

RE: WESTCHASE COMMUNITY DEVELOPMENT DISTRICT

TRANSCRIPT OF: BOARD MEETING

DATE: August 6, 2013

TIME: 4:05 p.m. - 6:02 p.m.

PLACE: Westchase Community
Association Office
10049 Parley Drive
Tampa, FloridaREPORTED BY: Kimberly Ann Roberts
Notary Public
State of Florida at LargeRICHARD LEE REPORTING
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100 North Tampa Street, Suite 2060 535 Central Avenue
Tampa, Florida 33602 St. Petersburg, Florida 33701APPEARANCES:
WESTCHASE COMMUNITY DEVELOPMENT
DISTRICT BOARD MEMBERS:Mark Ragusa, Chairman
Greg Chesney
Brian Ross
Brian Zeigler
Bob Argus

ALSO PRESENT:

WESTCHASE COUNSEL:

Erin McCormick, Esquire

SEVERN TRENT SERVICES:

Andy Mendenhall, District Manager
Alan Baldwin, Accounting

WESTCHASE STAFF:

Doug Mays
Sonny Whyte

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1 The transcript of Westchase Community
 2 Development District Board Meeting, on the 6th day
 3 of August, 2013, at the Westchase Community
 4 Association Office, 10049 Parley Drive, Tampa,
 5 Florida, beginning at 4:05 p.m., reported by
 6 Kimberly Ann Roberts, Notary Public in and for the
 7 State of Florida at Large.
 8 * * * * *

9 CHAIRMAN RAGUSA: Good afternoon.
 10 Welcome to the August 6, 2013 Westchase
 11 Community Development District meeting.
 12 I'm Mark Ragusa. I would like to
 13 welcome everybody here again, and the record
 14 should reflect all supervisors are present.
 15 If you would please rise and join me in the
 16 Pledge of Allegiance.
 17 (The Pledge of Allegiance was recited.)
 18 CHAIRMAN RAGUSA: The first item is the
 19 consent agenda. You should have received the
 20 July 9 meeting minutes, along with the
 21 financial statements as of June 30, 2013.
 22 Mr. Argus submitted two scrivener errors,
 23 Pages 74 and 113, I believe. They do appear
 24 to be scrivener errors. They are not
 25 substantive in any way, shape or form.

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1 Did anybody have any submittals or
 2 issues with the minutes or the financial
 3 statements?
 4 (No response.)
 5 CHAIRMAN RAGUSA: Hearing none, a motion
 6 to approve the consent agenda would be
 7 appropriate.
 8 MR. ARGUS: So move.
 9 CHAIRMAN RAGUSA: Do we have a second?
 10 MR. ZEIGLER: Seconded.
 11 CHAIRMAN RAGUSA: Any further
 12 discussion.
 13 (No response.)
 14 CHAIRMAN RAGUSA: All in favor, please
 15 raise your hand.
 16 (All board members signify in the
 17 affirmative.)
 18 CHAIRMAN RAGUSA: That motion passes
 19 five to nothing.
 20 (Motion passes.)
 21 CHAIRMAN RAGUSA: I'm going to go
 22 slightly out of order here. We have a
 23 resident who I suspect wants to address an
 24 issue.
 25 Doug, why don't you just give us the

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1 background here, and then we'll ask -- if the
 2 resident wants to speak, we'll go ahead and
 3 have the resident come up and identify
 4 himself.
 5 MR. MAYES: Basically, a few months ago,
 6 we identified an area that a resident had
 7 planted some plant material down by the canal,
 8 stating it was for erosion reasons that she
 9 did it. I mentioned to her that our landscape
 10 company was having a hard time mowing around
 11 that lake, because of that, she would need to
 12 remove it.
 13 At the time, she said it was not going
 14 to be a problem. She gave us access, even
 15 said it would be okay to remove it, and then
 16 had a change of heart, I'm assuming, because
 17 she sent us an email saying that she did not
 18 want us on her property and she did not want
 19 us to remove it.
 20 So it's been brought up to the board
 21 meeting, I guess, a few months ago; and since
 22 then, Ms. McCormick has been told to send the
 23 resident a letter, which, in turn, she has
 24 been -- I guess the letter has gotten to her.
 25 The plant material is still there. I'm

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1 assuming that she's not really wanting to
 2 comply with it. I am not sure where we stand
 3 on that. I know it's CDD property. Tonja's
 4 looked at it. It is our property.
 5 And from there, we have the man that
 6 lives next door to her, Mike. Mike is, I
 7 guess, here just in case we need to have any
 8 information brought up by him about the
 9 situation. He's telling me that now the plant
 10 material is not only not even taken care of,
 11 but it's mostly full of weeds these days.
 12 So I'm not even sure what the situation
 13 is, if she just hasn't had time to even try to
 14 maintain it, but -- or if she does plan on
 15 removing the plant material. We haven't had
 16 discussions with her. So we're at a situation
 17 where we need try to get the board to make a
 18 decision about if we could go in there and
 19 manually remove it or what the board would
 20 like to do.
 21 CHAIRMAN RAGUSA: Erin.
 22 MS. MCCORMICK: I would just add to
 23 that. I did send her a certified letter on
 24 July 25th. That must be the letter that she's
 25 received. And in that, I noted to her that it

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1 had come to the attention of the district that
 2 that planting was replaced and it was
 3 interfering with our ability to maintain our
 4 easement area around the pond, and I told her
 5 the plant materials needed to be removed or
 6 relocated within 30 days of the July 25th day
 7 or failure to remedy could result in the
 8 district taking action to remove the plants
 9 and to charge the cost for that removal to
 10 her.
 11 CHAIRMAN RAGUSA: Does the neighbor want
 12 to have any input?
 13 MR. COURTNER: No. I mean, that's it,
 14 so --
 15 CHAIRMAN RAGUSA: Just come up and
 16 identify yourself.
 17 MR. COURTNER: I'm Michael Courtner. I
 18 live at 12328 Glenfield.
 19 MR. ROSS: Can I just make a point real
 20 quick?
 21 CHAIRMAN RAGUSA: Yes.
 22 MR. ROSS: Before you speak, I hate to
 23 just come down or appear to come down as one
 24 neighbor versus another neighbor and we're
 25 taking sides, and so before he speaks, can we

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1 first look at whether there is some consensus
 2 for action?
 3 And it may very well be whatever we then
 4 decide to do would be acceptable to him, and,
 5 that way, it won't come across as we're taking
 6 sides. I just throw that out for thought.
 7 CHAIRMAN RAGUSA: And that's a very good
 8 -- very good comment. I think historically
 9 anybody that follows the CDD would know what
 10 we do is not to take sides in a resident
 11 fight.
 12 MR. ROSS: Agreed.
 13 CHAIRMAN RAGUSA: And this is all about
 14 the CDD enforcing its rights to real property,
 15 so -- and I will give you an opportunity to
 16 speak.
 17 MR. COURTNER: Yeah. Yeah. No.
 18 Please.
 19 CHAIRMAN RAGUSA: It may be better that
 20 there's a motion on the table before you
 21 speak, so I'm basically -- Mr. Argus, do you
 22 want to start us off?
 23 MR. ARGUS: I have a couple questions.
 24 I've heard the term "easement," and I also
 25 heard mention that "we own the land," so I'm

