: Erin, do you want to 12 answer that? 13 MS. MCCORMICK: I will have to go back 14 and look, but -- but I don't believe there was 15 anything in the application that specifically 16 spoke about use of the lake, and -- I mean, of 17 course, it would be subject to the EPC 18 regulations, but I think that that could be 19 something, you know, that -- that could be 20 requested to be put into the conditions or to 21 be clarified when it's -- if it's approved. 22 MS. KNAST: And the other thing is, too, 23 their initial plan requested for a west access 24 via Davidsen for both pedestrian and vehicle 25 traffic.</p>

1 MS. MCCORMICK: Right.
 2 MS. KNAST: I know the school board has
 3 declined that, so now they're pending approval
 4 just to have pedestrian traffic. But, again,
 5 if you look at it from a townhome perspective
 6 -- 220 homes -- how many -- what could the
 7 traffic impact be to Westchase if they have to
 8 drive to come into Westchase to drop their
 9 kids off at the school?
 10 Again, we're just adding more traffic
 11 onto Montague, which would impact all The
 12 Bridges, Tree Tops and Lake Chase.
 13 CHAIRMAN RAGUSA: I missed your point
 14 there. The school district denied a road
 15 access?
 16 MS. KNAST: Yeah.
 17 CHAIRMAN RAGUSA: But it's seeking
 18 pedestrian --
 19 MS. KNAST: Yeah. Well --
 20 CHAIRMAN RAGUSA: (Inaudible.)
 21 MS. KNAST: -- they still -- it's still
 22 pending one approval. They revised their
 23 plans. Initially, back in March -- March
 24 23rd, staff said, you know, school board
 25 declines your request, so they revised their

1 plan for a pedestrian walkway only still
 2 pending school board approval.
 3 Now, regardless of walking or not,
 4 people are still going to drive to take their
 5 kids to and from school -- a percentage of
 6 them -- with having more traffic coming out of
 7 Westchase via Montague.
 8 CHAIRMAN RAGUSA: If you could walk a
 9 hundred yards to the middle school, why
 10 wouldn't you do that?
 11 MS. KNAST: Some people want to drop
 12 their kids off and pick them up, you know.
 13 MR. KOZLOSKI: You see it every day.
 14 CHAIRMAN RAGUSA: Okay. Well, Erin,
 15 where are we going with this?
 16 MS. MCCORMICK: Well, my -- my thought
 17 is that a lot of these issues are -- it's
 18 going to be really important, I think, for
 19 either residents that are going to be directly
 20 impacted or for the community association to
 21 be a voice on this issue.
 22 I think that the district, you know,
 23 appropriately should speak to the issue of the
 24 easement and the screening, because that's
 25 properly what we own the easement for.

1 And, you know, the other issues are not
 2 really so much impacting the facilities of the
 3 district, but I think that if the board wants
 4 to authorize me to go ahead and, you know,
 5 communicate with Steve Mezer and possibly with
 6 Judy James, also, who is representing the
 7 applicant, to address this issue related to
 8 the screening, then I can do that, and if --
 9 you know, if it is helpful for us to either
 10 submit a letter for the hearing or if you want
 11 to have me attend the hearing, I can do that
 12 as well.
 13 CHAIRMAN RAGUSA: I'm not asking for any
 14 details of your communications or
 15 instructions, but has Mr. Mezer been hired to
 16 represent the HOA's interests on this rezoning
 17 request?
 18 MR. BULLARD: I'm not sure I can answer
 19 that question in terms of how he works on
 20 behalf of us whenever we ask him to. I
 21 brought him into this issue, and he's fully
 22 apprised of it, and he's given us a great deal
 23 of information about it.
 24 CHAIRMAN RAGUSA: Mr. Argus.
 25 MR. ARGUS: I would encourage us to at

1 least do the letter to the zoning. We want to
 2 be on record so that if an issue comes up, we
 3 still have a right to speak to issues.
 4 Have you all talked to the Westchase HOA
 5 and their government affairs committee?
 6 MR. BULLARD: No.
 7 MR. ARGUS: Okay. You all might want to
 8 do that.
 9 CHAIRMAN RAGUSA: Well, me, I see no
 10 problem with having Erin coordinate with the
 11 HOA and/or the Stonebridge HOA counsel on
 12 these issues. I think we need to make sure
 13 the county understands where the community
 14 stands.
 15 And, you know, to the extent we can help
 16 those who may be directly impacted by this
 17 proposed development, I think we should
 18 coordinate with that counsel and those folks.
 19 What do you guys think?
 20 MR. CHESNEY: Well, just so I
 21 understand, I mean our -- our issues are
 22 fairly narrow just in protecting the
 23 easements. I mean this board historically has
 24 not taken the position on development. When
 25 we did the Ford dealership and those types of

<p style="text-align: right;">Page 97</p> <p>1 things, we chose to decline. 2 So I mean I don't know what -- what we 3 need to do to represent that other than if 4 they're not -- they're not asking to violate 5 them. 6 MS. MCCORMICK: Well, they -- right now 7 the county's proposed -- or the conditions 8 related to this would violate the -- 9 MR. CHESNEY: All right. So -- 10 MS. MCCORMICK: -- easement. And it's 11 probably because the county staff may not be 12 aware of the easement's existence, and it 13 sounds like maybe the attorney for the 14 applicant wasn't aware of the easement as 15 well. 16 MR. CHESNEY: So, I mean, yeah, if we 17 have to protect our rights within that, but I 18 don't -- I mean I -- are you proposing that we 19 actually take a position on the development? 20 Because that would be unusual. 21 CHAIRMAN RAGUSA: To the extent that 22 it's inconsistent with Westchase, yes. 23 MR. CHESNEY: Okay. 24 CHAIRMAN RAGUSA: If it infringes on our 25 rights, yes.</p>	<p style="text-align: right;">Page 99</p> <p>1 MR. CHESNEY: Yeah. Would you -- would 2 you anticipate that she attend the hearing or 3 a simple letter to make them aware of our 4 interest? 5 CHAIRMAN RAGUSA: I honestly don't know 6 enough about how the process works. I don't 7 think we're talking a lot of money here. I 8 think it's worth doing. 9 MS. MCCORMICK: I mean, my -- my thought 10 would be that if we talk to staff and we talk 11 to the applicant and they both are aware -- 12 and when I talk about "staff," I'm talking 13 about Hillsborough County staff -- and they 14 say, "Okay. We understand you all have an 15 easement. You don't want the screening to be 16 put in, and the applicant has agreed to that, 17 too. So we're going to modify the proposed 18 condition when we take this to the hearing 19 master for their review," and then if we have a 20 letter that, you know, reflects the fact that 21 it's our understanding that this is the case, 22 that the screening is not going to be provided 23 adjacent to the units abutting the property, 24 then it may not be necessary for us to attend 25 the hearing.</p>
<p style="text-align: right;">Page 98</p> <p>1 MR. CHESNEY: Well, yeah, but that 2 infringes upon our easements. 3 CHAIRMAN RAGUSA: But let me just 4 distinguish. I view this as a different 5 situation than the Ford dealership. 6 MR. CHESNEY: I'm just using that as an 7 example. 8 CHAIRMAN RAGUSA: Yeah, and it's a good 9 example, but, I mean we have passed on taking 10 a position with respect to zoning requests. 11 This one is one of the only parcels that 12 directly abuts Westchase. It's a big parcel, 13 and they're talking a lot of units that are 14 going to impact a number of homes in two 15 different developments. 16 So I think it's worth at least letting 17 -- making sure everybody understands we're 18 there. We have interests we want to protect, 19 and you're going to need to work with us. And 20 we'll cooperate with anybody else that's 21 directly impacted. 22 I think it's -- it's money well spent. 23 I think if we spend some money with Erin and 24 her law firm up front, it will save us a lot 25 more money than surprises on the tail end.</p>	<p style="text-align: right;">Page 100</p> <p>1 MR. CHESNEY: Okay. 2 CHAIRMAN RAGUSA: Mr. Ross. 3 MR. ROSS: I agree with the direction 4 you just summarized that we go with this. I 5 would like to add to that, that you 6 communicate with Tonja and see if there could 7 be any adverse impact on our community. Using 8 the example of stormwater runoff -- 9 MS. MCCORMICK: Right. 10 MR. ROSS: -- if they are a 220-unit 11 community with all the roads and 12 infrastructure, is that going to -- going to 13 potentially impact us? 14 MS. MCCORMICK: Okay. 15 CHAIRMAN RAGUSA: Any other resident 16 comments on this issue? 17 (No response.) 18 CHAIRMAN RAGUSA: Are you clear on your 19 marching orders? 20 Is there any opposition to us proceeding 21 along these lines? 22 MR. ZEIGLER: No. 23 MR. ARGUS: No. 24 CHAIRMAN RAGUSA: Okay. 25 MS. MCCORMICK: Yes, I am. Sorry.</p>

<p style="text-align: right;">Page 101</p> <p>1 CHAIRMAN RAGUSA: Thank you. All 2 right. Any other issues of that nature? 3 MS. MCCORMICK: Related to Stonebridge? 4 CHAIRMAN RAGUSA: Yes. And/or any other 5 rezoning, et cetera? 6 MS. MCCORMICK: No. 7 CHAIRMAN RAGUSA: Okay. All right. 8 Manager's Report. Andy. 9 MR. MENDENHALL: Okay. I have a -- just 10 a couple issues today -- or a couple items. 11 The first one is the discussion of the 12 Fiscal Year 2014 budget. What you had emailed 13 out to you was the result of our last 14 meeting. It was what was sent off to the -- 15 off to the county as your TRIM budget. 16 Essentially, your -- your high-water mark for 17 the budget season. 18 So today, depending on what your interest 19 is in it as a Board -- obviously, if there's 20 any modifications, questions, updates you want 21 to do, certainly we can do that. 22 Of course, as you know, we'll also be 23 doing that at the next meeting when we look to 24 actually adopt the budget -- or I shouldn't -- 25 you'll be doing that. You'll have the</p>	<p style="text-align: right;">Page 103</p> <p>1 of four meetings based on the timelines that 2 we set up a couple years back, so -- 3 CHAIRMAN RAGUSA: Did you get -- the 4 TRIM notices went out. Correct? 5 MR. MENDENHALL: I don't know if the 6 TRIM notices officially went out yet. Has it 7 been submitted to the county? Yes. 8 MR. CHESNEY: I didn't get mine. 9 CHAIRMAN RAGUSA: I've got mine. 10 MR. MENDENHALL: Yeah. It's gone to the 11 county. Whether they -- probably not. I 12 haven't had any phone calls yet, and usually I 13 get a couple at least, so -- 14 CHAIRMAN RAGUSA: Well, one issue I want 15 to raise, and I'm -- I'm still confused based 16 on the email traffic. And I know we have a 17 representative here, and that involves the 18 volleyball courts. And I know that's a budget 19 item that we're going to need to make a final 20 decision on. But, Doug, I'm going to let you 21 jump in here. 22 The last I heard, there was a concern 23 that we don't have available park space for a 24 true sand-based, outdoor volleyball court? 25 MR. MAYS: That's -- yes, that is</p>
<p style="text-align: right;">Page 102</p> <p>1 opportunity to do that at the next meeting 2 prior to the adoption of the budget. 3 We'll also have our public hearing where 4 you can take any comments, of course, from 5 residents. So tonight is kind of the 6 in-between step of your budget, and I'll defer 7 to you towards how much you want to go into it 8 or any changes you want to make. 9 MR. CHESNEY: Just so I understand, 10 we're going to formally adopt the budget in 11 our August meeting? 12 MR. MENDENHALL: Is it the Aug -- oh, 13 yeah. I'm sorry. Yeah, you're right. 14 MR. CHESNEY: Okay. 15 MR. MENDENHALL: I forgot we do have a 16 gap there, so -- 17 MR. CHESNEY: So our July meeting is our 18 -- where we usually hash out everything and 19 make sure that -- 20 MR. MENDENHALL: Correct. 21 MR. CHESNEY: -- it's largely 22 finalized? 23 MR. MENDENHALL: I apologize. Usually 24 with the 60-day window, it winds up being a 25 series of three meetings. Here it's a series</p>	<p style="text-align: right;">Page 104</p> <p>1 correct. I had the Glenclyff Park over there 2 checked by our engineer to see if there was an 3 area that we thought would be viable for soft 4 -- for the volleyball, sand volleyball. And 5 she says that thing is flat full. There's 6 really not an opening. 7 The gentleman that's interested -- 8 Ramesh -- mentioned that they might be able to 9 just use grass, but even that area in 10 Baybridge I don't think is wide enough for a 11 50-foot-wide volleyball court. 12 You need 30 feet for the playing field, 13 and then two -- 10 feet on each side. I'm 14 concerned that the area he discussed, we would 15 have to put a four-by-four and a four-by-four 16 right at the end of the soccer field and right 17 on the edge of a basketball court. You know 18 what I mean? That, to me -- there's a big 19 safety issue there, too. 20 I mean, if it was something that you 21 could pull in and out all the time -- but then 22 you're -- then you've got people on top of 23 each other. So the engineer said that she 24 thought it was just not enough space out 25 there.</p>

<p style="text-align: right;">Page 105</p> <p>1 And I took my tape measure out there and</p> <p>2 measured between the softball field and the</p> <p>3 brick wall over there, too. And my concern</p> <p>4 there is if you're playing volleyball, how are</p> <p>5 you going to play baseball? There's the</p> <p>6 potential of getting hit with a baseball or</p> <p>7 something.</p> <p>8 Then the other area would be by the</p> <p>9 Pavilion Number 2 -- Pavilion Number 2, but</p> <p>10 that area there, that's where we usually house</p> <p>11 picnics and parties for -- with our bounce</p> <p>12 houses and things like that. So I just --</p> <p>13 I informed Ramesh that we may want to wait</p> <p>14 until we see what the engineers and everybody</p> <p>15 comes up with that piece of -- the parcel in</p> <p>16 the back or what we can do back there.</p> <p>17 CHAIRMAN RAGUSA: Now, there was nothing</p> <p>18 in Baybridge that would even remotely --</p> <p>19 MR. MAYS: No. No room at all in</p> <p>20 Baybridge unless we put it, like I say, in the</p> <p>21 middle of everything. And right now that's a</p> <p>22 swale designed for run-off, so it's wet all</p> <p>23 the time.</p> <p>24 CHAIRMAN RAGUSA: And it's not level?</p> <p>25 MR. MAYS: And it's not level.</p>	<p style="text-align: right;">Page 107</p> <p>1 was not critical or integral to what they were</p> <p>2 doing during the summer camps, so that meant</p> <p>3 they only had the volleyball court for the</p> <p>4 people on Sunday morning, and really that</p> <p>5 wasn't a smart use of the resources. So take</p> <p>6 it out; put in something that is going to be</p> <p>7 used by more people.</p> <p>8 Then as a follow-up, I remembered</p> <p>9 they're adding on to the Westchase</p> <p>10 Recreational Center, and I went online, and</p> <p>11 it's going to include a volleyball court,</p> <p>12 what they're building there.</p> <p>13 So my motion is I move that further</p> <p>14 consideration of the volleyball court be</p> <p>15 tabled until the Westchase Recreation Center</p> <p>16 is completed and operational, allowing us to</p> <p>17 ascertain whether that facility will be able</p> <p>18 to provide adequate volleyball play.</p> <p>19 MR. CHESNEY: Did we -- did we put it in</p> <p>20 the budget?</p> <p>21 MR. MENDENHALL: Yeah.</p> <p>22 CHAIRMAN RAGUSA: It's still in there.</p> <p>23 Remember we had some additional capital</p> <p>24 improvement money that we left in.</p> <p>25 MR. CHESNEY: I know. I just forgot</p>
<p style="text-align: right;">Page 106</p> <p>1 CHAIRMAN RAGUSA: Okay.</p> <p>2 MR. MAYS: I just don't see a spot. The</p> <p>3 only spot I saw was, like I said, in West Park</p> <p>4 Village in the middle, and everybody felt like</p> <p>5 that would not be a good location because of</p> <p>6 the bandstand and because it's right in the</p> <p>7 middle of two apartment complexes and, you</p> <p>8 know, there may be some conflicts over there.</p> <p>9 But that -- to me that's really the largest</p> <p>10 flat green space that's around.</p> <p>11 CHAIRMAN RAGUSA: Mr. Ross.</p> <p>12 MR. ROSS: I'm going to make a motion in</p> <p>13 a second, but I'll preface it by some</p> <p>14 comments. At the last meeting you very sagely</p> <p>15 observed that whenever you're at the</p> <p>16 volleyball court, you never see anybody use</p> <p>17 it, and it's somewhat interesting that we're</p> <p>18 looking at creating a new court when we had</p> <p>19 one and the HOA took it down.</p> <p>20 So after that, I called the property</p> <p>21 manager here and I asked, "Well, who was using</p> <p>22 the volleyball court?"</p> <p>23 And she said, essentially, two groups:</p> <p>24 the group that's playing on Sunday morning and</p> <p>25 the summer camps. And they decided that it</p>	<p style="text-align: right;">Page 108</p> <p>1 where we left it.</p> <p>2 CHAIRMAN RAGUSA: You tried to kill it,</p> <p>3 but we left it.</p> <p>4 MR. CHESNEY: Second.</p> <p>5 CHAIRMAN RAGUSA: All right. Further</p> <p>6 discussion?</p> <p>7 MR. ZEIGLER: I think it's a wise idea</p> <p>8 based on what the -- the analysis of open and</p> <p>9 available land. Even out there at Glenduff</p> <p>10 Park, you know, almost everything is wet out</p> <p>11 there in between the fields or between the</p> <p>12 field and the -- and the basketball courts.</p> <p>13 There does need to be adequate room and</p> <p>14 -- for a ball being spiked and going out. If</p> <p>15 it goes out on the road, we've got issues. If</p> <p>16 it goes out onto the basketball court and you</p> <p>17 guys are constantly kicking it back, we've got</p> <p>18 issues.</p> <p>19 So I -- I like the idea of the -- having</p> <p>20 Westchase Elementary, if they have the</p> <p>21 expansion of that -- the facilities over</p> <p>22 there, that would be a win-win.</p> <p>23 CHAIRMAN RAGUSA: Resident comment?</p> <p>24 MR. KOLLI: I really wish -- (inaudible)</p> <p>25 and myself went there together to see the</p>

<p style="text-align: right;">Page 109</p> <p>1 measurement of the area. So we went with our 2 tape, and after measuring the 50 feet, you 3 know, still there is some area left, but I see 4 -- I agree when the ball is spiked, it will go 5 to the -- the basketball court. Certainly I 6 agree on that. 7 So we can wait until the rec center -- 8 they complete that facility. So at that point 9 certainly -- in case if they're going to come 10 up with any volleyball facility, so -- 11 CHAIRMAN RAGUSA: Let me ask you: Did 12 you approach the Hillsborough County Parks and 13 Rec about volleyball at that rec center? 14 MR. KOLLI: I spoke with Ms. (inaudible) 15 at this location, and they said they haven't 16 decided yet, and they took my name. And they 17 plan to have a resident forum or something to 18 take the input from the residents. So they -- 19 they took my details, and they have put it on 20 the list, and so they said they will invite me 21 when they plan to have it. 22 CHAIRMAN RAGUSA: Okay. Mr. Argus. 23 MR. ARGUS: Do we know when the existing 24 sand volleyball court may disappear? Do you 25 have a timeline on that?</p>	<p style="text-align: right;">Page 111</p> <p>1 for awhile. 2 MR. ARGUS: Okay. 3 MR. KOLLI: I understand that there is a 4 space near the library -- next to the library, 5 and I mean a decision has to be made by the 6 board what to do with that area. So, 7 certainly, going forward, if there is a piece 8 of land there we can use, that will be great. 9 Because, again, playing inside of a rec 10 center here, we're so prone to injuries. I, 11 myself, along with other friends, we have been 12 to (inaudible) rec -- rec facility. So they 13 play there on Monday and Tuesday night, 7:00 14 to 9:00. 15 And I gave myself an injury twisting my 16 -- twisting ankle, and we have seen a few 17 other players -- you know, they have -- they 18 cannot get up after their pain, so we have -- 19 we have held up for them on both sides and 20 lifted them up, take them to their vehicle and 21 somebody has to drive them back. 22 CHAIRMAN RAGUSA: Is that indoor? 23 MR. KOLLI: Indoor. 24 CHAIRMAN RAGUSA: Oh, it is indoor. 25 MR. KOLLI: So those are hardwood.</p>
<p style="text-align: right;">Page 110</p> <p>1 CHAIRMAN RAGUSA: I don't know. 2 MS. SELLS: I don't have a time line. 3 MS. WHYTE: I can check and see if 4 Debbie is still here. 5 (Ms. Whyte exited the room.) 6 CHAIRMAN RAGUSA: Sooner than later. 7 MR. CHESNEY: I would think so, because 8 they -- 9 MR. ARGUS: And we have no idea -- 10 MR. CHESNEY: -- have a grant from USTA, 11 and they need to spend it. 12 MR. ARGUS: And we have no idea on the 13 Westchase Recreational Center -- what their 14 construction time is? 15 MR. CHESNEY: It opens in the fall. 16 MR. ARGUS: Of this year? 17 CHAIRMAN RAGUSA: Yes. 18 MR. CHESNEY: Yeah. 19 MR. ARGUS: Okay. 20 CHAIRMAN RAGUSA: Okay. 21 MR. KOLLI: Again -- 22 (Ms. Whyte returned to the room.) 23 MS. WHYTE: A possible three months 24 plus. They're still going through their 25 granting process. So it will still be there</p>	<p style="text-align: right;">Page 112</p> <p>1 CHAIRMAN RAGUSA: Right. 2 MR. KOLLI: So at this age with sand -- 3 sand -- 4 CHAIRMAN RAGUSA: You're young. 5 MS. WHYTE: At this age? 6 CHAIRMAN RAGUSA: Okay. 7 MR. KOLLI: And then you have to play in 8 their hours of operation if it is indoor. 9 CHAIRMAN RAGUSA: Sure. 10 MR. KOLLI: Again, all we would like is 11 to have a place -- just a place, so -- we 12 don't want the board to spend a lot of money, 13 and even if -- if there is a piece of area for 14 the poles, for the net, and we can put from 15 our pocket. That's all we are looking at. 16 So once the HOA removes the current 17 facility, so at that point if you have, you 18 know, some piece of land. So all -- we have 19 looked at all four places in the -- the 20 district. So one is near the library. It is 21 not conducive; a lot of landfill and clean up 22 is needed. 23 And the area there in front of Westchase 24 leasing office, so in between the -- 25 (inaudible) residents, so that would bring a</p>

1 lot of (inaudible) for the residents.
 2 And, also, we have looked at another one
 3 in the area of the fire station within West
 4 Park Village, so all of the way diagonal from
 5 this place, so --
 6 CHAIRMAN RAGUSA: We don't own that
 7 parcel though, do we?
 8 MR. MAYS: Yeah, there's a piece over
 9 there that we own, but it's -- it's going to
 10 take a lot of work, too, because there's a
 11 swale over there, too.
 12 MR. KOLLI: A lot of --
 13 MR. MAYS: It's at the back of the power
 14 lines.
 15 CHAIRMAN RAGUSA: Mr. Argus.
 16 MR. ARGUS: There is another sand
 17 volleyball court within the Westchase CDD; the
 18 Lexington Park apartments has a sand
 19 volleyball court. Have you all looked at
 20 perhaps using that?
 21 MR. KOLLI: Which place? Where?
 22 MR. ARGUS: Lexington Park. It's across
 23 the street, you know, right behind the Publix
 24 -- just north of Publix.
 25 MR. KOLLI: Oh, right, right. We heard,

1 but, no, I think -- we are not residents of
 2 that, so I am not sure --
 3 MR. ARGUS: No. But you might ask them
 4 if you could borrow it on Sunday mornings.
 5 MR. KOLLI: Okay. Certainly we can ask
 6 that.
 7 CHAIRMAN RAGUSA: He can put a good word
 8 in for you.
 9 MR. KOLLI: Thank you very much.
 10 CHAIRMAN RAGUSA: All right. We have a
 11 motion that was seconded. Any further
 12 discussion?
 13 (No response.)
 14 CHAIRMAN RAGUSA: All in favor, please
 15 raise your hand.
 16 (All board members raised their hands.)
 17 CHAIRMAN RAGUSA: That motion passes
 18 five to nothing, as well.
 19 (Motion passes.)
 20 MR. KOLLI: Thank you very much.
 21 CHAIRMAN RAGUSA: Thank you.
 22 MR. CHESNEY: Are we going to go through
 23 any of the other things tonight?
 24 MR. MENDENHALL: Yeah. And just to that
 25 point, based on that, do you want me to back

1 out those particular funds from the budget?
 2 CHAIRMAN RAGUSA: No.
 3 MR. CHESNEY: No. Okay.
 4 MR. ARGUS: Some of the funds are being
 5 taking from the reserve area, so that's fine.
 6 MR. ROSS: And I've got motions that I'm
 7 prepared to make, but I'm happy to wait until
 8 July. Whatever is the best way to deal with
 9 it.
 10 CHAIRMAN RAGUSA: We can address them.
 11 Let's -- let's address them.
 12 MR. ROSS: Do you want me to just make
 13 motions? I've just got them rat-a-tat-tat-
 14 tat.
 15 CHAIRMAN RAGUSA: Okay. So just alert
 16 us what the issues are.
 17 MR. ROSS: Splash pad.
 18 CHAIRMAN RAGUSA: Okay. Next issue.
 19 MR. ROSS: Signage.
 20 CHAIRMAN RAGUSA: Next issue.
 21 MR. ROSS: Fountains.
 22 MR. CHESNEY: Fountains?
 23 MR. ARGUS: Yeah, in the ponds.
 24 MR. MAYS: Pond foundations.
 25 MR. ROSS: Salaries. Those are the

1 four.
 2 CHAIRMAN RAGUSA: Okay. Let's start
 3 with salaries.
 4 MR. CHESNEY: Okay. We're going to do
 5 this?
 6 MR. ROSS: Somebody passed around a
 7 sheet, and I don't know who it was.
 8 MR. CHESNEY: Well, I -- he sent it out,
 9 and --
 10 MR. ARGUS: Which I have not received.
 11 MR. MENDENHALL: I had some difficulties
 12 getting it to Bob.
 13 MR. CHESNEY: So you don't have it?
 14 MR. ARGUS: Nope.
 15 MR. MENDENHALL: (Tendering document.)
 16 MR. ARGUS: Okay.
 17 MR. CHESNEY: On there -- I had asked
 18 that that be sent, that -- there's two things
 19 that does. That gives the total current
 20 compensation of our current employees -- all
 21 four of them -- and it gives some comparative
 22 studies on one of the positions.
 23 And, you know, I -- I just bring this up
 24 just like I did last year. I mean, I -- I want
 25 our employees to be very fully paid. I just

<p style="text-align: right;">Page 117</p> <p>1 think that, you know, a market-driven wage --</p> <p>2 and we had some discussion over what that was</p> <p>3 last year between Bill Casale and I -- and then</p> <p>4 a sizeable bonus when they do things that are</p> <p>5 -- are excellent.</p> <p>6 And, I mean -- and -- and you saw --</p> <p>7 yes, I did have the advantage of crafting the</p> <p>8 budget, so I put the 15 percent that you had</p> <p>9 asked for, and I put it all in the bonus</p> <p>10 thing. And, you know, my idea would be that</p> <p>11 we would come up with some way to determine</p> <p>12 what that pool is between the six of us,</p> <p>13 essentially. And I'm including Andy, as</p> <p>14 well.</p> <p>15 So that's -- I mean, that's really all my</p> <p>16 piece, and that's just my position on it, but</p> <p>17 I also just want to make sure everyone had the</p> <p>18 information, which is why I asked Andy to</p> <p>19 compile the information and send it out.</p> <p>20 MR. ROSS: As a follow-up to that, I</p> <p>21 know that you were in the process of</p> <p>22 evaluating our employees.</p> <p>23 MR. MENDENHALL: Correct.</p> <p>24 MR. ROSS: Generally, without getting</p> <p>25 into specifics, did anybody get a bad</p>	<p style="text-align: right;">Page 119</p> <p>1 is to increase their salary. And so I move</p> <p>2 that effective the start of the 2013-2014</p> <p>3 fiscal year, the annual salaries of Doug Mays</p> <p>4 and Sonny Whyte be increased eight percent.</p> <p>5 MR. ARGUS: I'll second that.</p> <p>6 CHAIRMAN RAGUSA: Discussion.</p> <p>7 (No response.)</p> <p>8 CHAIRMAN RAGUSA: Then I'll start. Uh</p> <p>9 --</p> <p>10 MR. MENDENHALL: Actually, it is -- it</p> <p>11 is a good question. And, obviously, it's a</p> <p>12 public meeting. In a lot of my districts for</p> <p>13 the board to be comfortable speaking, as well</p> <p>14 as for the employees, sometimes they do ask</p> <p>15 the employees if they would like to volunteer</p> <p>16 to leave the room.</p> <p>17 CHAIRMAN RAGUSA: I'm not going to say</p> <p>18 anything I wouldn't say to your face, so</p> <p>19 you're welcome -- you're welcome to stay.</p> <p>20 MR. ARGUS: And they're going to read it</p> <p>21 in the minutes anyway.</p> <p>22 MR. MENDENHALL: Oh, absolutely. And,</p> <p>23 you know, it's --</p> <p>24 MR. MAYS: I think we've known each</p> <p>25 other a long time.</p>
<p style="text-align: right;">Page 118</p> <p>1 evaluation?</p> <p>2 MR. MENDENHALL: No, not at all.</p> <p>3 MR. ROSS: Anybody get marked up for</p> <p>4 something that was --</p> <p>5 MR. MENDENHALL: No.</p> <p>6 MR. ROSS: -- noteworthy?</p> <p>7 MR. MENDENHALL: I would say that the</p> <p>8 highest employee review -- and I review Doug,</p> <p>9 and he reviews everybody, and then -- and</p> <p>10 Doug, as has been typical for me, has the</p> <p>11 highest review of any of the folks that I</p> <p>12 review across the different properties that I</p> <p>13 manage.</p> <p>14 MR. ROSS: Okay. Well, my feeling is</p> <p>15 and my -- my gut is all five supervisors</p> <p>16 believe we have an excellent staff. And we</p> <p>17 really do value them and appreciate them, and</p> <p>18 how we get to the ultimate compensation</p> <p>19 sometimes is just a matter of personal</p> <p>20 preference. I don't think really in a</p> <p>21 conversation, Greg, you and I would quarrel</p> <p>22 about how good they are and how good they are</p> <p>23 for the community.</p> <p>24 So with that caveat, I believe that one</p> <p>25 of the ways to show folks that their value is</p>	<p style="text-align: right;">Page 120</p> <p>1 CHAIRMAN RAGUSA: You know I very much</p> <p>2 appreciate what -- what all of our employees</p> <p>3 and all of our staff do, and I think you guys</p> <p>4 -- in some respects you're almost to the point</p> <p>5 where you'd be very difficult to replace under</p> <p>6 any circumstances, so -- and that's a tribute</p> <p>7 to you guys and the effort that you do.</p> <p>8 From a fundamental perspective, I would</p> <p>9 -- I would not be in favor of what you had</p> <p>10 originally proposed. I know it's not the</p> <p>11 motion. I don't know that a large bonus is</p> <p>12 the way to compensate these employees.</p> <p>13 MR. CHESNEY: I didn't say large. I</p> <p>14 said it could be large depending on --</p> <p>15 CHAIRMAN RAGUSA: Well, I just -- you</p> <p>16 know, I view bonuses in the world of it's</p> <p>17 based on financial performance of both the</p> <p>18 employer and the employee. I just don't know</p> <p>19 that that's -- it would be impossible to</p> <p>20 structure their compensation system where it</p> <p>21 would be back-end loaded.</p> <p>22 I suspect what Mr. Ross recognizes in</p> <p>23 making the motion is that you're -- you're</p> <p>24 better off paying your employees over the</p> <p>25 course of the year. I know I would rather</p>

<p style="text-align: right;">Page 121</p> <p>1 have a higher salary than worry about a 2 subjective bonus at the whims of the financial 3 condition of the employer. 4 So I would be in favor of increasing the 5 salaries. What I don't want to do -- and I 6 have seen it. It can happen when you get into 7 smaller businesses -- and we're not a 8 business. We are a government. What we can 9 get into a situation is if we keep having 10 dramatic salary increases, in five years we 11 could have a hundred-thousand-dollar employee, 12 and it happens real fast. I've seen it in 13 this community. It happens really fast. 14 And whether that's the fair-market 15 value, I don't know what the market value is. 16 I saw Andy's recommendations, and I see the 17 current numbers. And I would agree that we 18 need to increase it, but what my biggest 19 concern is we've -- we've consistently given 20 salary increases, and in some situations we've 21 supplemented it with additional end-of-the- 22 year bonuses -- both holiday and other -- to 23 what I thought was getting them into a 24 competitive and -- and high-end competitive 25 compensation. And I have no problem with</p>	<p style="text-align: right;">Page 123</p> <p>1 of us want to do that, then that's fine. I 2 just think eight percent is a high number 3 that, I think -- it sets us up for what I'm 4 going to call excessive or runaway increases 5 in the future. 6 And if you're here to tell me that you 7 think that they're underpaid and that we need 8 to bump them to eight percent to get them more 9 competitive, then I'm all ears, but that's not 10 what I've taken over my years of experience 11 and what I've heard recently. So I -- you 12 know, I'm inclined to vote for an increase of 13 more than three percent, but it's not eight 14 percent. That's a lot of money. Yes, sir. 15 MR. CHESNEY: Well, I mean, my position 16 is, is that, in general, if you look at it 17 from a comparative standpoint, I mean, they are 18 all paid well above their peers -- 19 considerably well above their peers. So they 20 are paid a market wage; an above-average 21 market wage. And they're paid above market 22 currently. 23 And I understand that all of them -- all 24 four of them, not just Sonny and Doug, do 25 things that are exceptional, whether they help</p>
<p style="text-align: right;">Page 122</p> <p>1 that. I think they deserve high-end 2 compensation. 3 My biggest concern is that we start 4 setting a trend of having large salary 5 increases. When -- I mean we had three- 6 percent, three-and-a-half percent increases -- 7 it was varied, I guess, amongst different 8 employees -- when we had zero CPI growth. 9 And, I mean, that was kind of unheard of in a 10 lot of realms, and I had no problem with it. 11 I voted for it. I thought it was the right 12 thing to do, and I want our staff to 13 continuously -- as long as their performance 14 is improving and maintaining at the levels we 15 expect of them and that this community 16 expects, I don't have any problem with giving 17 them salary increases. 18 I guess my -- I'm speaking out here 19 against the amount of the proposed salary 20 increase. I think the initial recommendations 21 were probably on point. Eight percent is a 22 significant jump in compensation. I don't 23 care if you make five dollars an hour or a 24 thousand dollars an hour; that's a lot of 25 money proportionally. So if -- if the three</p>	<p style="text-align: right;">Page 124</p> <p>1 -- I don't even know their names anymore, 2 because they've changed. But, you know, 3 whether they stay up till 10 o'clock at night 4 waiting for someone to park their car in the 5 -- in the park, I mean, that's an exceptional 6 performance that we don't necessarily ask 7 for. 8 I mean, they all do great things, and 9 when they do those great things, they should 10 be rewarded, and that's why I think the best 11 way to reward employees for going above and 12 beyond is through a bonus. I don't think the 13 bonus has anything to do with our financial 14 situation or condition. It has everything to 15 do with their individual performance that 16 year. And I would not support -- quite 17 frankly, I wouldn't support a wage increase 18 above CPI for them. 19 CHAIRMAN RAGUSA: May I just ask? We 20 still supply trucks to both of the other 21 employees or just one? 22 MR. MAYS: One of them we supply their 23 truck full-time. The other one only on the 24 weekends that he is scheduled to work. 25 CHAIRMAN RAGUSA: And that's -- that's</p>