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1 confused as to what our rights are with this
 2 piece of property where the plants are.
 3 Is it our land, or do we just have an
 4 easement, maintenance easement?
 5 MR. MAYS: It's our land. It's one of
 6 the lakes that we have the land perimeter
 7 around it, so it's one of the lakes we own.
 8 CHAIRMAN RAGUSA: Is that right?
 9 MS. McCORMICK: Yes. Yes. That
 10 property was deeded to the district by fee
 11 simple deed. And I had given Ms. Curley
 12 the information about that in my letter to
 13 her.
 14 MR. ARGUS: Okay. So she's essentially
 15 encroaching on our land, and if we don't do
 16 something about it, then potentially down the
 17 road, we may lose the right to have that land,
 18 sort of squatter's rights.
 19 MS. McCORMICK: Well, I think that the
 20 immediate problem is that it's impacting the
 21 ability of the landscaping company to mow
 22 around the pond, but, you know, you raise an
 23 issue.
 24 I mean, it is a concern. It's the
 25 district's property, so we need to protect our

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1 rights with respect to that property as well.
 2 CHAIRMAN RAGUSA: Any other -- Mr. Ross.
 3 MR. ROSS: Separate from the land that
 4 we own upon which we would clearly have a
 5 right to self-help, is there immediate
 6 adjacent land that we have a maintenance
 7 easement? And, if so, is this plant material
 8 on that parcel as well?
 9 MS. McCORMICK: Based on my notes here,
 10 I only noted that we have the ten-foot strip
 11 that is around the pond.
 12 MR. ROSS: Do we own the --
 13 MS. McCORMICK: Yes. Yes. I would have
 14 to go back and look and see if there is any
 15 easement that extends further into her lot.
 16 Not that I'm aware of at this time.
 17 MR. ROSS: The reason I ask is, if we
 18 were to exercise our rights with regard to our
 19 parcel, it would make sense from a cost
 20 perspective to go ahead and do the same thing
 21 with regard to a parcel upon which we have a
 22 maintenance easement.
 23 MS. McCORMICK: Right. Right. I'll
 24 look at that issue.
 25 MR. ROSS: Okay.

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|---|--|
| <p style="text-align: right;">Page 13</p> <p>1 CHAIRMAN RAGUSA: Mr. Ross.</p> <p>2 MR. ROSS: I make the motion that we</p> <p>3 proceed to remove the plant material from our</p> <p>4 property and any property upon which we have a</p> <p>5 maintenance easement.</p> <p>6 MR. CHESNEY: Second.</p> <p>7 MS. McCORMICK: Would you want to wait</p> <p>8 until after the 30 days has expired from the</p> <p>9 date that that letter was sent?</p> <p>10 MR. ROSS: Yes. Thank you for that</p> <p>11 clarification.</p> <p>12 MS. McCORMICK: Okay.</p> <p>13 CHAIRMAN RAGUSA: Okay.</p> <p>14 MR. CHESNEY: Second.</p> <p>15 CHAIRMAN RAGUSA: We have a second. All</p> <p>16 right. Now discussion. Now, you can -- do</p> <p>17 you want to come up?</p> <p>18 MR. COURTNER: Again, Mike Courtner,</p> <p>19 neighbor from there. So, yeah, my only</p> <p>20 concern is the area is not being maintained.</p> <p>21 It is -- it's not plant material at this</p> <p>22 point.</p> <p>23 There's definitely some plant material</p> <p>24 in there that was planted, but it's much more</p> <p>25 than that. It's overgrown. Nobody goes and</p> | <p style="text-align: right;">Page 15</p> <p>1 involved, even though it's our property?</p> <p>2 Would there be any kind of expectation of</p> <p>3 that, like, you know, "Get off my property"</p> <p>4 type of situation?</p> <p>5 MR. MAYS: No, I can't -- I don't see</p> <p>6 that, but --</p> <p>7 MS. McCORMICK: Well, she sent a letter</p> <p>8 that was forwarded to me that -- an email to</p> <p>9 me, and I do know that she had indicated that</p> <p>10 she had an attorney that she had consulted</p> <p>11 with and that she was indicating that she did</p> <p>12 not agree to allow the district to go in there</p> <p>13 and remove the property.</p> <p>14 MR. ZEIGLER: That's what I understood.</p> <p>15 So I don't expect this to be done quietly. I</p> <p>16 would imagine it would probably have a little</p> <p>17 fireworks to go with it.</p> <p>18 MR. MAYS: It's a possibility. I was</p> <p>19 thinking more of attorney reasons, but we have</p> <p>20 the easement around, and we go to this one,</p> <p>21 and then we have to turn around and go back to</p> <p>22 do that. So, I mean, there's ways on our</p> <p>23 easement to get back there without encroaching</p> <p>24 on any homeowner's property technically.</p> <p>25 MR. COURTNER: You can encroach on mine</p> |
| <p style="text-align: right;">Page 14</p> <p>1 cuts it, maintains. It's become a dumping</p> <p>2 ground for other plant material.</p> <p>3 When bushes are being trimmed and things</p> <p>4 like that, a lot of -- earlier in the season,</p> <p>5 before the rainy season, it was all dried up</p> <p>6 in there, it's just an eyesore and caused a</p> <p>7 concern. I was just hoping that it could be</p> <p>8 maintained, not necessarily completely taken</p> <p>9 down, just maintained. That was my only</p> <p>10 thing.</p> <p>11 CHAIRMAN RAGUSA: Okay. Supervisor</p> <p>12 comments. Mr. Argus.</p> <p>13 MR. ARGUS: If we were to remove the</p> <p>14 plant material ourselves, is there an</p> <p>15 estimated cost involved?</p> <p>16 MR. MAYS: Probably about an hour man-</p> <p>17 hours, two hours man-hours -- two man-hours</p> <p>18 and a truck to haul it --</p> <p>19 MR. ARGUS: So it's not a significant</p> <p>20 amount of money.</p> <p>21 MR. MAYS: No. No.</p> <p>22 MR. ARGUS: Okay.</p> <p>23 MR. ZEIGLER: Should we remove it, is</p> <p>24 there any issue that you foresee with her</p> <p>25 escalating it, you know, getting police</p> | <p style="text-align: right;">Page 16</p> <p>1 to take care of it. I'd be more than happy</p> <p>2 for you to do that.</p> <p>3 MR. MAYS: We have permission from one</p> <p>4 resident, so --</p> <p>5 MR. COURTNER: And it's right there</p> <p>6 where it's --</p> <p>7 CHAIRMAN RAGUSA: Mr. Ross.</p> <p>8 MR. ROSS: I just want to clarify that</p> <p>9 my motion wasn't to make alterations to the</p> <p>10 plant material so as to appear more</p> <p>11 aesthetically pleasing. My motion was to</p> <p>12 actually remove it.</p> <p>13 My concern is not just us cost</p> <p>14 effectively exercising our maintenance</p> <p>15 obligations, but God forbid there's actually</p> <p>16 an incident out there. A mower or a piece of</p> <p>17 equipment turns over, and we need to have</p> <p>18 people getting in and out, and they're blocked</p> <p>19 by some plant material.</p> <p>20 I mean, I hope that would never happen,</p> <p>21 but there's a little bit of a broader concern</p> <p>22 on my part, so -- it's to actually remove it.</p> <p>23 CHAIRMAN RAGUSA: Okay. Any further</p> <p>24 discussion?</p> <p>25 (No response.)</p> |