<p style="text-align: right;">Page 125</p> <p>1 compensation in consideration that's not in a 2 salary. 3 MR. CHESNEY: I'm not saying they're 4 underpaid. 5 CHAIRMAN RAGUSA: That -- in my eyes 6 that is a big bonus. 7 MR. CHESNEY: Right. Well, I mean, Doug 8 gets that, too. 9 CHAIRMAN RAGUSA: And that's -- he needs 10 a truck. He needs a CDD truck. 11 MR. CHESNEY: I understand. I agree. 12 I'm not -- I'm not quarreling with their 13 current compensation. I don't -- I think 14 their current compensation is fair. 15 What I'm suggesting is that the best way 16 to reward our employees for their great deeds, 17 because I mean they -- and it happens. I mean 18 some years they're going to do something 19 that's really spectacular. Then other years 20 they're just going to do the great job that we 21 expect of them, and they're going to be 22 rewarded. So when they do that extra-special 23 job, then they should be rewarded with a 24 bonus, and that's the idea behind it. I know 25 there are different kinds of bonuses, but</p>	<p style="text-align: right;">Page 127</p> <p>1 know, Doug is by far the best person I deal 2 with in his role. 3 As far as plateauing, I -- frankly, I 4 think you're probably beyond that a little bit 5 when you talk about a market rate, and I 6 compare it, obviously, to folks who do the 7 same type of job, but every district that you 8 get into, they have slight -- slightly 9 different variables as far as responsibilities 10 and that sort of thing, so, you know -- and 11 beyond the 10 districts that I deal with 12 right now, I've dealt with over 30. 13 So I've got kind of a -- a good vision 14 of what folks are doing in different places; 15 what they're being paid and that sort of 16 thing. I think it might become -- because you 17 look at your district as a unique situation, 18 obviously, and that you want -- you expect to 19 or you don't have a problem with paying more 20 for excellent service, which is completely 21 understandable. But then at the same time, 22 you sort of have to look at, well, any job has 23 a limitation, and what is that limitation? I 24 think that's kind of what you're referring to 25 as the plateau. So it's hard for me set that</p>
<p style="text-align: right;">Page 126</p> <p>1 that's how it works. 2 CHAIRMAN RAGUSA: Gentlemen. 3 MR. ZEIGLER: Bonuses, like salary 4 increases, sometimes become expected. As you 5 continue to go year to year to year, they kind 6 of just fall in the next budget and yes, yes, 7 yes, check it off. You're correct in saying 8 that, you know, we might plateau out, you 9 know, with being on the high end of 10 compensation. 11 I'd ask Andy: You know, do -- are we -- 12 are we getting near that level on the high 13 end? And then, you know, what is -- what is 14 commonly done in other CDDs that -- that have 15 folks of exceptional value like them that do 16 warrant the money, but at the same time you 17 don't keep on doing the automatic yes? 18 MR. MENDENHALL: Right. Do you want me 19 to answer that now, or do you want to go 20 through all the -- 21 CHAIRMAN RAGUSA: Let's answer it. 22 MR. MENDENHALL: Well, yeah, I mean I -- 23 I tend to agree with Greg's comments and -- 24 and, obviously, no reflection on the 25 employees, because like I said, I mean, you</p>	<p style="text-align: right;">Page 128</p> <p>1 for you. 2 MR. ZEIGLER: Right. 3 MR. MENDENHALL: If I look at it in an 4 abstract way, which is -- well, not completely 5 abstract, but in a comparative way, I would 6 say from my experience, you're probably just 7 past that in my opinion. What do you do in 8 situations like that? Well, it's tough to 9 say. 10 What districts wind up doing to find 11 other ways to compensate when -- when they 12 have, you know, leaner years or when they 13 approach that situation, they wind up looking 14 at other benefits that have financial impacts 15 but maybe not direct budgetary -- well, not 16 direct dollars. 17 MR. ZEIGLER: Right. 18 MR. MENDENHALL: So they look at 19 different types of benefits. 20 MR. ZEIGLER: Cars, vehicles. 21 MR. MENDENHALL: Cars, vehicles, 22 benefits. Now, you know, another thing that's 23 reflected in this chart -- the chart with your 24 specific employees and the chart with the 25 other site managers -- those type roles -- is</p>

<p style="text-align: right;">Page 129</p> <p>1 some of the benefit aspects. And right now 2 you offer great benefits across the board -- 3 401(k), health -- obviously, the bonus program 4 and that sort of thing. So it's not that you 5 couldn't offer more there; you certainly 6 could. You might look at something -- you 7 know, increasing vacation amount. You know, 8 other ways to, you know, offer some 9 compensation to reward your employees. 10 But, you know, once again, ultimately 11 when it comes down to dollar figures, I can 12 only give you the comparison. You as a board 13 kind of have to figure out -- because even if 14 it's not this year -- and I think Mark brought 15 up a good point. Assume you did do eight 16 percent and you -- you're going to get to that 17 level where it's going to be -- at some point 18 you're going to say, "Okay. We're at that 19 level." So you're going -- you're going to 20 address this now or you're going to address 21 this in two years or four years; one way or 22 the other. 23 MR. ZEIGLER: Yeah. I mean, I just 24 don't -- I don't want to get to a point where 25 we say, "Sorry, guys." You know, I just don't</p>	<p style="text-align: right;">Page 131</p> <p>1 threshold is for, "Well, what do we consider 2 the range of this" -- I mean, put it this 3 way: If -- if Doug or Sonny or any of the 4 other employees were gone, you'd have to hire 5 somebody new in, and you would have some 6 concept in your mind of, "Well, here's what we 7 would expect to hire somebody new, and -- and 8 forecasting their career, here is the back-end 9 of it." And you would probably use as a 10 guideline Doug or Sonny, because they've been 11 here for a while, and, you know, kind of base 12 it off that a little bit. And, once again, 13 projecting out, "Well, what is that -- that 14 end point?" You know, it's just like Mark 15 said; it's a reality, unfortunately. 16 CHAIRMAN RAGUSA: Mr. Argus. 17 MR. ARGUS: I don't know that I really 18 have anything else to add. I do support the 19 motion. Otherwise, I wouldn't have seconded 20 it, but I think we've discussed -- we all know 21 they're at the high range, but I think they 22 deserve a little bit more. Perhaps we have 23 institutionalized the annual bonus, and perhaps 24 we may adjust that -- 25 MR. CHESNEY: Part of it</p>
<p style="text-align: right;">Page 130</p> <p>1 want to, you know, get to the point where we 2 just cut it -- cut it off and say, "Here's 3 where we're at, and we just can't go further." 4 MR. MENDENHALL: Yeah. 5 MR. ZEIGLER: I mean -- because I mean 6 they're valuable folks. 7 MR. MENDENHALL: Absolutely. Yeah, I 8 mean -- 9 CHAIRMAN RAGUSA: But that's a reality. 10 That happens. 11 MR. ZEIGLER: I mean truly it probably 12 will, but have we -- have we got ahead of the 13 curve a little bit and then, you know, the 14 economy catches up to itself, or are we going 15 to let it catch up to them? You know, I just 16 want to make sure they're treated fair. 17 MR. MENDENHALL: Yeah. 18 MR. ZEIGLER: I want to make sure 19 they're treated well, and at the same time 20 we've got to kind of forecast it, as well. 21 MR. MENDENHALL: Yeah. I mean, it's a 22 difficult question to answer. You know, it's 23 -- in a lot of ways I can give you my opinion, 24 which I think I have. You as a board kind of 25 have to decide what your -- what your</p>	<p style="text-align: right;">Page 132</p> <p>1 institutionalized; part of it is a holiday 2 bonus. 3 MR. ARGUS: Right. 4 MR. CHESNEY: I mean, we have a formula; 5 a schedule. Part of it is -- 6 MR. ARGUS: And we -- 7 MR. CHESNEY: -- institutionalized. 8 MR. ARGUS: -- might want to change 9 that. 10 CHAIRMAN RAGUSA: We've always had the 11 right to give a supplemental bonus. 12 MR. ARGUS: Sure. 13 MR. CHESNEY: Which we did. 14 CHAIRMAN RAGUSA: Which we have. 15 MR. ARGUS: Yes, we have. 16 MR. CHESNEY: They've just been 17 relatively small. Last year I think I got 18 2,000 or something from -- in Doug's case, 19 that's just because I remember the exchange 20 with Bill Casale. 21 CHAIRMAN RAGUSA: Right. 22 MR. ARGUS: And just because we do an 23 eight percent this year doesn't mean that 24 we're forced to do it again next year, but at 25 this time --</p>

1 CHAIRMAN RAGUSA: I think compensation
2 is on an annual basis. I am not sending the
3 message of where we're going to end up a year
4 from now or two years from now.

5 MR. ARGUS: Right.

6 CHAIRMAN RAGUSA: I just think eight
7 percent is a big jump. It kind of -- it
8 scares me a little bit.

9 MR. ARGUS: Is there a number you're
10 more comfortable with?

11 CHAIRMAN RAGUSA: I threw out five
12 percent, and even in my eyes, that's on the
13 high end. I am -- I want to keep rewarding
14 our employees. What we have are outstanding
15 people who would be very difficult -- we would
16 go through a whole lot of people if they ever
17 left us, because candidly they set the bar way
18 up there, and we would constantly see people
19 who were not performing at that level, and we
20 would go through a lot of people.

21 I don't base -- I try not to in my field
22 base people's compensation on what would
23 happen if they left. I know that's always in
24 everybody's mind, and you have to -- we have
25 to be realistic to that, but that's -- you

1 CHAIRMAN RAGUSA: That's my concern.
2 And we also have two employees who would
3 never speak in their own benefit. They would
4 speak for the other -- their peers' benefit.

5 Do you guys want to address anything or
6 say anything? I'm not trying to put you on
7 the point -- or on the spot.

8 MR. ZEIGLER: Too late.

9 MR. MAYS: Well, I mean, just -- from me
10 -- for me I mean -- with me and Sonny it's
11 been -- this position requires you to have
12 whoever is in our position some of the most
13 honest people. Honesty. You can't ask no
14 better than this, so I mean -- because there is
15 so much potential out there that could be done
16 wrong, and we just try to be very fair with
17 every resident and set a consistency and, you
18 know -- and I haven't gotten one the last two
19 years, and -- and I'm not concerned about it,
20 because you have compensated me in different
21 ways. That shocks me, that size of an
22 increase, also, you know, but, actually, it
23 just makes up for the last two years that I
24 haven't had anything, so -- other than the
25 compensation and a little bit more of a

1 can't value someone that way; that's really
2 difficult to do.

3 What I want to do is make sure that this
4 community pays its employees for the
5 outstanding services they deliver, and I think
6 we're probably at the top -- are we the top --

7 MR. MENDENHALL: Yes.

8 CHAIRMAN RAGUSA: -- compensator? And
9 maybe that's justified, because the level of
10 performance we get from our folks --

11 MR. ARGUS: That's true.

12 CHAIRMAN RAGUSA: -- and the financial
13 soundness of the community, because we
14 reserved over the years, and we're very
15 conservative.

16 I have no problem keeping them at the
17 top. My concern is if you start -- keep going
18 with those large increases, it will put them
19 at an incredibly high position where you would
20 immediately have to say, "Look, we love you.
21 We want to keep you, but we can't give you a
22 salary increase even though you probably
23 earned it."

24 MR. ARGUS: I understand what you're
25 saying.

1 bonus. But as for what can I say about it? I
2 really don't know, you know, what kind of
3 input I would have other than, you know, I
4 hope to be here for a little bit longer
5 anyway, so --

6 CHAIRMAN RAGUSA: We want you here for a
7 little bit longer.

8 MR. MAYS: And that's my -- that's my
9 plan.

10 MR. ARGUS: For a lot longer.

11 MR. MAYS: And we don't know if there's
12 some possibilities that maybe some increases
13 could be in like the 401(k) plans. I don't
14 know what -- I think that setup is kind of set
15 up to a maximum amount. I'm not sure.

16 MR. CHESNEY: Yeah, that's set up --

17 MR. MAYS: Governed by law, so --

18 MR. CHESNEY: We can change that, of
19 course, but I mean currently it's set up in
20 such a way that it's -- two percent is the
21 only contribution that's allowed, and that's
22 for every employee.

23 MR. MAYS: Right. But I mean there's --
24 I mean for me this -- there's ways you can
25 reward us with the amount of vacation -- not

1 vacation, but the sick time that we don't
 2 use. Some companies do those type of things.
 3 I mean Sonny has got beaucoup amount of hours
 4 that --
 5 MS. WHYTE: He's got 400 hours.
 6 MR. MAYS: -- are banked up. And I've
 7 got over 400 banked up.
 8 MS. WHYTE: I've got 300.
 9 MR. MAYS: I don't ever -- I will never
 10 see it, but I just don't take time off. I'm
 11 here, so --
 12 CHAIRMAN RAGUSA: Andy, on the sick time
 13 is it use it or lose it?
 14 MR. MENDENHALL: That's -- I don't know
 15 offhand.
 16 MR. CHESNEY: I don't know.
 17 MR. MAYS: And that's the thing. If
 18 you're going to tell me "Use it or lose it,"
 19 okay, am I going to start using it, so --
 20 MR. ZEIGLER: And that's -- that's a
 21 good point, because, you know, there's a lot
 22 of county positions that --
 23 MR. MAY: But if you think about how
 24 much, I --
 25 MR. ZEIGLER: -- that you get it.

1 MR. MAYS: -- I -- I don't have the
 2 bank. I'm just saying I never -- I don't use
 3 my sick time, so just those type of things.
 4 CHAIRMAN RAGUSA: Well, that's a really
 5 good point.
 6 MR. MENDENHALL: Yeah, absolutely.
 7 CHAIRMAN RAGUSA: Can you look into
 8 that, whether we have a use-it-or-lose-it
 9 policy --
 10 MR. MENDENHALL: Yeah.
 11 CHAIRMAN RAGUSA: -- or whether we have
 12 anything that takes into consideration buying
 13 back the time?
 14 MR. MENDENHALL: Yeah.
 15 MR. CHESNEY: I don't know that we've
 16 ever addressed it.
 17 CHAIRMAN RAGUSA: We've never addressed
 18 that.
 19 MR. CHESNEY: Well, can I ask you one
 20 other thing, is -- just for my own
 21 recollection, is -- we currently pay a hundred
 22 percent of the employee on the medical, and do
 23 we pay 50 percent of that, or do we pay a
 24 hundred percent of the whole thing? I don't
 25 remember.

1 MR. MENDENHALL: I don't know if --
 2 MR. ARGUS: It's on the sheet.
 3 MR. MENDENHALL: -- it's a hundred
 4 percent of the medical. There is a percentage
 5 of the medical. Actually, it doesn't say the
 6 percentage here, but it's -- it's -- actually,
 7 it's a fixed dollar figure, and it gives -- it
 8 gives it per paycheck.
 9 CHAIRMAN RAGUSA: Sonny.
 10 MS. WHYTE: You pay a hundred percent of
 11 the employee.
 12 MR. MAYS: Just for the employee. If
 13 you --
 14 MS. WHYTE: Not the families.
 15 MR. MAYS: -- have your family on there
 16 --
 17 MR. MENDENHALL: Oh, okay. I'm sorry.
 18 I --
 19 MR. MAYS: -- it's additional.
 20 MR. MENDENHALL: -- wasn't -- I wasn't
 21 making a distinction.
 22 MS. WHYTE: No, there's nothing to the
 23 families, and there's -- there's three
 24 employees that take full benefit from it --
 25 from it, as well.

1 MR. MAYS: My understanding when I first
 2 came here -- the guys that were leaving that
 3 worked for Westchase, when they left, they got
 4 paid back in their sick pay. So they got it
 5 paid back to them somehow.
 6 MR. CHESNEY: I think you might be
 7 right, because I remember doing that.
 8 MS. WHYTE: They did. I did.
 9 MR. CHESNEY: Because we had all the
 10 payroll --
 11 MS. WHYTE: I checked it.
 12 MR. CHESNEY: -- was in the East, and I
 13 remember writing checks out to employees. I
 14 don't remember what --
 15 MR. MENDENHALL: We'll look into that
 16 specifically.
 17 CHAIRMAN RAGUSA: Well, here's what I --
 18 here's what I want to propose: If we have a
 19 history of paying employees who have left us
 20 accrued sick time, what I'd like to do is have
 21 the board consider a policy which would, in
 22 essence, buy the sick time of the existing
 23 employees, and then go to a use-it-or-lose-it
 24 from that point forward on an annual basis.
 25 Well, let me -- I think we need to

1 address it on an annual basis. Whether we
2 adopt a use-it-or-lose-it or whether we cash
3 them out at the end of the year, I don't
4 know. That's something I really need to think
5 through.

6 MR. MAYS: Well, right now our employees
7 on a regular basis -- our two guys that work
8 for us, you know, they have children. They
9 get ill. They do get sick, so they do use
10 theirs a lot. Me and Sonny, you know, we
11 don't typically use ours a whole lot.

12 You know, so to me, I -- I don't know
13 for sure how it's going to work out. But in
14 eight years when I'm ready to retire, you
15 know, it would just -- that's what I was
16 looking at that I would bring up to you at
17 that time. "By the way" --

18 CHAIRMAN RAGUSA: See, what I want to
19 avoid is a massive obligation.

20 MR. MAYS: Right.

21 CHAIRMAN RAGUSA: I'd rather do it: Pay
22 it out on an annual basis. That's me. I
23 don't know about the other folks. It's easier
24 to budget. Well, it could be. You have 400
25 hours? That's, what, two months? I can -- we

1 CHAIRMAN RAGUSA: All right. Mr. Ross.

2 MR. ROSS: Since I raised this issue --
3 and I didn't mean it to be such a long
4 conversation. If I can suggest a path, if we
5 would allow Andy to come back next month and
6 fill us in on what's our policy with regard to
7 sick time, and then with regard to my pending
8 motion, I'll be willing to amend my motion to
9 accept five percent if that's still your
10 position on -- on the salary increase.

11 CHAIRMAN RAGUSA: Was it five -- what --

12 MR. ROSS: I said eight, and you said
13 five.

14 CHAIRMAN RAGUSA: Was it eight percent
15 for all?

16 MR. ROSS: It was for two people; the
17 two people in this room.

18 CHAIRMAN RAGUSA: He actually mentioned
19 -- Doug mentioned something that I did not
20 grasp. You had zero salary increase for the
21 last two fiscal years?

22 MR. MAYS: Uh-huh.

23 CHAIRMAN RAGUSA: Sonny, what was your
24 percentage increases?

25 MS. WHYTE: Three percent.

1 have a secretary in my office who has --

2 MR. CHESNEY: Yeah, it's 10 weeks.

3 CHAIRMAN RAGUSA: -- nine months of
4 vacation time accrued and, you know --

5 MR. MAYS: That's two and a half months
6 I have.

7 CHAIRMAN RAGUSA: That's a big
8 obligation.

9 MR. MAYS: Yeah, if you try to pay it
10 out all at once.

11 CHAIRMAN RAGUSA: Yes. Yes. Sonny.

12 MS. WHYTE: I believe I checked with
13 Paula, and I don't believe you have anything
14 documented.

15 MR. CHESNEY: I think you could figure
16 it out if you find out why we wrote those
17 checks to those employees.

18 MR. MENDENHALL: Okay. I'll do a little
19 bit of research.

20 MS. WHYTE: I do know on one in
21 particular -- the aquatics -- he had a fair
22 amount left over, and he got paid out for that
23 I know.

24 MR. MENDENHALL: Easy enough to figure
25 out.

1 CHAIRMAN RAGUSA: So you had three and
2 three?

3 MS. WHYTE: Yes, sir.

4 CHAIRMAN RAGUSA: Let me change. I
5 would vote eight percent for Doug; five
6 percent for Sonny.

7 MR. CHESNEY: Well, I mean we do have
8 two other employees, too.

9 CHAIRMAN RAGUSA: They're built in.

10 MR. ROSS: I'm not in a position to
11 comment on how good they are. I can only
12 comment on the people that I've worked
13 directly with.

14 CHAIRMAN RAGUSA: It's three and a half
15 percent built into the budget?

16 MS. WHYTE: Three.

17 CHAIRMAN RAGUSA: Three?

18 MS. WHYTE: Well, actually --

19 MR. CHESNEY: No, we -- I didn't put
20 any. There's more in there, because it --
21 there's a -- there's a gap. We've been
22 spending less in the budget over the last
23 couple of years, because I think the first --
24 yeah.

25 MR. MENDENHALL: I means it's in there

<p style="text-align: right;">Page 145</p> <p>1 either way.</p> <p>2 CHAIRMAN RAGUSA: Yeah. I was speaking</p> <p>3 aloud. That's -- that's my mind-set. I find</p> <p>4 -- I remember he passed or he diverted an</p> <p>5 increase to Sonny as he has done with the</p> <p>6 bonus before, also. I didn't realize it was</p> <p>7 zero, zero though.</p> <p>8 MR. ROSS: So your position is?</p> <p>9 CHAIRMAN RAGUSA: I would recommend</p> <p>10 eight percent with Doug and five percent with</p> <p>11 Sonny.</p> <p>12 MR. ROSS: Eight and five.</p> <p>13 CHAIRMAN RAGUSA: Because she has had</p> <p>14 salary increases over the last few years.</p> <p>15 MR. ROSS: I'll accept that as an</p> <p>16 amendment to my motion.</p> <p>17 MR. ARGUS: I'll still second that.</p> <p>18 MR. ROSS: And then I call the question</p> <p>19 on the motion.</p> <p>20 CHAIRMAN RAGUSA: Any further</p> <p>21 discussion?</p> <p>22 (No response.)</p> <p>23 CHAIRMAN RAGUSA: All in favor, please</p> <p>24 raise your hand.</p> <p>25 (Mr. Ragusa, Mr. Ross, Mr. Zeigler and</p>	<p style="text-align: right;">Page 147</p> <p>1 review and whatnot, you also talk about the</p> <p>2 bonuses. So I didn't know if you wanted to</p> <p>3 address that now or --</p> <p>4 CHAIRMAN RAGUSA: Aren't we in June?</p> <p>5 MR. ROSS: No. My motion was purely as</p> <p>6 to those two people starting effective with</p> <p>7 the new fiscal year.</p> <p>8 MR. ARGUS: October 1st.</p> <p>9 MR. ROSS: That's all it is. Just that.</p> <p>10 We can -- everything else is normal.</p> <p>11 MR. CHESNEY: We still have the normal</p> <p>12 holiday scheduled bonuses.</p> <p>13 MR. MENDENHALL: Yeah. In the past</p> <p>14 you've had two.</p> <p>15 MR. CHESNEY: Two. So we also had a</p> <p>16 performance bonus.</p> <p>17 MR. MENDENHALL: And the performance</p> <p>18 always was at the time of the reviews, because</p> <p>19 it was based on performance.</p> <p>20 CHAIRMAN RAGUSA: Well, for budget</p> <p>21 purposes, why would we need to address that</p> <p>22 now?</p> <p>23 MR. MENDENHALL: You just --</p> <p>24 historically, for the past six years, you've</p> <p>25 done it at the same time.</p>
<p style="text-align: right;">Page 146</p> <p>1 Mr. Argus raised their hands.)</p> <p>2 CHAIRMAN RAGUSA: And all opposed?</p> <p>3 (Mr. Chesney raised his hand.)</p> <p>4 MR. CHESNEY: I just want you to know</p> <p>5 that I love you both. And I will -- for the</p> <p>6 record, I can tell you, you probably would</p> <p>7 have gotten more money out of my scheme.</p> <p>8 CHAIRMAN RAGUSA: It's not a scheme.</p> <p>9 MR. CHESNEY: Sorry. I used to work for</p> <p>10 an (inaudible).</p> <p>11 CHAIRMAN RAGUSA: That motion passed --</p> <p>12 that motion passed four to one with</p> <p>13 Mr. Chesney voting against.</p> <p>14 MR. ROSS: And then with regard to</p> <p>15 budget purposes, you may need to move some</p> <p>16 money around and be looking at the four lines</p> <p>17 for employee compensation. They're up on some</p> <p>18 of the others. I think you just need to move</p> <p>19 some.</p> <p>20 MR. CHESNEY: They're way out of whack</p> <p>21 now.</p> <p>22 MR. MENDENHALL: Yeah. We'll have to --</p> <p>23 we'll have to adjust those. So just speaking</p> <p>24 to the other salary aspects, you have the two</p> <p>25 other employees, and when you do your yearly</p>	<p style="text-align: right;">Page 148</p> <p>1 CHAIRMAN RAGUSA: But the money is in</p> <p>2 the there. Correct?</p> <p>3 MR. MENDENHALL: Correct.</p> <p>4 MR. CHESNEY: Well, there's a lot of</p> <p>5 money in there now, because I put a lot of</p> <p>6 money in there.</p> <p>7 MR. ARGUS: Right.</p> <p>8 MR. CHESNEY: So we don't need that much</p> <p>9 --</p> <p>10 CHAIRMAN RAGUSA: So we don't need to</p> <p>11 trim that money out today, do we?</p> <p>12 MR. MENDENHALL: Oh, no. Yeah, you --</p> <p>13 CHAIRMAN RAGUSA: I want to see what the</p> <p>14 adjusted numbers look like.</p> <p>15 MR. MENDENHALL: Yeah, that's fine. You</p> <p>16 can wait.</p> <p>17 CHAIRMAN RAGUSA: You know in your head</p> <p>18 what they look like, I just don't.</p> <p>19 MR. MENDENHALL: Okay. Like I said, I</p> <p>20 was just going on, you know, past history.</p> <p>21 CHAIRMAN RAGUSA: Okay. Mr. Ross.</p> <p>22 Fountains.</p> <p>23 MR. ROSS: Fountains' one. My comment</p> <p>24 on that was it appears to me we will have</p> <p>25 available funds in this year's budget for the</p>

<p style="text-align: right;">Page 149</p> <p>1 entry fountains and probably even the chipper. 2 So I move we have the two fountains -- 3 one in each pond when you come into Westchase 4 off of Sheldon, we have two fountains and one 5 dipper priced for acquisition this fiscal 6 year. 7 CHAIRMAN RAGUSA: What's the dipper? 8 MR. ROSS: The chipper. 9 MR. ARGUS: Chipper. 10 CHAIRMAN RAGUSA: Oh, the chipper. 11 MR. ROSS: Chipper is the nickname for 12 my daughter. Chipper and dipper, my kids. 13 CHAIRMAN RAGUSA: Can we limit it this 14 week and just talk about fountains first? 15 MR. ROSS: Sure. 16 CHAIRMAN RAGUSA: Okay. Are we 17 proposing two fountains? 18 MR. MAYS: We were, but not -- not on -- 19 across from each other on Sand Lake. One on 20 each side of the property is what we had 21 proposed. One for the west side of the 22 property and one for -- one off of Countryway 23 and one off of Linebaugh. 24 MR. ARGUS: And I'm not sure which lakes 25 at each end that we're talking about.</p>	<p style="text-align: right;">Page 151</p> <p>1 let's have it priced, and staff can make their 2 recommendation on -- on -- I know I have one 3 with me, but I didn't know if that was the one 4 we wanted to go with. 5 MR. CHESNEY: I think I have it. 6 MR. ARGUS: To some extent, whichever 7 fountain we go with depends on what -- the 8 size of the lake we put it in. If we put it 9 on the south side of Linebaugh, that's a 10 smaller pond than the one by the elementary 11 school on the north side. 12 MS. WHYTE: This side of the pond was a 13 10 -- 10 horsepower, and -- 14 MR. MAYS: Yeah. If you're -- 15 MS. WHYTE: -- the one at the fire 16 station is seven. 17 MR. MAYS: If you're going to want one 18 with wow factor, I think you're going to have 19 to have a minimum of 10 horsepower. 20 MR. CHESNEY: I think for the money -- I 21 can look it up, but I -- 22 MS. WHYTE: I have it here. 23 MR. CHESNEY: What was the one -- you 24 have it right there? 25 MS. WHYTE: Yes, sir.</p>
<p style="text-align: right;">Page 150</p> <p>1 MR. CHESNEY: Where did the second one 2 on Countryway come from? There -- 3 MR. MAYS: Well, that's what I 4 originally had talked about months ago, but 5 you all cut it back -- or not you all -- 6 CHAIRMAN RAGUSA: You're talking about 7 the one at the -- the fire station, the big 8 one there? 9 MR. MAYS: Yeah, that's the second one. 10 MR. CHESNEY: Oh, because it was already 11 wired for it. That's -- 12 MR. MAYS: Right, right. 13 MR. CHESNEY: -- correct, yeah. Yeah, 14 there's just a little gurgler over there or -- 15 MR. MAYS: Right. 16 CHAIRMAN RAGUSA: And which system -- I 17 remember they were significantly different. 18 MR. ROSS: I -- 19 MR. CHESNEY: I like the really big one. 20 MR. ROSS: I think they ought to be a 21 top-notch fountain where people don't say, 22 "Look at that rinky-dink fountain." It ought 23 to be, "Wow. That's consistent with 24 Westchase." A very nice one, but what that is 25 I don't know. And that's why my motion is</p>	<p style="text-align: right;">Page 152</p> <p>1 CHAIRMAN RAGUSA: The one that's down on 2 Linebaugh, I got to look at that. That's 3 nice. 4 MR. MAYS: Down on Linebaugh? 5 CHAIRMAN RAGUSA: Yeah, at the -- 6 MS. WHYTE: Apartments? 7 CHAIRMAN RAGUSA: No. I'm sorry. It's 8 on Hillsborough. 9 MS. WHYTE: Oh, the one on Hillsborough, 10 the triple? 11 MR. ARGUS: Yes. 12 CHAIRMAN RAGUSA: Yes. 13 MS. WHYTE: So if you do three, oh, 14 yeah, that's really nice. 15 CHAIRMAN RAGUSA: Yeah. The big one in 16 the middle is nice. 17 MS. WHYTE: Uh-huh 18 MR. MAYS: There's one in Carrollwood 19 Village. 20 MS. WHYTE: That's a 10. 21 MR. MAYS: Carrollwood Village. 22 MR. BARRETT: That's huge. 23 MR. CHESNEY: Oh, yeah. Now that -- 24 MR. MAYS: It's a monster. 25 MR. CHESNEY: That's the one I was</p>

1 thinking of.
 2 MR. MAYS: It's really sharp.
 3 MR. CHESNEY: Yeah, that's the one I was
 4 thinking of, the 10 horsepower.
 5 CHAIRMAN RAGUSA: What's the cost of the
 6 10 horsepower?
 7 MS. WHYTE: 20,000. 20,000 and
 8 something. Are we still looking at
 9 electrical? I am so confused. I have looked
 10 at so many. Okay. Then it's the Libra 1000;
 11 yes, that is the 10 horsepower.
 12 CHAIRMAN RAGUSA: Did you consider --
 13 because it's not really a budget item.
 14 MR. ROSS: I just had it on my list of
 15 crazy motions.
 16 CHAIRMAN RAGUSA: Do we have the money
 17 in this year's budget?
 18 MR. MENDENHALL: We've got about
 19 \$82,000, and we're projecting right now to be
 20 under budget, so you have those available. I
 21 -- you know, I don't know all the projections.
 22 MS. WHYTE: I can change that.
 23 MR. MENDENHALL: Yeah. No, but, you
 24 know, in reality, there might be some items
 25 that Doug and Sonny had in mind that would cut

1 into that, but generally speaking, if you just
 2 look at it right now, that's what you have.
 3 CHAIRMAN RAGUSA: Would you consider
 4 just doing the one 20,000-dollar one on the
 5 south side of Linebaugh where you come in off
 6 of Sheldon Road in this year's budget?
 7 MR. ARGUS: Um, why would we want it on
 8 the south side? The north side has bigger
 9 ponds and --
 10 MR. MAYS: Because we have power.
 11 MS. WHYTE: We don't have power on the
 12 north side.
 13 MR. ARGUS: Well, in the scheme of
 14 things, that's not that expensive.
 15 CHAIRMAN RAGUSA: I think it has a
 16 greater impact on the south side, too, Bob.
 17 The big lake is the big lake.
 18 MS. WHYTE: The residents on the south
 19 side asked for it.
 20 CHAIRMAN RAGUSA: And we had a bunch of
 21 residents show up and ask for it, and it made
 22 a lot of sense. And I think that was ranked
 23 the first priority, too.
 24 MR. CHESNEY: That's the one that --
 25 you're talking about just right up here.

1 Right?
 2 CHAIRMAN RAGUSA: Yeah.
 3 MR. ROSS: When you come right in the
 4 community, whether that's the left side or the
 5 right side -- I don't know which is south --
 6 CHAIRMAN RAGUSA: If you leave Sheldon
 7 and enter on Linebaugh, it's the one on the
 8 left-hand side.
 9 MR. ROSS: That's the one where all the
 10 residents came up?
 11 CHAIRMAN RAGUSA: Yeah.
 12 MR. ROSS: That's fine. I just thought
 13 we'd have two fountains and thought it would
 14 look better. But if you all think we just
 15 want to do one fountain, I think it should be
 16 underscored, we do have the money in this
 17 year's budget to pay for it, which obviously
 18 relieves the capital outlay for next year's
 19 budget. That was the thought process.
 20 CHAIRMAN RAGUSA: Okay. I think we
 21 should carve that out next month.
 22 MR. CHESNEY: Why don't we do it now?
 23 CHAIRMAN RAGUSA: I'm not ready to give
 24 up money.
 25 MR. ROSS: So I'll modify my motion that

1 we have one fountain in the -- on the south
 2 side of Linebaugh in West Park Village priced
 3 for acquisition this fiscal year. Does that
 4 satisfy your concerns?
 5 CHAIRMAN RAGUSA: We've priced it.
 6 MR. ROSS: Okay. And move forward with
 7 --
 8 CHAIRMAN RAGUSA: With a 10-horsepower
 9 fountain.
 10 MR. ROSS: Yeah.
 11 MS. WHYTE: The only thing we're still
 12 waiting on is the electrical quote.
 13 CHAIRMAN RAGUSA: Okay. Based on prior
 14 quotes and proposals?
 15 MR. ROSS: (Moves head up and down.)
 16 CHAIRMAN RAGUSA: Okay. Do we have a
 17 second.
 18 MR. ZEIGLER: I second that.
 19 CHAIRMAN RAGUSA: Discussion.
 20 MR. ZEIGLER: I agree only on one; that
 21 we should just do one at this point. I'm not
 22 even so sure about the second one later in the
 23 Countryway lake, but --
 24 MR. ROSS: We'll see how it goes.
 25 MR. ZEIGLER: Yeah, we'll see how it