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| <p style="text-align: right;">Page 17</p> <p>1 CHAIRMAN RAGUSA: All in favor of the 2 motion, please raise their hand. 3 (All board members signify in the 4 affirmative.) 5 CHAIRMAN RAGUSA: That motion passes 6 five to nothing. 7 (Motion passes.) 8 CHAIRMAN RAGUSA: Thank you. 9 MR. COURTNER: Thank you. 10 CHAIRMAN RAGUSA: All right. Do we have 11 a motion to open the public hearing for the 12 consideration of the adoption of the budget 13 for the fiscal year 2014? This would be 14 Resolution 2013-3. 15 MR. ARGUS: So move. 16 CHAIRMAN RAGUSA: Do we have a second? 17 MR. ROSS: Second. 18 CHAIRMAN RAGUSA: The public hearing is 19 then hereby opened. 20 Do we have any public comment on 2014 21 proposed budget? 22 (No response.) 23 CHAIRMAN RAGUSA: Do we need to discuss 24 it in public hearing or after public hearing? 25 MS. McCORMICK: You can close the public</p> | <p style="text-align: right;">Page 19</p> <p>1 public hearing would be appropriate. 2 MR. ZEIGLER: So move. 3 MR. ARGUS: Second. 4 CHAIRMAN RAGUSA: All in favor to close 5 the public hearing, please raise your hand. 6 (All board members signify in the 7 affirmative.) 8 CHAIRMAN RAGUSA: That motion passes 9 five to nothing. 10 (Motion passes.) 11 CHAIRMAN RAGUSA: All right. Supervisor 12 comments on 2013 budget. We welcome Alan to 13 our meeting. 14 MR. BALDWIN: 2014. 15 CHAIRMAN RAGUSA: 2014 budget. Thank 16 you. I misspoke. Alan, do you just want to 17 start off and tell us where you are with 18 respect to what you've done with respect to 19 you've done since our July 9 meeting? 20 MR. BALDWIN: For the most part, what we 21 have done is updated the actuals to show -- to 22 reflect the June activity, 2013. 23 We did project some of the additional 24 expenses for a chipper and a -- signage, I 25 believe, are the two that we have also being</p> |
| <p style="text-align: right;">Page 18</p> <p>1 hearing and then have a discussion by the 2 board. 3 CHAIRMAN RAGUSA: Okay. Again, second 4 chance, any public residents or any public 5 resident or anyone else wishing to discuss the 6 2014 proposed budget? 7 (No response.) 8 CHAIRMAN RAGUSA: Okay. Hearing none, a 9 motion -- 10 MR. ARGUS: Proposed changes we can do 11 after we close the public -- 12 CHAIRMAN RAGUSA: Yes, we'll have a 13 discussion once -- 14 MR. ARGUS: Okay. All right. 15 CHAIRMAN RAGUSA: Yes, sir. 16 MR. MENDENHALL: Mr. Chair, if I can 17 note for the record, we did receive 18 approximately ten calls once the letters went 19 out to the community, just as a reference 20 point, for public input. 21 CHAIRMAN RAGUSA: Okay. 22 MR. MENDENHALL: Most of them were 23 clarification calls, understanding the CDD and 24 what the letter was about. 25 CHAIRMAN RAGUSA: Motion to close the</p> | <p style="text-align: right;">Page 20</p> <p>1 projected, and it's under the capital outlay 2 "Other." 3 MR. MENDENHALL: I think Sonny has a 4 question. 5 MS. WHYTE: It's a chipper and a pond 6 fountain. 7 MR. MENDENHALL: A fountain, yeah. 8 MR. BALDWIN: I'm sorry. A fountain, 9 that's correct. I'm sorry. It's 22,800 for 10 the chipper, and then we -- there's an 11 estimate of 25,000 for the fountain, to be 12 projected under the fiscal year 2013 actuals. 13 All the other funds, all the same thing: 14 We just updated the actuals to June 7, '13. 15 The only other questions is we have is on Fund 16 003, the Enclave, with the street lights. I'm 17 not sure if anything was going to be done this 18 fiscal year or whether or not we're just going 19 to maintain what we're currently doing and 20 then address it in the next budget. 21 MS. McCORMICK: We don't have a 22 resolution with that association. that's -- 23 MR. CHESNEY: Right. And last month we 24 talked about just leaving it alone. 25 MR. BALDWIN: Okay.</p> |

1 MR. CHESNEY: I mean, it's been like
2 that for a year, so --

3 MR. BALDWIN: And then the other one was
4 Fund 004, Saville Rowe. The only question we
5 had out there is, are we going to assess them
6 for the nine thousand dollars of assessments
7 -- \$9,862, or zero it and they reduce some of
8 their fund balance for it because they have a
9 large fund balance.

10 MR. CHESNEY: We talked last about using
11 the fund balance.

12 CHAIRMAN RAGUSA: That was my
13 understanding.

14 MR. BALDWIN: Then what I can do is, I
15 can have the assessments dropped down to zero
16 for that specific fund, if you would like.

17 MR. CHESNEY: Yeah, because we were
18 going to zero it out, if I remember correctly.
19 I'm sorry. I can't get to the --

20 MS. WHYTE: Do you want this --

21 MR. CHESNEY: No. I'm going to go back
22 to the paper thing because I can't find the
23 tabs. Sorry.

24 MR. BALDWIN: You have Insurance, R&M
25 General, R&M Gate, R&M Street Lights, and then

1 some road reserves. You have about \$9,600
2 expenses for the fiscal year '14, but they
3 have a large fund balance.