<p style="text-align: right;">Page 157</p> <p>1 goes.</p> <p>2 CHAIRMAN RAGUSA: All in favor, please</p> <p>3 raise your hand.</p> <p>4 (All board members raised their hands.)</p> <p>5 CHAIRMAN RAGUSA: That motion passes</p> <p>6 five to nothing.</p> <p>7 (Motion passes.)</p> <p>8 MR. CHESNEY: Now, did that include the</p> <p>9 chipper, too?</p> <p>10 MR. ROSS: No. My motion was just the</p> <p>11 one fountain.</p> <p>12 CHAIRMAN RAGUSA: What's the chipper</p> <p>13 cost?</p> <p>14 MR. MAYS: 16, 18. 16, 18,000, I</p> <p>15 believe.</p> <p>16 MR. CHESNEY: There was two. Is the</p> <p>17 other one still there?</p> <p>18 MR. MAYS: Not sure.</p> <p>19 MS. WHYTE: I'd have to check.</p> <p>20 MR. CHESNEY: Whatever. It doesn't</p> <p>21 matter. One was almost 12 and some change and</p> <p>22 one was 16 and some change.</p> <p>23 CHAIRMAN RAGUSA: Mr. Argus.</p> <p>24 MR. ARGUS: Motion to authorize up to</p> <p>25 20,000 for a chipper out of this year's</p>	<p style="text-align: right;">Page 159</p> <p>1 MR. MAYS: A typical trip to the</p> <p>2 landfill is close to 50.</p> <p>3 MS. WHYTE: Yeah, between 20 and \$50.</p> <p>4 MR. ZEIGLER: And how many a week are</p> <p>5 you running?</p> <p>6 MS. WHYTE: Right now I've got six</p> <p>7 tickets in.</p> <p>8 MR. MAYS: For this week. So I mean</p> <p>9 we're --</p> <p>10 MS. WHYTE: And there's some weeks that</p> <p>11 it's more.</p> <p>12 CHAIRMAN RAGUSA: In the winter, though,</p> <p>13 there is none.</p> <p>14 MR. MAYS: Yeah.</p> <p>15 MS. WHYTE: Well, not as many.</p> <p>16 MR. MAYS: Not as many.</p> <p>17 MR. ARGUS: And we are entering the</p> <p>18 storm season, so it would be nice to have.</p> <p>19 CHAIRMAN RAGUSA: What are we -- what</p> <p>20 are we dumping at the dump?</p> <p>21 MS. WHYTE: Just the --</p> <p>22 MR. MAYS: A lot of that Brazilian</p> <p>23 pepper cut back on common areas; it is not our</p> <p>24 landscape contractor's responsibility. Street</p> <p>25 trees that are lifting sidewalks, for</p>
<p style="text-align: right;">Page 158</p> <p>1 budget.</p> <p>2 MR. ROSS: I'll second it.</p> <p>3 CHAIRMAN RAGUSA: How much was his</p> <p>4 quote?</p> <p>5 MS. WHYTE: I'm sorry. I didn't expect</p> <p>6 you guys to --</p> <p>7 MR. MAYS: 16 and change, I believe.</p> <p>8 MS. WHYTE: Under 20,000.</p> <p>9 CHAIRMAN RAGUSA: Do we need it now?</p> <p>10 MR. MAYS: We are running into so much</p> <p>11 -- as a matter of fact, tomorrow I'm going to</p> <p>12 rent one, because we got so much cutbacks, and</p> <p>13 it is -- it would definitely benefit this</p> <p>14 community.</p> <p>15 CHAIRMAN RAGUSA: What do we spend to</p> <p>16 rent one for a week?</p> <p>17 MR. MAYS: We haven't rented one yet,</p> <p>18 because we take the debris off to the</p> <p>19 landfill, which -- how much have we spent in</p> <p>20 landfill fees?</p> <p>21 MS. WHYTE: A lot. And the --</p> <p>22 MR. MAYS: And we could use a lot of</p> <p>23 those chips on trails, on the back --</p> <p>24 MR. ZEIGLER: A typical trip to the</p> <p>25 landfill is how much?</p>	<p style="text-align: right;">Page 160</p> <p>1 instance, right now. We have started removing</p> <p>2 a lot of those cypress trees that are causing</p> <p>3 problems for sidewalks and plumbing.</p> <p>4 MS. WHYTE: In our gated communities,</p> <p>5 yeah.</p> <p>6 MR. MAYS: Did I say -- I meant</p> <p>7 Melaleuca trees. I'm sorry. So we've been</p> <p>8 doing those type of things. Mainly for, you</p> <p>9 know --</p> <p>10 CHAIRMAN RAGUSA: You're not going to</p> <p>11 put Brazilian pepper shredding down on trails,</p> <p>12 are you?</p> <p>13 MR. MAYS: No, not on the trail, but we</p> <p>14 can put it in the back in like swales -- not</p> <p>15 swales. Along the common area in the back for</p> <p>16 like the TECO power lines back there.</p> <p>17 CHAIRMAN RAGUSA: Doesn't that just</p> <p>18 spread?</p> <p>19 MR. MAYS: No, not if you kill it</p> <p>20 first. We spray it. We've got a chemical</p> <p>21 that we use right now and we try to spray it,</p> <p>22 but as you've seen what happens when you spray</p> <p>23 it, then we have dead stuff laying every --</p> <p>24 you know, laying against the conservation,</p> <p>25 which is unsightly, too. So it would be nice</p>

<p style="text-align: right;">Page 161</p> <p>1 to cut that out and, you know, just -- I think</p> <p>2 it's just going to improve the overall look of</p> <p>3 the community if we can start -- spend more</p> <p>4 time with chipping it. It's quicker to chip</p> <p>5 it than to haul, haul, haul.</p> <p>6 MS. WHYTE: Empty and haul.</p> <p>7 MR. MAYS: You know what I mean? You've</p> <p>8 got to haul it three times over when we can</p> <p>9 chip it all up, and three loads makes one load</p> <p>10 of chips.</p> <p>11 MR. ZEIGLER: Less wear and tear on the</p> <p>12 truck, too.</p> <p>13 MR. MAYS: Right.</p> <p>14 CHAIRMAN RAGUSA: We have a motion to</p> <p>15 authorize the current purchase up to \$20,000</p> <p>16 for a chipper/shredder.</p> <p>17 MR. ROSS: And I second it.</p> <p>18 CHAIRMAN RAGUSA: Any further</p> <p>19 discussion?</p> <p>20 All in favor, please raise your hand.</p> <p>21 (All board members raised their hands.)</p> <p>22 CHAIRMAN RAGUSA: That motion passes</p> <p>23 five to nothing, as well.</p> <p>24 (Motion passes.)</p> <p>25 CHAIRMAN RAGUSA: Next motion.</p>	<p style="text-align: right;">Page 163</p> <p>1 splash pad. We've had a lot of figures. It</p> <p>2 seems to be you can spend whatever you want.</p> <p>3 Do you have a -- does staff have a suggestion</p> <p>4 of a figure?</p> <p>5 MS. WHYTE: No. But did you guys get</p> <p>6 what I sent you this week, that -- the --</p> <p>7 MR. CHESNEY: Yes.</p> <p>8 MS. WHYTE: -- architectural drawing?</p> <p>9 Now, you got a proposal from him which was 90</p> <p>10 some odd thousand.</p> <p>11 MR. CHESNEY: 97.</p> <p>12 MS. WHYTE: 97,000. He did say with --</p> <p>13 if you're going to go with the umbrella,</p> <p>14 depending on what amenities you put on the</p> <p>15 splash pad, it would fluctuate the pricing a</p> <p>16 little bit.</p> <p>17 And what he sent us was a price of -- he</p> <p>18 says that would increase, I believe, 9,700 or</p> <p>19 9,500?</p> <p>20 MR. ROSS: Well, let me go back to my</p> <p>21 motion. I wasn't saying in my motion there's</p> <p>22 a set contract we're approving. Rather the</p> <p>23 intention was to emphasize we're going to go</p> <p>24 forward with the project, so we won't be</p> <p>25 debating whether we're going to do it or not,</p>
<p style="text-align: right;">Page 162</p> <p>1 MR. ROSS: Next motion, splash pad.</p> <p>2 CHAIRMAN RAGUSA: Yes.</p> <p>3 MR. ROSS: I move the Montague splash</p> <p>4 pad be renovated and improved so as to be</p> <p>5 current with present health, safety,</p> <p>6 operational, aesthetic and legal standards.</p> <p>7 My motion contemplates but does not mandate</p> <p>8 inclusion of current-day amenities such as</p> <p>9 umbrella or a drop bucket features; of any</p> <p>10 appropriate crime deterrent measure, such as a</p> <p>11 security camera; of any appropriate</p> <p>12 operational efficiencies, such as on-off timer</p> <p>13 and/or remote control; of any appropriate</p> <p>14 measures that facilitate future maintenance,</p> <p>15 possible upgrades or repairs arising from use,</p> <p>16 vandalism or carelessness; and the addition of</p> <p>17 parent seating. Lastly, my motion includes</p> <p>18 funding of this work to occur from existing</p> <p>19 reserves.</p> <p>20 MR. BARRETT: Could you repeat that from</p> <p>21 the very beginning?</p> <p>22 MR. ROSS: We had a -- a figure from the</p> <p>23 last meeting. What was it? \$78,000?</p> <p>24 MR. CHESNEY: Well, see that was -- that</p> <p>25 has been my biggest struggle with this whole</p>	<p style="text-align: right;">Page 164</p> <p>1 how -- the kind of things we'll consider, and</p> <p>2 we're going to pay for it from existing</p> <p>3 reserves.</p> <p>4 If that means staff then comes back next</p> <p>5 month with a proposal consistent with that</p> <p>6 motion, if it passes, then we'll deal with the</p> <p>7 specific contract next month.</p> <p>8 MR. CHESNEY: I guess. I mean -- and</p> <p>9 maybe I'm thinking about this too much. In my</p> <p>10 mind, I thought we would put a dollar amount</p> <p>11 in the budget, and I know that we would use</p> <p>12 reserves to fund it. That was my initial</p> <p>13 suggestion, and I think that's the way to go,</p> <p>14 but I just -- yeah. We could just do it in</p> <p>15 arrears. We could just do the budget in</p> <p>16 arrears, yeah.</p> <p>17 MR. ROSS: Well, there's nothing --</p> <p>18 nothing you need to -- if you're doing it out</p> <p>19 of existing reserves, there's no budget that</p> <p>20 --</p> <p>21 MR. CHESNEY: Well, I know, but normally</p> <p>22 you would say you're going to put in 125, and</p> <p>23 then you just don't assess for it. So there</p> <p>24 would --</p> <p>25 MR. ROSS: But if we do it this fiscal</p>

<p style="text-align: right;">Page 165</p> <p>1 year, if my motion gets passed, then we don't</p> <p>2 need to do it that way.</p> <p>3 MR. CHESNEY: Yeah, true. Okay. We can</p> <p>4 do that. I understand.</p> <p>5 MR. ROSS: The idea is let's just get</p> <p>6 the project off our agenda and move on.</p> <p>7 CHAIRMAN RAGUSA: Do we have a second?</p> <p>8 MR. CHESNEY: I'll second it.</p> <p>9 CHAIRMAN RAGUSA: Okay. Discussion.</p> <p>10 MR. CHESNEY: I think it's a good</p> <p>11 hundred and -- I don't think it would cost</p> <p>12 more than a 110, 115,000.</p> <p>13 CHAIRMAN RAGUSA: Maybe I just didn't</p> <p>14 understand based on the length and</p> <p>15 sophistication of the motion.</p> <p>16 MR. ROSS: Thank you.</p> <p>17 CHAIRMAN RAGUSA: I think there is a</p> <p>18 consensus amongst the supervisors to go</p> <p>19 forward with a splash park. The scope and</p> <p>20 extent, I don't know that there's a consensus</p> <p>21 on. My concern is: I want to know what</p> <p>22 things cost almost on a cafeteria basis before</p> <p>23 I make a final decision of where I want to</p> <p>24 go.</p> <p>25 You know, you threw in no seating for</p>	<p style="text-align: right;">Page 167</p> <p>1 MR. ROSS: Perhaps my sophisticated</p> <p>2 motion was poorly worded. I'll modify my</p> <p>3 motion to say staff -- I move that staff bring</p> <p>4 a proposed contract to us next month</p> <p>5 consistent with all that.</p> <p>6 MR. CHESNEY: And then, also -- yes. I</p> <p>7 have one comment to staff after the meeting</p> <p>8 about that, but yes.</p> <p>9 MS. WHYTE: Brian, would you please</p> <p>10 email your remarks so I could follow through</p> <p>11 and make sure I've got all your remarks?</p> <p>12 MR. ROSS: (Tendering.)</p> <p>13 MS. WHYTE: You don't like email. We'll</p> <p>14 do it the old-fashioned way.</p> <p>15 MR. BARRETT: It was very</p> <p>16 sophisticated.</p> <p>17 MS. WHYTE: On the other hand, could you</p> <p>18 email that to me?</p> <p>19 MR. ROSS: You can't --</p> <p>20 CHAIRMAN RAGUSA: Do we have a clarified</p> <p>21 motion?</p> <p>22 MS. WHYTE: Oh, there's no way I can</p> <p>23 read this.</p> <p>24 MR. ROSS: Okay.</p> <p>25 MS. WHYTE: Yeah, please email it.</p>
<p style="text-align: right;">Page 166</p> <p>1 adults. I'd like to know what that costs</p> <p>2 before I say "Parents don't ever have a place</p> <p>3 to sit down when" --</p> <p>4 MR. ROSS: I said "additional seating,"</p> <p>5 but --</p> <p>6 CHAIRMAN RAGUSA: See, I heard no</p> <p>7 seating.</p> <p>8 MR. ROSS: I understand your point.</p> <p>9 CHAIRMAN RAGUSA: I -- I think if we</p> <p>10 have -- I think there's probably five votes to</p> <p>11 go forward with an improvement, but I don't</p> <p>12 know that I'm prepared to set a dollar amount</p> <p>13 of what we're going to spend either from</p> <p>14 reserves or budgeting going forward until I</p> <p>15 see that the big mushroom head costs \$10,000</p> <p>16 or -- and the --</p> <p>17 MR. CHESNEY: 9,700 she said.</p> <p>18 CHAIRMAN RAGUSA: -- remote control</p> <p>19 costs X number of dollars. I'd like to -- I'd</p> <p>20 like for us to -- it's a big improvement. I'd</p> <p>21 like for us to hammer it out with the numbers</p> <p>22 in front of us and come to a consensus on what</p> <p>23 makes sense for that community without going</p> <p>24 and turning it into a tourist attraction,</p> <p>25 which I think we all want to avoid.</p>	<p style="text-align: right;">Page 168</p> <p>1 CHAIRMAN RAGUSA: Do you still second</p> <p>2 that clarified motion?</p> <p>3 MS. WHYTE: Or just come by the office.</p> <p>4 CHAIRMAN RAGUSA: Mr. Chesney?</p> <p>5 MR. CHESNEY: Yeah. I mean, I -- yeah.</p> <p>6 I would be willing to even allocate the funds.</p> <p>7 MS. WHYTE: Can I just ask you: Did you</p> <p>8 look at the pictures? Is there anything in</p> <p>9 there -- before we go back to the contractor,</p> <p>10 is there anything that you liked or you didn't</p> <p>11 like?</p> <p>12 CHAIRMAN RAGUSA: When did you send the</p> <p>13 stuff, recently?</p> <p>14 MS. WHYTE: Friday.</p> <p>15 MR. CHESNEY: Yeah, the last few days.</p> <p>16 MS. WHYTE: See, look, Erin has it.</p> <p>17 MR. ARGUS: There was even a little</p> <p>18 movie.</p> <p>19 CHAIRMAN RAGUSA: I wasn't in town, so</p> <p>20 maybe that's why I missed it.</p> <p>21 MR. ROSS: I had two experts look at it,</p> <p>22 and they said there weren't enough spray</p> <p>23 fountains from the bottom.</p> <p>24 MS. WHYTE: Okay. Did you like the</p> <p>25 bucket?</p>

<p style="text-align: right;">Page 169</p> <p>1 MR. ROSS: Loved the bucket. The</p> <p>2 experts loved the bucket, and they loved the</p> <p>3 umbrella more.</p> <p>4 MS. WHYTE: I like the umbrella. At</p> <p>5 lunchtime we'll --</p> <p>6 MR. CHESNEY: My kids are a little out</p> <p>7 of the game, but I can tell you they love the</p> <p>8 buckets and the --</p> <p>9 MS. WHYTE: It's a little bucket from</p> <p>10 what we can see, but it is, you know -- it</p> <p>11 would facilitate --</p> <p>12 CHAIRMAN RAGUSA: What is the cost for</p> <p>13 this?</p> <p>14 MR. MAYS: What was the cost on that,</p> <p>15 Sonny?</p> <p>16 MS. WHYTE: He did -- bear with me one</p> <p>17 moment, please. It says here, "This would</p> <p>18 increase the original proposal by \$9,700." I</p> <p>19 believe the original proposal was 97, Greg? I</p> <p>20 didn't bring it. I apologize.</p> <p>21 MR. CHESNEY: I have it somewhere.</p> <p>22 MR. ZEIGLER: I was very confused on the</p> <p>23 previous proposals to begin with.</p> <p>24 MR. CHESNEY: It's in the 90s.</p> <p>25 MS. WHYTE: I would be -- I mean if</p>	<p style="text-align: right;">Page 171</p> <p>1 MR. ARGUS: Remote monitoring.</p> <p>2 MS. WHYTE: Remote monitoring may be a</p> <p>3 solution, so that if there is an issue, we can</p> <p>4 notify them and say, "Hey, you need to come</p> <p>5 out and adjust the chemicals." So, I mean,</p> <p>6 there's -- there's all sorts of -- like</p> <p>7 everything else, when you're building</p> <p>8 something, you --</p> <p>9 CHAIRMAN RAGUSA: All right. We have a</p> <p>10 motion to have staff come back with a final</p> <p>11 proposal with itemized pricing with a staff</p> <p>12 recommendation on a new water facility in West</p> <p>13 Park Village.</p> <p>14 MR. CHESNEY: By July.</p> <p>15 CHAIRMAN RAGUSA: By the July meeting.</p> <p>16 And if you get the materials in advance, sit</p> <p>17 down with the bidder or the contractor and get</p> <p>18 it -- run through the numbers and run through</p> <p>19 everything with them.</p> <p>20 MR. MAYS: Okay.</p> <p>21 MS. WHYTE: Would anybody like to be</p> <p>22 involved from the board?</p> <p>23 CHAIRMAN RAGUSA: It sounds like</p> <p>24 Mr. Ross does. He's got the expertise.</p> <p>25 MR. ROSS: I've got experts.</p>
<p style="text-align: right;">Page 170</p> <p>1 there's anything in there that you want --</p> <p>2 we're going to have to upgrade. You know,</p> <p>3 again, we're going to have to upgrade the fill</p> <p>4 and --</p> <p>5 MR. MAYS: The filtering system.</p> <p>6 MS. WHYTE: -- if you want to have the</p> <p>7 email sent to me about the flooring and making</p> <p>8 sure, you know, like the -- if you want to get</p> <p>9 internet there, to make sure that we are</p> <p>10 compliant with, you know -- I spoke to our</p> <p>11 fountain repair guy and to fountain</p> <p>12 maintenance, and he said it wouldn't increase</p> <p>13 any cost at all on -- as far as he could see</p> <p>14 depending on what we proposed to him. It</p> <p>15 wouldn't change our monthly -- what we pay for</p> <p>16 the maintenance of it, because it would still</p> <p>17 be the same stand as now. And it may have to</p> <p>18 be -- and I don't know the rules and</p> <p>19 regulations -- so does it have to be monitored</p> <p>20 weekly? Because it then becomes a splash</p> <p>21 pad. Does it?</p> <p>22 MR. MAYS: That -- the gentleman that</p> <p>23 came out mentioned that we have to check it</p> <p>24 daily.</p> <p>25 MS. WHYTE: Daily. So in that case --</p>	<p style="text-align: right;">Page 172</p> <p>1 MR. WHYTE: Mr. Ross, would you like to</p> <p>2 be involved in that --</p> <p>3 MR. ROSS: My experts --</p> <p>4 MS. WHYTE: -- with your experts?</p> <p>5 MR. ROSS: -- are at home. They're at</p> <p>6 home.</p> <p>7 MR. MAYS: Get them up from their nap.</p> <p>8 CHAIRMAN RAGUSA: All in favor of that</p> <p>9 motion, please raise your hand.</p> <p>10 (All board members raised their hands.)</p> <p>11 CHAIRMAN RAGUSA: The motion passes five</p> <p>12 to nothing.</p> <p>13 (Motion passes.)</p> <p>14 CHAIRMAN RAGUSA: Mr. Ross.</p> <p>15 MR. ROSS: I have one last item on my</p> <p>16 list.</p> <p>17 CHAIRMAN RAGUSA: Sure.</p> <p>18 MR. ROSS: With regard to signage, I</p> <p>19 think I'm the one who brought this back to our</p> <p>20 agenda, and in doing so it may have been</p> <p>21 misinterpreted that I was advocating</p> <p>22 LED signage. What I'm advocating is Westchase</p> <p>23 be a banner-free community, and specifically</p> <p>24 free-standing banners.</p> <p>25 If you agree with me, these banners are</p>

<p style="text-align: right;">Page 173</p> <p>1 becoming more prevalent, including signs that</p> <p>2 are too often unreadable and aesthetically</p> <p>3 displeasing, then we need to agree our</p> <p>4 community's fixed signage is inadequate. We</p> <p>5 need to rectify it. So I'm not saying</p> <p>6 LED signage is the answer, but we ought to</p> <p>7 really get rid of these banners -- free-</p> <p>8 standing banners. They're not consistent with</p> <p>9 our community. They're ugly in many</p> <p>10 instances. They're dirty in many instances.</p> <p>11 They're unreadable in instances, and we just</p> <p>12 either need to say, "Let's fix our -- or</p> <p>13 rectify or fix monument signage or put in</p> <p>14 LED signage."</p> <p>15 CHAIRMAN RAGUSA: Mr. Argus.</p> <p>16 MR. ARGUS: The -- somewhat toward that,</p> <p>17 but taken it in a different -- a different</p> <p>18 direction, the County is in the process of</p> <p>19 putting up their own version of LED signs</p> <p>20 along Linebaugh. When they originally made</p> <p>21 presentations to the community about that,</p> <p>22 there was some mention about the community</p> <p>23 would be able to put notifications up there.</p> <p>24 I don't know if that's currently the case, if</p> <p>25 they've ruled that out, but that was something</p>	<p style="text-align: right;">Page 175</p> <p>1 were pulling cable last year for -- for this</p> <p>2 whole information system.</p> <p>3 MS. WHYTE: Well, that was also for the</p> <p>4 cameras that they've already installed.</p> <p>5 MR. ARGUS: Right.</p> <p>6 MS. WHYTE: That was to relay traffic</p> <p>7 and -- the flow of traffic. I didn't know</p> <p>8 about the LEDs.</p> <p>9 MR. ARGUS: Their original plans was to</p> <p>10 have one on the -- as you head east on</p> <p>11 Linebaugh just before Sheldon.</p> <p>12 CHAIRMAN RAGUSA: Those are traffic.</p> <p>13 It's got "Linebaugh 7 miles in 12 minutes"?</p> <p>14 MR. ARGUS: Right. But if they are all</p> <p>15 -- when they made the presentation to us, they</p> <p>16 said we could also put our community</p> <p>17 information on those.</p> <p>18 CHAIRMAN RAGUSA: Sure they did.</p> <p>19 MR. ARGUS: That's what they told us.</p> <p>20 So we might want to check that out.</p> <p>21 MS. WHYTE: I've never heard that.</p> <p>22 MR. ROSS: The reason I raise that -- I</p> <p>23 don't want it to just be an issue that's</p> <p>24 lingering. If this board does not support LED</p> <p>25 signage, then we shouldn't have it in the</p>
<p style="text-align: right;">Page 174</p> <p>1 they were talking about one of the benefits of</p> <p>2 these signs.</p> <p>3 CHAIRMAN RAGUSA: When and where is the</p> <p>4 County putting LEDs up?</p> <p>5 MR. ARGUS: It's those big posts. It's</p> <p>6 the traffic information systems. "15 miles</p> <p>7 to" --</p> <p>8 MR. CHESNEY: They're putting one on</p> <p>9 Linebaugh?</p> <p>10 MR. ARGUS: Pardon?</p> <p>11 MR. CHESNEY: They're putting one on</p> <p>12 Linebaugh and here?</p> <p>13 MR. ARGUS: Oh, yeah. There's poles</p> <p>14 going up down by Race Track Road and --</p> <p>15 MS. WHYTE: Is that what those are?</p> <p>16 MR. ARGUS: Yeah, that's what that is.</p> <p>17 A traffic information system. It's up and</p> <p>18 down Race Track --</p> <p>19 MR. ZEIGLER: Is it over near Booker</p> <p>20 Creek where the --</p> <p>21 MS. WHYTE: Race Track and Countryway.</p> <p>22 Right there on the corner.</p> <p>23 MR. ARGUS: It's right at that</p> <p>24 intersection. All four corners at Race Track</p> <p>25 and Country -- and Linebaugh have it, and they</p>	<p style="text-align: right;">Page 176</p> <p>1 budget. It's simple as that.</p> <p>2 And so I raise it out there as a</p> <p>3 threshold issue. Do we believe there needs to</p> <p>4 be work to either add in LED signage or to</p> <p>5 improve or rectify our monument signage? If</p> <p>6 everybody is happy with the banner system that</p> <p>7 we have, then let's just make sure we don't</p> <p>8 put a sign capital outlay in the budget.</p> <p>9 CHAIRMAN RAGUSA: Well, I've been</p> <p>10 labeled the proponent of the LED lighting</p> <p>11 system -- or signage system. My concern is</p> <p>12 the way that it's structured we would have --</p> <p>13 I'm not prepared to recommend or vote on an</p> <p>14 LED system at this moment. I don't have</p> <p>15 enough information.</p> <p>16 I don't know where the WCA stands. I</p> <p>17 don't know where we can legally put them. I</p> <p>18 don't have a hard number on the capital cost</p> <p>19 and the maintenance cost of those items. I</p> <p>20 don't know what Hillsborough County would do.</p> <p>21 I just don't know whether it meets the sign</p> <p>22 ordinance. I don't know what it meets. I'm</p> <p>23 not there yet.</p> <p>24 I would agree that in the long run we</p> <p>25 need to go away from banners. I don't like</p>

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1 the banners. I raised that awhile back, but I
 2 don't know that I'm prepared to discontinue
 3 them, because I think they serve a valuable
 4 community purpose right now. And until we
 5 have a better plan, I think we're stuck with
 6 the banners. That's my concern.
 7 If we're going to allow the community to
 8 communicate, I think the banners are the only
 9 way of doing it. And that's my concern. I
 10 think what your motion -- and, again, it's
 11 very eloquently put, I think it contemplates
 12 that we would prohibit them from this point
 13 going forward.
 14 MR. ROSS: There actually wasn't a
 15 motion. I was simply saying we as a board
 16 need to decide if we're going to be at some
 17 point banner free, and if we're going to be
 18 banner free, then we need to address the
 19 signage issue. If we're going to address the
 20 signage issue, then we should budget for it.
 21 The flip side is, the majority of board
 22 says, "No, we're okay with the banners. It
 23 works for us," then let's not put it in the
 24 budget, and no work needs to be done on the
 25 signs.

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1 CHAIRMAN RAGUSA: I would -- I would like
 2 to work toward being banner free. I just don't
 3 know how we get there yet. I'm not prepared to
 4 get there yet.
 5 MR. ARGUS: And I would agree --
 6 MR. CHESNEY: We got priding on the
 7 signs.
 8 CHAIRMAN RAGUSA: Not really. We have
 9 one bidder.
 10 MR. ARGUS: Right.
 11 CHAIRMAN RAGUSA: There's a lot of those
 12 products out there.
 13 MR. ARGUS: I'd agree to be banner
 14 free. I don't think we have enough
 15 information to put the LED signage in this
 16 year's -- or next year's budget. So I would
 17 -- I would suggest we might want to weigh
 18 alternatives.
 19 CHAIRMAN RAGUSA: How much is in the
 20 budget for this?
 21 MR. CHESNEY: I don't remember. I put
 22 45,000, I think.
 23 CHAIRMAN RAGUSA: It's all lumped
 24 together now.
 25 MR. ROSS: It has a general fund of a

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1 hundred grand.
 2 MR. CHESNEY: I know. It's -- 45,000 is
 3 what was anticipated, but the signs are under
 4 20, and that's what I --
 5 MR. ARGUS: Now wait a minute.
 6 MR. CHESNEY: Each one.
 7 MR. ARGUS: Well --
 8 MS. WHYTE: This is just one company in
 9 general, but we can modify it to anything that
 10 we want. Pricing varies depending on what you
 11 want.
 12 MR. ZEIGLER: Andy, do you have any
 13 communities with these LEDs in them?
 14 MR. MENDENHALL: The -- in Pasco County
 15 they are not allowed. And I'm trying to think
 16 in Hillsborough. No, in Hillsborough I have
 17 three communities; none of them do. In
 18 Pinellas County I have one community, and it
 19 does not.
 20 CHAIRMAN RAGUSA: That means we're going
 21 to be trend setters, guys.
 22 MR. CHESNEY: They're thirteen-three-
 23 twelve.
 24 MR. ARGUS: And what do you get for
 25 that?

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1 MR. CHESNEY: You get a three-by-eight-
 2 foot sign with -- is that two lines or three
 3 lines?
 4 MS. WHYTE: I think it's two or three
 5 lines.
 6 MR. ZEIGLER: That's a Sony TV wrapped
 7 in a weatherproof container.
 8 MR. CHESNEY: Yeah, pretty much.
 9 MR. MENDENHALL: We do have -- we have a
 10 guard shack that's not being used, and there
 11 is actually exactly what you're saying.
 12 MR. ZEIGLER: Hmm.
 13 MR. CHESNEY: Yeah. I don't remember
 14 why this one was eight and this one was --
 15 MS. WHYTE: It depends on --
 16 MR. CHESNEY: -- 13.
 17 MS. WHYTE: -- how many lines you want,
 18 what you want --
 19 MR. CHESNEY: Oh, no. I take that
 20 back. This is on both sides; this is double-
 21 sided for 13. They're 7,200 each for that
 22 size, because I didn't think we would need a
 23 double-sided.
 24 MS. WHYTE: Depending on where you put
 25 it.

1 MR. ROSS: Well, what I'm hearing is
2 that at least three of the five supervisors
3 are committed to trying to become a banner-
4 free community, and if that's the case, then
5 we're -- and at least three of the five are in
6 agreement that our existing signage is
7 inadequate, and so it should be in the budget
8 then, you know. If it needs to be fixed, then
9 let's fix it.

10 MR. ARGUS: The problem --

11 MR. ROSS: And I drop -- I drop the
12 issue then. It's in the budget, a hundred
13 thousand.

14 MR. ARGUS: The problem is going to be
15 in the five of us deciding "What do we need?"

16 To -- to my way of thinking, we need the
17 full-color LEDs to replace the -- the banners
18 to get the same sort of visual impact with the
19 existing banners.

20 CHAIRMAN RAGUSA: I actually agree.

21 MR. ARGUS: Having two or three lines of
22 texts that scroll by just -- to me that's not
23 Westchase.

24 MR. CHESNEY: These are a lot more
25 expensive.

1 Historically, if we don't say what it's going
2 to be for, we will not spend it. So I mean
3 that's just -- that's why we have -- the
4 reserves grew faster than anticipated, because
5 I know. We would put them in and "Oh, yeah.
6 Right."

7 MR. ROSS: But as you just saw on the
8 splash pad, there's a reluctance of some
9 supervisors, understandably and probably
10 rightfully, before we pass a specific motion,
11 let's have a specific contract in front of us
12 and make sure staff has studied it and -- and
13 I'm okay with that. They can come back in the
14 next month or two, but I really had this list
15 of motions driven around the budget, and I
16 think we answered the question; it should stay
17 in the budget.

18 MR. CHESNEY: Okay. I appreciate -- by
19 the way, before I forget, I appreciate you
20 doing this, because this will make the budget
21 process much easier.

22 CHAIRMAN RAGUSA: Yeah. These are the
23 four big items.

24 MR. CHESNEY: Yeah. So I mean --

25 CHAIRMAN RAGUSA: And the volleyball

1 CHAIRMAN RAGUSA: Yeah, these are
2 monochromatics. These are -- these are just
3 scrolling words, it looks like.

4 MR. ARGUS: Yeah.

5 MR. CHESNEY: I think the others you're
6 going to find are a lot more expensive.

7 MS. WHYTE: They're a lot more.

8 MR. CHESNEY: Personally, I say let's
9 just get rid of it all. I'm there. Just get
10 rid of the banners and the signs and --

11 CHAIRMAN RAGUSA: The World of Westchase
12 can do it all.

13 MR. CHESNEY: Yeah.

14 CHAIRMAN RAGUSA: All right. Do we have
15 a consensus? Where are we, guys?

16 MR. ROSS: I think what I was trying to
17 summarize is I'm hearing now at least four of
18 the five supervisors are in favor of being
19 banner free. So in that case, that means
20 we're agreeing that existing signage is
21 inadequate, and we ought to leave the hundred
22 thousand capital outlay in there understanding
23 that that may be used for our signage. We
24 don't know the exact number, but it --

25 MR. CHESNEY: I just know this Board.

1 court was addressed earlier. That was the
2 fifth.

3 MR. CHESNEY: Right.

4 CHAIRMAN RAGUSA: So anything else,
5 Mr. Ross, on the --

6 MR. ROSS: No, sir, not on the budget.

7 CHAIRMAN RAGUSA: Any other supervisors
8 on the budget?

9 MS. MCCORMICK: I have an issue to --

10 CHAIRMAN RAGUSA: Counsel.

11 MS. MCCORMICK: I had -- I wanted to
12 give you kind of an update about the -- what's
13 going on with Enclave streetlights.

14 We have been trying to work with them on
15 taking over the paying for the streetlights
16 within the Enclaves, and, Andy, you had a
17 number of conversations initially, and then I
18 had one conversation with the attorney for the
19 Enclaves who represents the -- a community
20 association, and we haven't made a lot of
21 progress.