4 MR. ARGUS: Of what?

5 MR. BALDWIN: In taking consideration
6 their first quarter operating reserve, plus
7 all their prior year reserves, including the
8 2014, they still have in unassigned cash of
9 \$37,052.

10 CHAIRMAN RAGUSA: Which fund number?

11 MR. BALDWIN: This is fund 004, Saville
12 Rowe.

13 MS. WHYTE: Does that include the road
14 repaving?

15 MR. BALDWIN: I'm sorry?

16 MS. WHYTE: Does that include the road
17 repaving?

18 MR. BALDWIN: Yes.

19 MR. CHESNEY: Yeah, that is in excess of
20 it.

21 MR. BALDWIN: That's in excess --

22 MR. CHESNEY: It's actually \$61,000.

23 MR. BALDWIN: Well -- but then I'm
24 looking at what's been reserved for roads, et
25 cetera, and the ending balance in unassigned

1 cash is 37,000. So for their \$9,600 worth of
2 assessments, we could feasibly use their funds
3 balance in order to lower that excess amount
4 of money, but it's up to the board.

5 CHAIRMAN RAGUSA: Greg, is your concern
6 that they have too high a fund balance for
7 their budget?

8 MR. CHESNEY: Yeah. So, I mean, you
9 zero -- we have done it before where we zero
10 it for a while and then we bring it back.

11 MR. BALDWIN: Correct, we have done this
12 before with other funds, where they had such a
13 large unassigned cash that we could do it for
14 a few years and then slowly bring it back
15 into it.

16 MR. ARGUS: I believe one of the ones we
17 did that to was Stonebridge, and then somebody
18 wrecked the gate, and then they were negative
19 for a couple of years till they caught up.

20 CHAIRMAN RAGUSA: They've got enough
21 money here.

22 MR. ARGUS: Yeah, this is a different
23 situation.

24 So we have enough for the \$30,000 in
25 road repairs; that is, the repaving that's

1 scheduled within the next few years.

2 MR. BALDWIN: Correct.

3 MR. ARGUS: And that's still -- they
4 have 37,000 above that.

5 MR. BALDWIN: Right now, we have -- with
6 all assigned fund balances, you have \$27,366
7 in assigned funds, and it leaves an unassigned
8 cash with thirty seven fifty two. And, yes,
9 that's taking into consideration the road
10 reserves, replacement that's anticipated to be
11 done in fiscal year 2015.

12 MR. ARGUS: Then the other question I
13 have is, where their annual budget is about
14 \$10,000 for this year, is that included in
15 that 37,000?

16 MR. BALDWIN: Yes.

17 MR. ARGUS: Is that revenue coming in,
18 contributing to that 37,000, so it would be
19 actually that we zero it out; the 37,000
20 becomes closer to 27,000?

21 MR. BALDWIN: Correct.

22 CHAIRMAN RAGUSA: No. Thirty five --
23 thirty four ninety two is set aside on the '14
24 budget for those road reserves. So if we were
25 to not assess the ninety six forty three -- am

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1 I right?

2 MR. BALDWIN: Correct.

3 CHAIRMAN RAGUSA: -- it's actually

4 ninety six forty three, but you lose thirty

5 four ninety two from your assigned fund

6 balance.

7 MR. BALDWIN: No. The expense is still

8 out there as a budgeted expense. You're just

9 not collecting the revenue for it. Basically

10 what you're doing is, you're using the

11 unassigned cash to cover all those expenses

12 into 2014.

13 CHAIRMAN RAGUSA: I'm looking at the

14 allocation of available funds. You're showing

15 available funds at thirty four ninety two,

16 fiscal year '14. That money will not be there

17 if we don't assess. Correct?

18 MR. BALDWIN: It's still -- when you

19 budget your reserves, when you assign your

20 road reserves, those monies are on the balance

21 sheet saying this is set aside. Whether

22 you're collecting assessments, you're still

23 setting that money aside to cover those

24 expenses.

25 CHAIRMAN RAGUSA: I'm looking at --

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1 MR. MENDENHALL: You're talking about

2 addition after the year.

3 CHAIRMAN RAGUSA: Correct. Right.

4 MR. MENDENHALL: If you don't use it --

5 in other words, he's looking at the exhibit,

6 so if you --

7 MR. BALDWIN: It'll still show as an

8 addition up above because it is budgeted.

9 It's not -- it's not budgeted --

10 CHAIRMAN RAGUSA: Correct. Thank you.

11 I gotcha. Thanks.

12 All right. Is there consensus that

13 we're going to go ahead and not assess

14 Saville Rowe under Fund 004 for the annual

15 assessment --

16 MR. ROSS: Yes.

17 CHAIRMAN RAGUSA: -- and we'll utilize a

18 portion of the unassigned cash?

19 MR. ARGUS: Yes.

20 CHAIRMAN RAGUSA: Okay. Can you make

21 that change, Alan?

22 MR. BALDWIN: Yes, I did. So right now

23 it's basically considered budgeted, not in

24 balance, because you don't have the revenues

25 that match the expenses, so right now, down

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1 below, it will show as "Other Financing Uses,"

2 and it's going to show \$9,073 as a negative.

3 In other words, we're using \$9,073 to cover

4 the revenues.

5 CHAIRMAN RAGUSA: Okay.

6 MR. BALDWIN: And it will bring down the

7 unassigned cash down to 28,077.

8 CHAIRMAN RAGUSA: What's your next

9 issue?

10 MR. BALDWIN: That's all I have.

11 CHAIRMAN RAGUSA: Okay. I think the big

12 issue we have to walk through are the capital

13 account -- or is the capital account.

14 MR. CHESNEY: Right.

15 CHAIRMAN RAGUSA: So who wants to start

16 that off? Mr. Ross.

17 MR. ROSS: A question that I have is

18 whether or not there is a standard in the

19 industry capital outlay amount that you see

20 with districts.

21 By way of example, do you see them

22 budget two percent of their annual budget just

23 for the sort of items that might come up,

24 whether it's they've got to replace a

25 fountain, do this or that?

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1 Is there a number, whether it's zero or

2 something above that?

3 MR. BALDWIN: Your example of like

4 replacing a fountain is more repairs and

5 maintenance. So it's not something that you

6 would assign funds for, in other words,

7 designate -- by designating these funds.

8 What typically happens is, you have an

9 engineer, like we did with the roads, saying,

10 "Okay. This is when we expect the roads -- we

11 need to replace -- this is how much we think

12 it's going to cost," and then we -- then the

13 board decides to bump that up by, I think, 15

14 percent or 20 percent, so that when we knew

15 when we'd come out to that time frame, what

16 needs to be done, then that money would be

17 available for those issues.

18 So do districts do this? Yes. I mean,

19 only because they have -- if they have

20 assets. If a district has any assets and they

21 own them, they need to maintain them, then,

22 yes, they usually do budget to replacement

23 cost.

24 Repairs and maintenance is under 009.

25 But for replacements costs, that's what you

1 usually budget for.

2 MR. ROSS: What's confusing me about
3 your answer is, I understand and agree that we
4 would want to have line items for maintenance
5 replacements and repair, and I believe we --
6 every day I've been on this board, we've had
7 that.

8 What we now have, though, is a line item
9 called "Capital Outlay," and I'm curious as to
10 separate from those normal budgeting for
11 maintenance, repair and replacement, do you
12 see people do a capital outlay?

13 And so maybe my example is bad, but they
14 set a number where they say, "Maybe this year
15 we're going to buy a vehicle," or "This year
16 we're going to buy whatever." And if they do
17 that, how do we determine what's an
18 appropriate approach?

19 I don't want to be arbitrary and say a
20 hundred thousand or two hundred thousand. Is
21 it a formulaic approach or something that --

22 MR. MENDENHALL: If I can jump in, just
23 from some of my experience, especially going
24 through a lot of budgets just in the past
25 couple months, typically, at least, from what

1 So I usually see a pretty clear
2 distinction between capital outlay, which is
3 project based and planned, and then
4 contingency, which would be more of unexpected,
5 albeit it can still be a capital expense.

6 MR. ROSS: So since there's no projects
7 that we've approved, I hear you saying then
8 that line item will typically be zero, and
9 then separate from that, if we're worried
10 about contingencies, we might have a
11 contingency line item.

12 MR. MENDENHALL: That's how I would --
13 that's how I would normally see it, in
14 those --

15 MR. ROSS: That was helpful. Thank you.

16 CHAIRMAN RAGUSA: Mr. Chesney.

17 MR. CHESNEY: Okay. Can I go back to
18 one thing? On the chipper here, did I read
19 this right? You put it in a projected
20 column?

21 MR. BALDWIN: Yes.

22 MR. CHESNEY: But we already bought it.

23 MR. BALDWIN: Your chipper was purchased
24 in July, but these are June financials, so
25 it's under "Projections."

1 I've seen, from a capital outlay perspective,
2 what usually happens with that line item is
3 boards will think about what's our project
4 list? What level of projects do we want to
5 take on?

6 They don't necessarily, at least not
7 that I've seen, set a certain percentage; they
8 usually get their list together, find out
9 their estimates, much like you have, and then
10 determine, "Okay, we have ten projects. We
11 only want to actually do six of them," or "We
12 can only afford to do three of them," or
13 whatever the case might be, from what I see
14 from a percentage perspective would be more
15 related to a contingency line item.

16 And if a board says, "Well, we're going
17 to have -- unexpectedly we might have
18 something like a chipper that we buy next
19 year, but we don't know what it is," so in a
20 lot of those cases, in the same way, they
21 might determine a percentage or a threshold.
22 They might look at past history and say,
23 "Well, we usually run about, you know, X
24 amount of dollars in unexpected capital-type
25 purchases."

1 Are you looking at the budget, or are
2 you looking at --

3 MR. CHESNEY: I gotcha. Okay.

4 MR. BALDWIN: It was paid in July, but
5 these projections -- your actual is current so
6 far to date up through June.

7 MR. CHESNEY: Okay. So you've paid for
8 June and paid for the fountain.

9 MR. MAYS: No, not yet. It should be
10 the end of the month.

11 MR. CHESNEY: But that -- okay.

12 MR. BALDWIN: That's 25,000.

13 MR. CHESNEY: Okay. Projected -- I'm
14 very confused --

15 MR. MENDENHALL: So when you get --

16 MR. CHESNEY: -- when you do projected
17 versus actual --

18 MR. MENDENHALL: -- when you get your
19 next set of financials, it'll change to --

20 MR. CHESNEY: Okay. And I notice that
21 -- okay. And I notice it's still in at a
22 hundred thousand capital outlay number.

23 MR. ARGUS: Uh-huh.

24 MR. CHESNEY: Okay. Because we talked
25 about forty.

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| <p style="text-align: right;">Page 33</p> <p>1 MR. ARGUS: How much do you want to 2 increase it? 3 MR. CHESNEY: Yeah. All right. 4 MR. BALDWIN: I mean, based upon the 5 budget narrative, I mean, for the capital 6 outlay, since we did some things for the 7 current year, we took out some of these line 8 items, because we said we should probably 9 specify what they are. 10 And right now, we still have the LED 11 signage, splash park and volleyball court 12 that's listed on your narrative. 13 MR. ZEIGLER: But is the intention to 14 not necessarily dip into that, as opposed to 15 going into reserves? Is that what the 16 intention is? 17 MR. MENDENHALL: You've had 18 conversations of both actually. At least the 19 last time we talked about it, there was a 20 little bit more weight there to potentially 21 using your cash balance for your reserves. 22 Both are actually available. But that was the 23 most recent conversation. 24 Obviously it's philosophical on which 25 way you want to go. I mean, you have the</p> | <p style="text-align: right;">Page 35</p> <p>1 budget for the chipper and the fountain, and 2 that's why we put it off. 3 MR. CHESNEY: Okay. 4 MR. MENDENHALL: So certainly you can 5 decide today to move it to forty or any figure 6 that's appropriate. 7 MR. CHESNEY: I suggested zero, if you 8 recall, so -- 9 MR. ROSS: Which I'm not prepared to 10 embrace, given the clarification they gave us, 11 that -- 12 MR. CHESNEY: Okay. But, I mean -- 13 MR. ARGUS: But if we go to zero, then 14 what about the projects we've been talking 15 about? The volleyball court, are we telling 16 the residents we're not going to be doing that 17 next year? 18 MR. CHESNEY: No, not at all. 19 MR. ARGUS: The splash park, the dog 20 park -- 21 MR. CHESNEY: Not at all. 22 MR. ARGUS: -- postpone the truck? Then 23 where are we getting the money for that? 24 CHAIRMAN RAGUSA: Mr. Ross. 25 MR. ROSS: I believe we agreed to put</p> |
| <p style="text-align: right;">Page 34</p> <p>1 hundred thousand right now at least on your 2 operations and maintenance budget, so -- 3 MR. ZEIGLER: It just otherwise won't 4 fall into reserves. It's just you're blocking 5 it out -- 6 MR. MENDENHALL: Correct. 7 MR. ZEIGLER: -- more specifically. 8 MR. BALDWIN: Well, it comes out as 9 being unassigned cash. I don't want to say 10 reserves, because reserves are money that's 11 specifically set aside for a project. 12 MR. ZEIGLER: Okay. 13 MR. BALDWIN: And that's why I said, 14 "Unassigned cash." It'll just add to that 15 bucket or decrease the bucket depending on 16 which way you're going with that. 17 MR. CHESNEY: So last month we had a 18 motion that was made by Brian and seconded to 19 move it to 40,000, and then we tabled it or 20 something. 21 MR. ARGUS: Uh-huh. 22 MR. ROSS: It's because of that very 23 issue you mentioned, something for our 24 projections current. There was a concern 25 whether we had adequate room in this year's</p> | <p style="text-align: right;">Page 36</p> <p>1 off the volleyball court until Westchase 2 center was completed. 3 MR. ARGUS: But we should be hearing in 4 the next few months whether or not that's 5 going to affect it, so we should be budgeting 6 -- if we're going to do a volleyball court, 7 even though we may have tabled the motion, we 8 should, because it's a budget, plan for that, 9 and allocate the funds accordingly. 10 MR. ROSS: Where I would disagree with 11 you, and this is where we take different 12 approaches, is we have not agreed to do a 13 volleyball court, so, in my mind, there are 14 lots of things we might talk about, such as we 15 talk about LED signs, but we didn't agree to 16 do it. 17 It was -- in my view, there was a lack 18 of consensus here. So it's almost 19 inappropriate in my mind to budget for 20 something that we haven't agreed to do. 21 So back to your laundry list, I think we 22 agreed to put off the volleyball court, I 23 think we exhausted the signage issue, and we 24 failed to come to a consensus. We went ahead 25 and knocked out the chipper, we went ahead and</p> |