22 They -- the attorney has said that he
23 thinks it's problematic for them to take over
24 paying for the streetlights because of the
25 way that their declaration, covenants,

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1 conditions and restrictions is set up, they
 2 don't have the ability to assess for paying
 3 for the streetlights, because -- and I looked
 4 at the provision of their declaration that he
 5 was telling me about.
 6 It does say that if they increase their
 7 budget by more than 10 percent, then they need
 8 to have like two-thirds approval of the
 9 residents within the community. So when I
 10 talked to him about that I said, "Well, the
 11 CDD really doesn't have the ability to
 12 continue to pay for streetlights, because
 13 they're on private streets, and we can't be
 14 paying for streetlights that are, you know,
 15 not a governmental infrastructure that we have
 16 out here."
 17 I said, you know, "Possibly one option
 18 that we could look at would be if The Enclaves
 19 wants the CDD to continue to pay for these
 20 streetlights, would they want to leave these
 21 roadways to the CDD?"
 22 And he said, "Well, that might be more
 23 feasible." And since then, I've called him a
 24 couple of times, and I'm not getting any
 25 response from them. So I wanted to let you

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1 - all know what's going on, because as we're
 2 budgeting, we can either, you know, not budget
 3 for the streetlights and have the streetlights
 4 be turned off and --
 5 CHAIRMAN RAGUSA: Why don't we take a
 6 five-minute break.
 7 (Recess from 6:39 p.m. to 6:47 p.m.)
 8 CHAIRMAN RAGUSA: The record will
 9 reflect we're back on.
 10 We were contemplating counsel's
 11 comments. Do we have any response from any of
 12 the supervisors, or do you want to make a
 13 recommendation at all?
 14 MS. MCCORMICK: Um --
 15 CHAIRMAN RAGUSA: Other than it probably
 16 needs to be explored further?
 17 MS. MCCORMICK: Yeah. I mean I think it
 18 needs to be explored further, and I think
 19 that, you know, ultimately we need to deal
 20 with this in advance of the finalization of
 21 the budget, because I think right now this --
 22 we -- you -- they have put the money in for us
 23 to continue paying for the streetlights for
 24 the upcoming year.
 25 MR. MENDENHALL: Yeah. The money is in

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1 there. We have explained to -- to the
 2 association or with The Enclaves that they
 3 essentially would get those funds once this
 4 is all settled, assuming that it's settled
 5 before -- well, depending on when it's
 6 settled, they could either get the money or
 7 they wouldn't be assessed.
 8 MS. MCCORMICK: Right.
 9 CHAIRMAN RAGUSA: Mr. Chesney, do you
 10 want to address this? I know you have -- this
 11 is your --
 12 MR. CHESNEY: I'm just -- I just -- I
 13 mean, we were planning on not assessing them
 14 anyhow, because of a surplus in the funds. I
 15 mean --
 16 MR. MENDENHALL: We can do that, as
 17 well. I mean right now it's currently built
 18 into there, but, yeah, we can pull that out.
 19 MR. CHESNEY: I talked with Alan about
 20 it. It doesn't matter.
 21 MR. MENDENHALL: Well, I don't --
 22 MR. CHESNEY: I mean, the way I look at
 23 stuff like this, if it takes a little longer
 24 to work out -- I mean, it's been going on for
 25 years --

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1 MS. MCCORMICK: Right, right.
 2 MR. CHESNEY: -- so I mean what's
 3 another --
 4 MS. MCCORMICK: Okay. We'll continue
 5 working on it. We'll continue working on
 6 that.
 7 CHAIRMAN RAGUSA: Okay. Any other legal
 8 issues?
 9 MS. MCCORMICK: Do you want to talk
 10 about the Harbor Links pavers request now?
 11 CHAIRMAN RAGUSA: Yes.
 12 MS. MCCORMICK: There's a request,
 13 Sonny, that you received for somebody to
 14 install pavers within Harbor Links.
 15 MS. WHYTE: Correct. I attached a file
 16 to your emails.
 17 MS. MCCORMICK: And so talking to Sonny
 18 about this issue, I -- because we have not
 19 ever put together a document that we would
 20 apply to all paver requests that we get. So I
 21 drafted -- and I know you all haven't had a
 22 chance to take a look at this in advance, but
 23 I drafted a -- a proposed application approval
 24 process that basically tracks the process
 25 that the County follows for doing -- allowing

1 decorative pavers in county rights-of-way.
 2 Because I think it is a good idea for us
 3 to have some sort of uniform, consistent
 4 policy, approval process that we're following
 5 whenever anybody wants to install pavers
 6 within a district right-of-way. And so this
 7 would -- basically, they'd file an
 8 application. They'd have to have plans --
 9 specific plans for the pavers. They would
 10 have to comply with all of the uniform traffic
 11 control requirements, as well as the County's
 12 procedures and standards that it has in place
 13 for pavers that are installed within County
 14 rights-of-way.

15 They would have to agree that they're
 16 indemnifying the district for anything as a
 17 result of these pavers being installed. They
 18 would have to deal with the utilities, and,
 19 you know, in the event the district had to do
 20 any work within that area, then they -- we
 21 would have the right to go in there and pull
 22 up the pavers, and they would have to deal
 23 with having them replaced at their own cost.

24 So that -- this basically tracks the
 25 county's process that it has in place for

1 pavers. And I know that there may be some
 2 discussion -- I was just talking to Supervisor
 3 Ragusa about the fact that this is not a
 4 recorded document, nor is the process that the
 5 county follows for pavers to be installed
 6 within a county right-of-way.

7 So this would be signed by the person
 8 that's actually installing the pavers, and if
 9 there were maintenance issues going forward,
 10 the district would have the ability to go in
 11 there and tear out the pavers at that point in
 12 time.

13 But if -- if that homeowner sells their
 14 property later on, then there's nothing that's
 15 recorded of record that says that there's any
 16 obligations to the owner of the unit that's,
 17 you know, adjacent to the district's right-of-
 18 way.

19 So if we wanted to go that further step,
 20 which would be beyond what the county does,
 21 then we would have to put some additional --

22 MR. CHESNEY: And this is only for
 23 communities where we own the --

24 MS. MCCORMICK: Decorative pavers within
 25 gated communities --

1 MR. CHESNEY: Yeah.

2 MS. MCCORMICK: -- where we own the
 3 right-of-way.

4 MR. CHESNEY: Okay.

5 CHAIRMAN RAGUSA: Well, I -- I raised
 6 the issue. I'm inclined either to stop
 7 allowing them or to have a recorded document
 8 that evidences for the long run what the CDD
 9 obligation is and what that homeowner -- the
 10 then current homeowner's obligation is.

11 MR. CHESNEY: Well, we always had one of
 12 these.

13 CHAIRMAN RAGUSA: No.

14 MR. CHESNEY: Well, I mean -- well, if
 15 they sign it, we'll have the --

16 CHAIRMAN RAGUSA: My point is, the
 17 current homeowner signs that; puts in a brick
 18 paver driveway. They sell it five years from
 19 now. The new owner never had notice of this,
 20 because it's not a recorded document. They
 21 have no contractual obligation to do any of
 22 that. They didn't sign it. Indemnity
 23 agreements run to the signer only, not the
 24 successor. So I --

25 MS. MCCORMICK: I mean the --

1 CHAIRMAN RAGUSA: I just don't know if
 2 there's a mechanism by which we can record a
 3 document that would bind a future purchaser of
 4 that property.

5 MS. MCCORMICK: Well, I mean my -- my --
 6 I guess my concern would be with recording
 7 something that would, you know, go with the
 8 adjacent property is that then that's saying,
 9 "Okay. You have to maintain these pavers that
 10 are on our property." But are we by doing
 11 that then giving them some rights? If we
 12 decided that -- I mean, right now we always
 13 have the right to go in there and rip out
 14 those pavers and replace it with concrete if
 15 we decide to do that. So by giving them some
 16 sort of rights to maintain those pavers on our
 17 property, we're actually saying, "Okay. You
 18 have, you know, some interest in this property
 19 that's owned by the district."

20 MR. ROSS: So are you suggesting we
 21 might be better off without this agreement?

22 MS. MCCORMICK: No, I think we should
 23 have this agreement, which basically imposes
 24 obligations on the -- the homeowner that's
 25 actually installing the pavers, and it says

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1 "This is the process that you have to follow
 2 at the time that you're installing the
 3 pavers. You're indemnifying the district.
 4 You have to put them in properly. You have to
 5 give us copies of the -- the final plans when
 6 it's installed."
 7 And I'm just not sure about recording
 8 something in the public records after that
 9 that would run with the land, because we're
 10 really talking about pavers that are being
 11 installed on district property, not on a
 12 homeowner's private property.
 13 MR. CHESNEY: Right. Because the bulk
 14 of this agreement is just to protect, you
 15 know, our interest in our property.
 16 MS. MCCORMICK: Right.
 17 MR. CHESNEY: Whereas -- you know, and
 18 we already have an easement that says we can
 19 go in there and mess it up.
 20 MS. MCCORMICK: Right. Yeah.
 21 CHAIRMAN RAGUSA: Then you're left with
 22 the remedy of going in and replacing it.
 23 That's your only remedy 20 years down the line
 24 with a different homeowner. But what happens
 25 when the resident goes and trips because every

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1 other paver is missing? Or there's a tree
 2 root that's buckled up all those pavers and
 3 they're just ignoring it? We still own -- we
 4 still own that sidewalk area.
 5 MR. CHESNEY: I know, but why -- why
 6 would you -- I understand what you're saying,
 7 but why would you think that just having this
 8 agreement or them putting in pavers changes
 9 our responsibility to maintain the sidewalk?
 10 If it starts buckling, then we're going to fix
 11 it.
 12 CHAIRMAN RAGUSA: My point is: I want a
 13 recorded document that runs with the land that
 14 puts the homeowner in the primary position of
 15 maintaining that paver, because it deviates
 16 from our standard sidewalk.
 17 MR. CHESNEY: I see what you're saying.
 18 So you're saying that because we would have to
 19 -- because if we're going to maintain it --
 20 let's say it gets in a state of disrepair, for
 21 us to maintain it, we're just going to bring
 22 it back to our normal standards, which is
 23 concrete and things like that.
 24 CHAIRMAN RAGUSA: And where are we going
 25 to find pavers that would match 10-year-old

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1 pavers?
 2 MR. CHESNEY: Well, we wouldn't. We
 3 would just put in concrete.
 4 CHAIRMAN RAGUSA: And, again --
 5 MR. CHESNEY: Which would also be more
 6 expensive.
 7 CHAIRMAN RAGUSA: If it doesn't make
 8 sense, then just tell us that. That was my
 9 concern, because these are popping up more and
 10 more, you know. And, candidly -- personally,
 11 I can't stand them.
 12 MS. MCCORMICK: Well, I think what has
 13 been happening is a lot of times this has just
 14 been done without anybody ever broaching --
 15 you know, coming to the district and asking
 16 for permission. Is that right?
 17 MS. WHYTE: Yeah, it's only been the
 18 last year or --
 19 MR. CHESNEY: Let's think about it. If
 20 it becomes in a state of disrepair, okay, and
 21 we tell them about it or they don't do
 22 anything about it, okay, so we would go in,
 23 and we'd have to replace the sidewalk,
 24 essentially, and tear it up. And that would
 25 be probably more expensive than what we do

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1 now, which is just grind down sidewalk or, you
 2 know -- right now it's just a repair issue.
 3 Whereas if they had replaced it with
 4 pavers -- I don't know much about pavers, but
 5 there's nothing underneath there. We'd
 6 actually have to pour a whole new sidewalk,
 7 which is a lot more expensive on our end.
 8 MR. MAYES: Oh, yeah.
 9 MR. CHESNEY: A lot more expensive on
 10 our end.
 11 MS. WHYTE: It's a crushed-concrete
 12 base.
 13 MR. MAYES: Well, we do have pavers in
 14 certain sections of our -- like West Park
 15 Village where we go in ourselves and have to
 16 maintain -- we don't re-pour the concrete. We
 17 actually pull them, root prune them and
 18 replace them back in.
 19 MR. CHESNEY: Right. But we don't want
 20 to do that for --
 21 MR. MAYES: No, we don't want to do that.
 22 MS. MCCORMICK: And did you see this
 23 last page? Basically, if you replace district
 24 with county, the county gives this notice to
 25 people and says, "Look, we do not recommend the

<p style="text-align: right;">Page 197</p> <p>1 use of these decorative materials within</p> <p>2 rights-of-way. They can shift due to various</p> <p>3 external factors such as high ground, water</p> <p>4 level, heavy loads, et cetera, and can result</p> <p>5 in, you know, issues related to the sidewalk."</p> <p>6 MR. CHESNEY: I understand, but</p> <p>7 understand what I'm saying is that if -- if</p> <p>8 get down to this and we -- we allow these in</p> <p>9 --</p> <p>10 MS. MCCORMICK: No. I'm saying maybe we</p> <p>11 just don't allow it. I mean, if that's -- if</p> <p>12 that's the way that you're meaning, we can</p> <p>13 just stop allowing this.</p> <p>14 MR. CHESNEY: Because it could just get</p> <p>15 very expensive.</p> <p>16 CHAIRMAN RAGUSA: Sonny.</p> <p>17 MS. WHYTE: Are you suggesting possibly</p> <p>18 letting them do their concrete -- their</p> <p>19 driveway on their portion but leave the</p> <p>20 sidewalk intact and then the balance of their</p> <p>21 driveway in brick pavers? So, in other words,</p> <p>22 leaving the concrete sidewalk intact?</p> <p>23 CHAIRMAN RAGUSA: Do we own that portion</p> <p>24 of the concrete that runs contiguous with the</p> <p>25 sidewalk on the driveway? Do you understand</p>	<p style="text-align: right;">Page 199</p> <p>1 this is the sidewalk.</p> <p>2 MS. MCCORMICK: Uh-huh.</p> <p>3 MS. WHYTE: This is the portion of that,</p> <p>4 and this is the road. The extension of the</p> <p>5 driveway. So do we --</p> <p>6 MS. MCCORMICK: Yes.</p> <p>7 MS. WHYTE: We own this?</p> <p>8 MS. MCCORMICK: Yes.</p> <p>9 MS. WHYTE: So we own from the sidewalk</p> <p>10 all the way down, even on homeowner property?</p> <p>11 MR. ARGUS: Right.</p> <p>12 MS. MCCORMICK: Right. We -- the lot is</p> <p>13 -- yeah, we own everything -- the paved right-</p> <p>14 of-way. I believe we own -- I mean, we should</p> <p>15 own everything; the paved right-of-way, the</p> <p>16 sidewalk and everything in between.</p> <p>17 MS. WHYTE: Really?</p> <p>18 CHAIRMAN RAGUSA: But do we own that</p> <p>19 portion of the driveway?</p> <p>20 MS. WHYTE: In other words, do we own</p> <p>21 the grass here, the trees --</p> <p>22 CHAIRMAN RAGUSA: The part that has the</p> <p>23 sidewalk?</p> <p>24 MS. MCCORMICK: Yeah.</p> <p>25 MS. WHYTE: Wow.</p>
<p style="text-align: right;">Page 198</p> <p>1 what I'm saying?</p> <p>2 MS. MCCORMICK: I --</p> <p>3 CHAIRMAN RAGUSA: Do we own that portion</p> <p>4 of the driveway that runs contiguous with the</p> <p>5 sidewalk?</p> <p>6 MS. MCCORMICK: On the resident side --</p> <p>7 on the lot side or on the street side?</p> <p>8 CHAIRMAN RAGUSA: On the --</p> <p>9 MS. MCCORMICK: Between the sidewalk and</p> <p>10 the street?</p> <p>11 MR. MENDENHALL: Just above the driveway</p> <p>12 apron.</p> <p>13 CHAIRMAN RAGUSA: Well, I know we own</p> <p>14 that land. We own the sidewalks in Harbor</p> <p>15 Links. Correct?</p> <p>16 MS. MCCORMICK: Right. And we own the</p> <p>17 street and everything in between the</p> <p>18 sidewalks.</p> <p>19 CHAIRMAN RAGUSA: If I'm walking down</p> <p>20 the sidewalk in Harbor Links and I come across</p> <p>21 a concrete driveway that goes from the garage</p> <p>22 to the street, do we own that four-foot strip</p> <p>23 between sidewalks that crosses over that</p> <p>24 driveway?</p> <p>25 MS. WHYTE: This portion. This portion;</p>	<p style="text-align: right;">Page 200</p> <p>1 CHAIRMAN RAGUSA: So in theory, if we're</p> <p>2 going to take that approach, people are going</p> <p>3 to have a paved driveway, a concrete sidewalk</p> <p>4 running through it --</p> <p>5 MS. WHYTE: Yeah. And then nothing here</p> <p>6 on the end of that.</p> <p>7 MR. ARGUS: Between the road and the</p> <p>8 sidewalk, that apron area, we own that, as</p> <p>9 well.</p> <p>10 CHAIRMAN RAGUSA: We do. That's what</p> <p>11 I'm saying.</p> <p>12 MR. ARGUS: So they would all be able to</p> <p>13 --</p> <p>14 CHAIRMAN RAGUSA: The paver would be</p> <p>15 from the top of the sidewalk to garage.</p> <p>16 MR. ARGUS: That's right.</p> <p>17 MR. CHESNEY: I mean thinking about this</p> <p>18 some more, I'm going -- I'm going to agree</p> <p>19 with you on the recording. I understand what</p> <p>20 you're saying, that it probably confers some</p> <p>21 rights, but I think the benefit to us</p> <p>22 outweighs that.</p> <p>23 I mean, because the other side of it is</p> <p>24 -- is -- what you are also saying is that</p> <p>25 maybe we shouldn't allow it. I think if</p>