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| <p style="text-align: right;">Page 37</p> <p>1 knocked out the pond fountain.</p> <p>2 With regard to the vehicle, I personally</p> <p>3 was going to suggest now that we have updated</p> <p>4 our projections, I see we've got a 40,000</p> <p>5 excess projected for this year, I think there</p> <p>6 is room to tackle the vehicle this year; and</p> <p>7 then with regard to the splash park, I think</p> <p>8 the agreement we had or consensus -- I can't</p> <p>9 remember there was a motion or not -- it was</p> <p>10 my motion -- was we were going to pay out of</p> <p>11 those reserves.</p> <p>12 Now, there was some lack of certainty</p> <p>13 with that, because we didn't have a price, but</p> <p>14 I think we were leaning towards that might be</p> <p>15 a good project to be funded out of the</p> <p>16 reserves. So everything you just mentioned, I</p> <p>17 think we've -- in my mind, at least, we've</p> <p>18 either disposed of or have a strategy to deal</p> <p>19 with it.</p> <p>20 MR. CHESNEY: It's funny, that one</p> <p>21 thing, is that's staff technically didn't ask</p> <p>22 for the vehicle yet.</p> <p>23 CHAIRMAN RAGUSA: I'm going to jump in</p> <p>24 here and kind of see if we can move this --</p> <p>25 we're going to have to put it to a vote</p> | <p style="text-align: right;">Page 39</p> <p>1 MR. ARGUS: You're using the word --</p> <p>2 just so I'm clear, you're using the word</p> <p>3 "reserve," but you're actually talking capital</p> <p>4 improvement budget?</p> <p>5 MR. CHESNEY: Well, if you don't spend</p> <p>6 it, it becomes reserve.</p> <p>7 MR. ARGUS: Yeah --</p> <p>8 CHAIRMAN RAGUSA: We did away with the</p> <p>9 notation of "reserve."</p> <p>10 MR. MENDENHALL: If you designate it,</p> <p>11 because, right now, it just becomes</p> <p>12 undesignated cash.</p> <p>13 MR. CHESNEY: Right.</p> <p>14 CHAIRMAN RAGUSA: I'm talking about</p> <p>15 undesignated cash account.</p> <p>16 MR. ARGUS: Okay.</p> <p>17 CHAIRMAN RAGUSA: I don't think the</p> <p>18 number is a hundred, and it's also not zero,</p> <p>19 in my eyes. I think we need some money to be</p> <p>20 flexible and to increase our financial</p> <p>21 picture, because I don't think we're there</p> <p>22 yet.</p> <p>23 I mean, the experts may disagree, and</p> <p>24 you guys may disagree, and that's fine. I</p> <p>25 don't know that we're here yet, and hopefully</p> |
| <p style="text-align: right;">Page 38</p> <p>1 eventually.</p> <p>2 I've always been a proponent of having a</p> <p>3 strong financial picture, and part of that is</p> <p>4 reserving. I think we could take a hard line</p> <p>5 approach and say we should not reserve for</p> <p>6 something that's not contemplated or proposed</p> <p>7 or at least subject to discussion.</p> <p>8 One of the concerns I have is, we have</p> <p>9 talked about some issues in the last four or</p> <p>10 five months that would involve some capital,</p> <p>11 and I'm talking about both capital improvement</p> <p>12 inside the community and the potential</p> <p>13 acquisition of property inside or outside of</p> <p>14 our immediate area.</p> <p>15 And, candidly, if we were going to ever</p> <p>16 try to take advantage of an opportunity to</p> <p>17 acquire land for community purpose, I don't</p> <p>18 know that we have the capital to do it or we</p> <p>19 would be comfortable doing it with our</p> <p>20 available capital.</p> <p>21 So, as far as I'm concerned, that, in my</p> <p>22 own mind, is the reason why we should continue</p> <p>23 to reserve, even if we can't pinpoint the</p> <p>24 acquisition of an asset or capital improvement</p> <p>25 to that reserve fund.</p> | <p style="text-align: right;">Page 40</p> <p>1 I don't ever get to tell you, "I told you so,"</p> <p>2 if we get wiped out in some event. But I just</p> <p>3 think we need to keep that in mind, because I</p> <p>4 know that some of you guys have raised those</p> <p>5 issues at meetings.</p> <p>6 So that's another reason just to think</p> <p>7 about the potential for not going to zero or</p> <p>8 at least, you know, making it some reasonable</p> <p>9 amount. So I'll, you know, turn it over to</p> <p>10 anybody else who what wants to jump in. If</p> <p>11 someone would like to make a motion, let's</p> <p>12 bring it up for consideration.</p> <p>13 MR. CHESNEY: Why don't we just see,</p> <p>14 zero, forty or a hundred, by a show of hands,</p> <p>15 and see how the vote would go?</p> <p>16 CHAIRMAN RAGUSA: I'll start. I'll go</p> <p>17 with neither -- none of those.</p> <p>18 MR. CHESNEY: Okay.</p> <p>19 CHAIRMAN RAGUSA: I'd go with sixty.</p> <p>20 MR. CHESNEY: I go with zero. Keep in</p> <p>21 mind that we also have a bank line of credit</p> <p>22 of half a million.</p> <p>23 MR. ARGUS: Yeah, but it takes umpteen</p> <p>24 thousand dollars to initiate it, we found out.</p> <p>25 MR. CHESNEY: It takes a couple -- two</p> |

1 -- two to three thousand.

2 CHAIRMAN RAGUSA: Mr. Zeigler.

3 MR. ZEIGLER: Just for clarification to
4 make sure I'm on the right page, is the
5 additional -- with the chipper and fountain,
6 the additional fifty-or-so-thousand dollars,
7 or is that actually in the projected thirteen
8 total? That's all of that?

9 MR. MENDENHALL: That's projected,
10 yeah.

11 MR. ZEIGLER: So the hundred thousand
12 dollars would be in expectation of some other
13 capital purchase that we may need that we
14 would not pull out of reserves. Is that --

15 MR. MENDENHALL: Outside those two items
16 you mentioned, yes, sir.

17 MR. CHESNEY: For next year, I guess.

18 MR. ZEIGLER: So the potential of a
19 truck going down or -- is there any other
20 expectation of any other major mechanical item
21 that we need?

22 MR. MAYS: I can't think of anything,
23 no.

24 MR. ZEIGLER: Nothing on your Christmas
25 list?

1 MR. ARGUS: The splash park would be
2 mechanical.

3 MR. MAYS: That would be the only thing,
4 and maybe a second fountain on the other side
5 once everybody sees how much they like this
6 one.

7 MR. ZEIGLER: That makes sense to me.
8 Okay. I'm more in favor of maintaining
9 probably a mid-level budget, but not a
10 hundred, but probably the middle of the road
11 on that.

12 CHAIRMAN RAGUSA: Mr. Ross.

13 MR. ROSS: I said a few moments ago that
14 I was ready to embrace zero. When you raised
15 the issue of acquisition of real property, I
16 left that off my list. And my thought on
17 that, I personally believe our community could
18 greatly benefit by acquiring a certain parcel
19 of real estate.

20 I just never sensed that anybody else on
21 the board was in favor of that. I thought it
22 was more or less kick the can on it, and
23 I never heard a --

24 MR. ZEIGLER: I thought there would be
25 difficulty in doing that.

1 MR. CHESNEY: Yeah, if I was unclear, I
2 would be in favor of it.

3 MR. ARGUS: Yeah.

4 MR. ROSS: Then I'd get off the zero,
5 and then I'd be like Mr. Zeigler and
6 Mr. Ragusa, and I'd be back to that forty- to
7 sixty-thousand-dollar figure.

8 MR. CHESNEY: Well, I'd be agreeable. I
9 don't see how they're related, but -- I mean,
10 I'd be agreeable to buying the property, but I
11 don't see how they're related. Okay.

12 MR. ARGUS: I would support the sixty or
13 the hundred.

14 CHAIRMAN RAGUSA: Okay. It seems like
15 we have -- we don't have a complete consensus.
16 I don't know that we will, but I --

17 MR. CHESNEY: The consensus is sixty.

18 CHAIRMAN RAGUSA: We certainly have at
19 least three supervisors who are talking mid
20 range. So why doesn't someone make a motion?

21 MR. ARGUS: And I'll make a motion to
22 change it to 60,000.

23 MR. ZEIGLER: Second.

24 CHAIRMAN RAGUSA: Okay. Further
25 discussion.

1 (No response.)

2 CHAIRMAN RAGUSA: I guess this is a
3 formal motion.

4 MR. CHESNEY: Can you see what -- if you
5 plug that in, can you see how what it -- how
6 it changes the assessments, what the
7 assessment range is? So that's our last
8 change in the budget.

9 CHAIRMAN RAGUSA: It's going to be
10 minimal.

11 MR. ARGUS: Maybe not. I have a couple of
12 other questions. Things I saw earlier this
13 morning when I was looking at the budget.

14 CHAIRMAN RAGUSA: It's going to be
15 minimal.

16 MR. CHESNEY: I'm just looking at the
17 change.

18 CHAIRMAN RAGUSA: \$10 for every 5,000.

19 MR. CHESNEY: I understand. I want to
20 see what the assessment percentage is.

21 CHAIRMAN RAGUSA: Oh, percentage.

22 MR. CHESNEY: Yeah, the change, not the
23 dollar amount.

24 CHAIRMAN RAGUSA: Well, it's going to go
25 down.

1 MR. CHESNEY: That's true. So what is
2 it in here now?

3 CHAIRMAN RAGUSA: Well, it varies.

4 MR. BALDWIN: Well, we're looking at --
5 we're looking at what used to be Westchase
6 East, because they're the ones that had the
7 line items, because of the issues from the
8 past. And let me see what the current
9 schedule was for that.

10 It was at four percent. I'm looking at
11 specifically Greensprings. It's just the very
12 first line. They went from -- it didn't make
13 that much of a difference. It's still at four
14 percent, because you -- \$40,000 out of a
15 multi-million-dollar budget is not affecting
16 anything.

17 MR. CHESNEY: Well, I was just -- I'm
18 looking at it --

19 MR. MENDENHALL: It's like \$20
20 basically.

21 MR. CHESNEY: -- in its entirety.
22 Okay. All right. Okay. That's all.

23 CHAIRMAN RAGUSA: I don't know if we
24 need a formal vote here.

25 MR. MENDENHALL: Not unless there's a

1 big disagreement.

2 CHAIRMAN RAGUSA: Do we have three
3 supervisors who favor the \$60,000 unassigned
4 cash?

5 MR. ARGUS: (Raises his hand.)

6 MR. ZEIGLER: Yes.

7 MR. ROSS: Yeah.

8 CHAIRMAN RAGUSA: Okay.

9 MR. ARGUS: We have a motion, you have a
10 second, so --

11 CHAIRMAN RAGUSA: We don't need to take
12 a formal motion.

13 MR. ARGUS: No, I know, but -- and you
14 had indicated that you had favored that, so
15 there you --

16 CHAIRMAN RAGUSA: I think we have it.

17 MR. ARGUS: Yeah.

18 CHAIRMAN RAGUSA: Mr. Barrett.

19 MR. BARRETT: Andy, you were saying that
20 it takes about \$20 off the O&M line.

21 MR. MENDENHALL: Yeah. I was just
22 looking briefly. At least, at the
23 Greensprings one, it looked about \$20
24 roughly.

25 MR. BARRETT: That's an easier number to

1 work with, because that'll be consistent
2 across.

3 MR. MENDENHALL: Yeah -- yeah, number-
4 wise.

5 MR. BALDWIN: What --

6 MR. MENDENHALL: Page 17. Let me look
7 at that. Open it up here.

8 MR. BARRETT: If you look at -- one of
9 the things that may be complicating the
10 percentages, Greensprings, The Greens, has a
11 local fund. So if you look at the Bridges and
12 the Fords, there's no local fund. You get a
13 better-based percentage.