<p style="text-align: right;">Page 201</p> <p>1 you're going to allow it, then -- you know, 2 and we've already been allowing it for years 3 -- then we need to have as much control as 4 possible. That would be my opinion on -- on 5 the matter. Because, first of all, I think it 6 would be very unpopular if we all of a 7 sudden -- not all of a sudden, but now we 8 start saying we're not going to allow them. 9 And I think to allow them, we have to have as 10 much control as possible. 11 CHAIRMAN RAGUSA: There's not that many 12 of them. 13 MR. CHESNEY: So you're going to say any 14 in the future. Because now as driveways are 15 going to start eroding and they looking worse, 16 people are going to want to maintain them 17 more. And that's the way a number of 18 neighbors are doing it; in my neighborhood, 19 too. 20 CHAIRMAN RAGUSA: I understand. I'm not 21 advocating that we prevent them from doing it. 22 And, again, I'm not a real estate lawyer, but 23 I just -- I would like -- if we're letting 24 people deviate from our standard concrete 25 driveways which we can easily maintain, I</p>	<p style="text-align: right;">Page 203</p> <p>1 they'd have to come and -- 2 CHAIRMAN RAGUSA: If we want to take a 3 hard-line approach and be consistent with past 4 practices, we would send them a notice that 5 said that they "illegally installed a brick 6 paver sidewalk or crossing on our property, 7 and you need to remove it." It's no different 8 than putting up a fence when there's a 9 lakefront. 10 MR. CHESNEY: Yeah. Or come in and sign 11 this agreement. 12 CHAIRMAN RAGUSA: Or come in and sign 13 it. I did not intend to raise a lot of 14 controversy over the issue. I just was 15 looking at: Since we are doing residents a 16 major favor and because it seems like all of 17 the litigation that the CDD has been involved 18 in arises out of people on side -- excuse me 19 -- on all but one playground accident -- or 20 two playground accidents maybe, you know, 21 that's our exposure. And the sidewalks, we 22 can only do so much to control Hillsborough 23 County responding to their sidewalks. I don't 24 want to create exposure for us on the 25 sidewalks that we do own and control.</p>
<p style="text-align: right;">Page 202</p> <p>1 think that the successive owner needs to 2 understand before buying a house, that they're 3 responsible for maintaining that portion. 4 MR. CHESNEY: I agree. Because like I 5 said, the downside is, is that if we have to 6 go in and maintain it for them, it's going to 7 be very expensive to pour sidewalks. We know 8 how much that is. 9 CHAIRMAN RAGUSA: Do we have a current 10 application? 11 MS. WHYTE: Yes, we do, and that's why 12 -- but you've got to remember, we have very 13 few in Harbor Links that we've been asked 14 for. I think we've done two. This would be 15 the third. But in The Greens, there were -- 16 this is how it all came about. There are a 17 lot of existing brick-paver driveways that 18 were never requested permission through the 19 district, and it is district land. So there's 20 quite a few pavers in The Greens community. 21 MR. CHESNEY: Do we go back and try to 22 get them to sign it? 23 MS. WHYTE: It's -- 24 MR. CHESNEY: They probably wouldn't. 25 MR. ARGUS: Well, if they modify it,</p>	<p style="text-align: right;">Page 204</p> <p>1 MS. MCCORMICK: All right. Well, if 2 that's what we're going to do, then I'm going 3 to need to work on this issue a little bit 4 more. Sonny, so we'll have to tell the 5 resident that, you know, we're working on it 6 but we can't -- 7 CHAIRMAN RAGUSA: Mr. Argus. 8 MR. ARGUS: Similar on this general 9 topic. The sidewalk that crosses the 10 driveway, are we saying that needs to be 11 concrete if they install pavers, or can they 12 install pavers from the curb to the garage 13 door assuming we allow pavers? 14 CHAIRMAN RAGUSA: I don't know that 15 we're saying anything at this stage. 16 MR. ARGUS: And that might be a factor 17 we want to include in whatever we do. 18 MR. CHESNEY: They can do it on their 19 land versus -- 20 MS. MCCORMICK: Yeah, they can do 21 whatever they want on their property. 22 MR. CHESNEY: As long as they match the 23 deed restrictions, you know, but -- 24 MR. ARGUS: Well, my -- specifically, 25 the sidewalk which we own, are we saying we</p>

1 have to keep that --
 2 MR. CHESNEY: That's what we're talking
 3 about and whether or not we should do it or
 4 not.
 5 MR. ARGUS: Okay.
 6 CHAIRMAN RAGUSA: Yes, Sonny.
 7 MS. WHYTE: And I just wanted to bring
 8 this to your attention that this gentleman
 9 that is requesting this, his proposal is only
 10 good -- his quote is only good till Friday.
 11 MS. MCCORMICK: We won't know anything
 12 before then.
 13 MS. WHYTE: Okay. I'll let them know.
 14 I'll let the HOA know that, that the Board is
 15 still looking at all its options.
 16 MS. MCCORMICK: Yeah. Okay.
 17 MR. CHESNEY: Are we still on legal?
 18 Because I have a question.
 19 CHAIRMAN RAGUSA: Yes.
 20 MR. CHESNEY: We were doing that -- the
 21 trademark stuff, and I just happened to notice
 22 that Westchase.com is owned by Newland
 23 Communities. I mean, would that be something
 24 that --
 25 MS. MCCORMICK: Westchase.com?

1 MR. ARGUS: Yeah. They wanted to keep
 2 that for marketing purposes -- potential
 3 future marketing purposes.
 4 MR. CHESNEY: Okay. There's no way to
 5 get that or anything?
 6 MR. ARGUS: Well, three to four years
 7 ago that was their position was they wanted to
 8 maintain that. They may have changed their
 9 mind by now.
 10 MR. CHESNEY: I don't know. It seems
 11 like it would be something we should ask.
 12 MS. MCCORMICK: Yeah.
 13 CHAIRMAN RAGUSA: It's worth approaching
 14 them.
 15 MS. MCCORMICK: Yeah, you can make an
 16 inquiry about that.
 17 CHAIRMAN RAGUSA: They're not actively
 18 marketing out here. Okay. And there's a
 19 Westchase in Texas.
 20 MR. ARGUS: Houston.
 21 MS. WHYTE: Yes, there is.
 22 CHAIRMAN RAGUSA: Okay. Anything else?
 23 MS. MCCORMICK: I didn't have anything
 24 else.
 25 CHAIRMAN RAGUSA: Do we have any other

1 issues that we need counsel for?
 2 MS. MCCORMICK: Do you want me to leave?
 3 CHAIRMAN RAGUSA: I was going to kick
 4 you out of here; nicely kick you out of here.
 5 Thanks, Erin.
 6 MS. MCCORMICK: Sure.
 7 CHAIRMAN RAGUSA: Andy, back to you.
 8 MR. MENDENHALL: Okay. Well, that was,
 9 I think, the budget discussion -- the majority
 10 of it. It sounds like -- do you need Erin?
 11 MS. WHYTE: Soccer. The soccer
 12 agreement? Are we doing that next month or
 13 this month or -- they're starting up in
 14 August.
 15 CHAIRMAN RAGUSA: Do we have the
 16 agreement?
 17 MS. WHYTE: Erin usually drafts it.
 18 MS. MCCORMICK: I can draft it. I mean
 19 I can draft it. Are we going to approve it --
 20 do you want to approve it tonight, or do you
 21 want to wait till July?
 22 CHAIRMAN RAGUSA: I thought it was
 23 approved last month.
 24 MS. WHYTE: No. You tabled it for this
 25 month.

1 CHAIRMAN RAGUSA: Oh.
 2 MS. WHYTE: Before she leaves, I just
 3 wanted to make sure, because I do know that
 4 the -- the owner -- the committee -- Margo and
 5 her -- they're going out of town, and they
 6 will be out for a month.
 7 MS. MCCORMICK: Okay.
 8 MS. WHYTE: So I just didn't know if
 9 there was any discussion on whether or not
 10 you're going to not renew it, but they need
 11 time to -- to --
 12 CHAIRMAN RAGUSA: What's the season?
 13 MS. WHYTE: The regular, August through
 14 -- until --
 15 MR. MAY: It starts September through
 16 November.
 17 MS. WHYTE: They have pre-season and --
 18 CHAIRMAN RAGUSA: Okay.
 19 MS. WHYTE: I just --
 20 CHAIRMAN RAGUSA: Mr. Argus.
 21 MR. ARGUS: Motion to approve a similar
 22 soccer agreement as in years in the past.
 23 CHAIRMAN RAGUSA: Do we have a second?
 24 MR. ZEIGLER: Second.
 25 CHAIRMAN RAGUSA: Discussion.

<p style="text-align: right;">Page 209</p> <p>1 (No response.)</p> <p>2 CHAIRMAN RAGUSA: All in favor, please</p> <p>3 raise your hand.</p> <p>4 (All board members raised their hands.)</p> <p>5 CHAIRMAN RAGUSA: That motion passes</p> <p>6 five to nothing.</p> <p>7 (Motion passes.)</p> <p>8 CHAIRMAN RAGUSA: If you'll draft it,</p> <p>9 just --</p> <p>10 MS. MCCORMICK: Yeah.</p> <p>11 CHAIRMAN RAGUSA: I'll send a runner</p> <p>12 over and get it signed.</p> <p>13 MS. MCCORMICK: Okay. All right.</p> <p>14 Sounds good. Have a good night.</p> <p>15 MR. CHESNEY: You're going to send a</p> <p>16 runner over? What -- what decade is your firm</p> <p>17 in?</p> <p>18 CHAIRMAN RAGUSA: (Inaudible.)</p> <p>19 MR. CHESNEY: Sorry.</p> <p>20 (Ms. McCormick exited the room.)</p> <p>21 MR. MENDENHALL: The other item I had,</p> <p>22 if you saw in the package, we get a report</p> <p>23 from Hillsborough County every year around</p> <p>24 this time on the number of registered voters.</p> <p>25 So just for the record, you have 7,357</p>	<p style="text-align: right;">Page 211</p> <p>1 authorized to explore. I asked that we put it</p> <p>2 off till this month, because I had to leave</p> <p>3 early, and I think you said your (inaudible).</p> <p>4 If you all want to talk about those two,</p> <p>5 I'm happy to talk about them, but if there's</p> <p>6 no interest, we can just move on. I did have</p> <p>7 some packets of documents I put together</p> <p>8 before for them, and I can pass those out, so</p> <p>9 --</p> <p>10 MR. CHESNEY: Is there anything</p> <p>11 briefly? Like a five-sentence summary on the</p> <p>12 two of them?</p> <p>13 MR. ROSS: Well, with regard to the</p> <p>14 property on Promise Lane, I would point out</p> <p>15 that they were asking 276 for it. It did go</p> <p>16 under contract, as you know, on May 27th. I</p> <p>17 talked to her briefly about whether they would</p> <p>18 be interested in selling it to the district</p> <p>19 for a lower price.</p> <p>20 Obviously, they put it under contract</p> <p>21 with somebody else, so it is what it is. The</p> <p>22 only thing that really jumped out at me about</p> <p>23 the whole situation is that parcel does</p> <p>24 include part of the lake when you look at the</p> <p>25 legal description, and I can see where there</p>
<p style="text-align: right;">Page 210</p> <p>1 registered voters within your CDD boundaries.</p> <p>2 CHAIRMAN RAGUSA: And the answer to the</p> <p>3 next question is?</p> <p>4 MR. MENDENHALL: I have nothing else</p> <p>5 I want to report.</p> <p>6 CHAIRMAN RAGUSA: Is that up or down?</p> <p>7 MR. MENDENHALL: Good question. I'll</p> <p>8 have to take a look. Usually up, but you</p> <p>9 never know.</p> <p>10 CHAIRMAN RAGUSA: Okay. Field Manager</p> <p>11 report.</p> <p>12 MR. MAYES: Nope. You've covered</p> <p>13 everything for us, I believe, unless you've</p> <p>14 got any questions off our report.</p> <p>15 We're still working on the gentleman in</p> <p>16 Castleford over that fencing issue, if you</p> <p>17 have any questions on that. Other than that,</p> <p>18 we have nothing. Sonny.</p> <p>19 MS. WHYTE: Nope, unless the board has</p> <p>20 something for us.</p> <p>21 CHAIRMAN RAGUSA: Supervisors'</p> <p>22 Requests. Resident -- Mr. Ross.</p> <p>23 MR. ROSS: Not a request. If you recall</p> <p>24 a month ago, I was to provide a report back to</p> <p>25 the board on two properties I had been</p>	<p style="text-align: right;">Page 212</p> <p>1 could be some issues in the future about</p> <p>2 shared use of the lake. But we'll have to</p> <p>3 deal with that as it comes about.</p> <p>4 Then on the other property that's</p> <p>5 interesting, I made a presentation to her</p> <p>6 about a way in which we could come up with a</p> <p>7 win-win solution. She didn't receive my</p> <p>8 proposal as such and was unhappy. I did</p> <p>9 notice that on LoopNet it's now asking -- I</p> <p>10 think it's 755. It's marked as distressed.</p> <p>11 In doing a little bit of research, it looks</p> <p>12 like the property was joined in a foreclose</p> <p>13 action in Pasco County.</p> <p>14 When you look at the public record --</p> <p>15 official records in Pasco County, it looks</p> <p>16 like a judgment of foreclosure was entered, a</p> <p>17 certificate of sale was issued, and a</p> <p>18 certificate of title was issued. But the</p> <p>19 judgment didn't get recorded in Hillsborough</p> <p>20 until April, and I don't see the certificate</p> <p>21 of title got recorded at all. So there's a</p> <p>22 question in my mind about ownership. I --</p> <p>23 MR. CHESNEY: Yeah.</p> <p>24 MR. ROSS: -- didn't meet -- in my</p> <p>25 emails with her, in no way did she indicate</p>

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1 she didn't own the property, so I don't want
2 to --
3 MR. CHESNEY: So you think it's bank
4 owned?
5 MR. ROSS: I mean, I've got the documents
6 here and --
7 CHAIRMAN RAGUSA: Did the certificate of
8 title go to the original plaintiff, the
9 lender?
10 MR. ROSS: Well, they can assign it
11 out. In this particular instance, it was
12 issued in favor of the -- the bank.
13 CHAIRMAN RAGUSA: The original lender?
14 MR. ROSS: Or I believe --
15 CHAIRMAN RAGUSA: Are they a plaintiff
16 lender?
17 MR. ROSS: Yeah. They're -- I believe
18 they're an assignee of the note and mortgage.
19 So if there's interest then in pursuing this
20 -- I go back to in LoopNet, it's still listed
21 at -- she made an offer to me that she'd sell
22 part of it for 800,000 and change.
23 MR. ZEIGLER: Which property is this?
24 MR. ROSS: Why don't I just give you a
25 handout?

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1 CHAIRMAN RAGUSA: Do you have the final
2 judgment?
3 MR. ROSS: Yeah.
4 MR. ARGUS: How many acres is it?
5 MR. ROSS: The total parcel is -- I want
6 to say it's around five -- no. Excuse me.
7 It's only a little over two. It's a little
8 over two.
9 CHAIRMAN RAGUSA: Weird land.
10 MR. ROSS: Yeah.
11 CHAIRMAN RAGUSA: (Inaudible.)
12 MR. ROSS: I didn't look at the
13 underlying mortgage, because I just saw it
14 this past week, and I was just updating for
15 this meeting here and saw that the judgment
16 from Pasco had been recorded in Hillsborough,
17 and that's when I began to do the legwork.
18 MR. MENDENHALL: Brian, could I get a
19 copy for the record?
20 MR. ROSS: Yeah.
21 MR. MENDENHALL: Thank you.
22 MR. ARGUS: Do you have packets for each
23 of us?
24 MR. ROSS: Yeah.
25 CHAIRMAN RAGUSA: I would make a

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1 recommendation -- since you've done such a
2 superlative job thus far, I would ask that you
3 go back and talk to Heritage Bank, which
4 arguably is the title owner of that parcel of
5 property.
6 And now that we have a better
7 understanding of what their foreclosure amount
8 was, now I think you can at least raise the
9 issue with the bank just to see how they want
10 to treat this property and what their
11 intentions are. And I think you may be able
12 to present your win-win to them, as well.
13 MR. ROSS: Okay.
14 MR. CHESNEY: It's still a big amount.
15 CHAIRMAN RAGUSA: It's -- well, any
16 foreclosure number is going to be very large.
17 MR. ROSS: That's just the packet I put
18 together beforehand.
19 CHAIRMAN RAGUSA: Is there anybody in
20 disagreement?
21 MR. ARGUS: Nope.
22 MR. BARRETT: Is there --
23 CHAIRMAN RAGUSA: Mr. Barrett.
24 MR. BARRETT: I'm sorry. Is there any
25 way to get an accurate value of that land

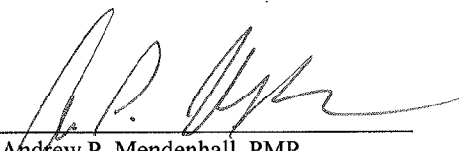
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1 currently?
2 MR. CHESNEY: The property appraiser
3 site said, what, 280 or something?
4 MR. ROSS: Yeah.
5 MR. BARRETT: So that's significantly
6 lower than the bank foreclosure.
7 CHAIRMAN RAGUSA: 25 percent.
8 MR. ROSS: It's on LoopNet for 755.
9 2.13 acres. Now whether that's the value --
10 MR. CHESNEY: The foreclosure amount is
11 big.
12 CHAIRMAN RAGUSA: Well, (inaudible) it's
13 1.4.
14 MR. CHESNEY: Yeah.
15 MR. ROSS: I believe she bought it for
16 1.8. The original mortgage was 1.5.
17 MR. CHESNEY: It's a big haircut.
18 CHAIRMAN RAGUSA: I think it's worth
19 exploring with the bank.
20 MR. ROSS: I'll be glad to contact
21 Mr. Reeves.
22 MR. CHESNEY: All right.
23 CHAIRMAN RAGUSA: Any other supervisor
24 comments?
25 (No response.)

1 CHAIRMAN RAGUSA: Any resident
 2 comments?
 3 (No response.)
 4 CHAIRMAN RAGUSA: Just a very -- just a
 5 little side note: At the July meeting we will
 6 have a group of Boy Scouts in attendance.
 7 Hopefully, they won't get caught up with the
 8 rest of the residents. They -- they'll be
 9 sitting in the back; they'll be very quiet.
 10 They are observing a governmental
 11 meeting for some citizenship merit badges, and
 12 they are boys from a Boy Scout troop that Greg
 13 and I are affiliated with.
 14 MR. ARGUS: Do we have enough room here,
 15 or should we move it to the other facility?
 16 CHAIRMAN RAGUSA: We'll be fine, I
 17 think. They can stand if they need to.
 18 MR. ARGUS: Okay.
 19 MS. WHYTE: The meeting is July 9th.
 20 CHAIRMAN RAGUSA: Thank you. The WCA
 21 has the wrong dates on their materials.
 22 MS. WHYTE: I've already -- I've already
 23 indicated that to them, and they will make the
 24 changes.
 25 CHAIRMAN RAGUSA: Okay. Anything

1 further?
 2 (No response.)
 3 CHAIRMAN RAGUSA: Motion to adjourn
 4 would be appropriate.
 5 MR. ROSS: So moved.
 6 CHAIRMAN RAGUSA: Seconded by who?
 7 MR. ZEIGLER: Second.
 8 CHAIRMAN RAGUSA: All in favor, raise
 9 your hand.
 10 (All board members raised their hands.)
 11 CHAIRMAN RAGUSA: That motion passes
 12 five to nothing.
 13 (Motion passes.)
 14 CHAIRMAN RAGUSA: Thank you. Goodnight.
 15 (At 7:16 p.m., the proceedings were
 16 concluded.)
 17
 18
 19
 20
 21
 22
 23
 24
 25


 Mark Ragusa
 Chairman, Westchase CDD


 Andrew P. Mendenhall, PMP
 Secretary, Westchase CDD