14 MR. CHESNEY: Right. He's going to have
15 it done by tomorrow morning.

16 MR. MENDENHALL: It's actually \$7.00.
17 So I was looking -- I was looking at the wrong
18 column.

19 CHAIRMAN RAGUSA: I think it is like 20
20 bucks, though.

21 MR. ARGUS: It'll be like \$8.00.

22 CHAIRMAN RAGUSA: Yeah. All right.
23 What else is on the budget that we need to
24 address? Mr. Argus has his hand up.

25 MR. ARGUS: Thank you. Alan, I'm a

1 little confused here. Under "Expenditures,"
2 Page Two of the budget, "Professional
3 Services, Property Appraiser," the actual in
4 2012 was \$30,000. The projected for this year
5 is 22,000, yet we're budgeting 47,000.

6 MR. CHESNEY: We talked about this.

7 MR. ARGUS: I don't remember the answer.

8 MR. CHESNEY: It's because they can go
9 up to that percentage, so we put in the
10 highest possible amount.

11 MR. ARGUS: Okay.

12 MR. CHESNEY: But in general we get
13 charged less.

14 MR. ARGUS: Thank you.

15 MR. MENDENHALL: It's only people wait
16 to pay as late as they can, you could be
17 charged the full amount.

18 MR. ARGUS: Right. The other question I
19 had is on the next page under the general
20 classification of payroll. We had made some
21 just adjustments in some salaries.

22 Is that reflected in the annual budget?
23 And also the bonuses, are we going to do
24 something about that? Is there -- is that an
25 accurate number, or do we need to adjust that

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| <p style="text-align: right;">Page 49</p> <p>1 one way or another?</p> <p>2 MR. MENDENHALL: The short answer is,</p> <p>3 based on the increases that you talked, yes,</p> <p>4 it's built in as well with the bonuses.</p> <p>5 The secondary part of your question --</p> <p>6 yeah, the secondary part of your question as</p> <p>7 far as bonuses, the board hadn't made any</p> <p>8 decision on that. Obviously you can do that</p> <p>9 now or later. It's built in. As well, there</p> <p>10 was no decision made on staff outside of Sonny</p> <p>11 and Doug as far as anything -- bonus increase</p> <p>12 or anything like that. So I'll defer to the</p> <p>13 board as to, you know, handling that.</p> <p>14 MR. ARGUS: The only reason I raise it</p> <p>15 is if we are interested in reducing the</p> <p>16 assessments as much as possible, that was the</p> <p>17 next logical place to look.</p> <p>18 MR. BALDWIN: Right now, the budget is</p> <p>19 built for fiscal year 2014 for bonuses, it's</p> <p>20 based on 15 percent of the payroll salary's</p> <p>21 line.</p> <p>22 MR. CHESNEY: Because that is what I put</p> <p>23 in at the very beginning.</p> <p>24 CHAIRMAN RAGUSA: Yeah, you told us that</p> <p>25 a couple months ago.</p> | <p style="text-align: right;">Page 51</p> <p>1 MR. MAYES: We usually do a lot of our</p> <p>2 planting towards the end to make sure we don't</p> <p>3 overspend that line item, you know, just very</p> <p>4 careful with that one, plus, we don't do any</p> <p>5 planting in the winter, which is the beginning</p> <p>6 of the budget. So, generally, most of the</p> <p>7 spending gets done from here until the end --</p> <p>8 MS. WHYTE: Just keep watching.</p> <p>9 MR. CHESNEY: I'm trying to figure out</p> <p>10 exactly how it got from 145 to 150, but --</p> <p>11 CHAIRMAN RAGUSA: Mr. Argus.</p> <p>12 MR. ARGUS: There was one other</p> <p>13 question, looking at my notes here. We had</p> <p>14 talked last month about safety training for</p> <p>15 the employees and staff. Is that something we</p> <p>16 want to budget for?</p> <p>17 Do we need to add that to -- some</p> <p>18 recognition into the budget for that?</p> <p>19 CHAIRMAN RAGUSA: I think we probably</p> <p>20 have money for that. I don't think we're</p> <p>21 going to come up short with training.</p> <p>22 Actually, that was the question I had from my</p> <p>23 supervisor, I wanted to know where we were at</p> <p>24 with identifying the proper trainers or</p> <p>25 programs.</p> |
| <p style="text-align: right;">Page 50</p> <p>1 MR. ARGUS: Yeah.</p> <p>2 MR. CHESNEY: Right. And then --</p> <p>3 CHAIRMAN RAGUSA: So a high bonus number</p> <p>4 is in here.</p> <p>5 MR. ARGUS: Yes. What the realization</p> <p>6 is, if we don't spend it, it goes in the</p> <p>7 unallocated cash funds.</p> <p>8 MR. MENDENHALL: Yes. (Inaudible)</p> <p>9 MR. CHESNEY: Personally, if you -- I</p> <p>10 would just leave it.</p> <p>11 MR. ARGUS: Okay.</p> <p>12 MR. CHESNEY: I mean, I don't think it</p> <p>13 makes much difference and --</p> <p>14 MR. ARGUS: That's the end of my</p> <p>15 questions. Thank you.</p> <p>16 CHAIRMAN RAGUSA: Any other questions or</p> <p>17 issues.</p> <p>18 MR. ZEIGLER: Just one quick</p> <p>19 clarification. On R&M grounds, we're only at</p> <p>20 about year-to-date 40 percent -- 47 percent of</p> <p>21 the budget. We have projected at 145. The</p> <p>22 end of the year would be 91.</p> <p>23 What was the difference between 2012,</p> <p>24 where we hit almost the budget, and this year,</p> <p>25 when we fell way below?</p> | <p style="text-align: right;">Page 52</p> <p>1 MR. ARGUS: All right.</p> <p>2 CHAIRMAN RAGUSA: Has anybody followed</p> <p>3 up on that from last month?</p> <p>4 MR. MENDENHALL: Well, I know we talked</p> <p>5 about it generally. I don't think there was</p> <p>6 any decision made specifically on what type of</p> <p>7 training you would want. I mean, there are a</p> <p>8 number of items out there.</p> <p>9 I think that would be -- generally</p> <p>10 speaking, I think that would be the decision</p> <p>11 of the board on what type training you want to</p> <p>12 send your folks to.</p> <p>13 CHAIRMAN RAGUSA: I thought we had</p> <p>14 consensus of the board that we were in favor</p> <p>15 of doing some appropriate safety training.</p> <p>16 MR. MENDENHALL: Yeah, I think that --</p> <p>17 MR. ARGUS: Yeah, I think --</p> <p>18 CHAIRMAN RAGUSA: I know Doug said he</p> <p>19 goes through it with the staff on a frequent</p> <p>20 basis, but --</p> <p>21 MR. MENDENHALL: Right, formalized</p> <p>22 training.</p> <p>23 CHAIRMAN RAGUSA: -- a formalized</p> <p>24 training, whether it's a day-long class, field</p> <p>25 training. I don't know what it would be.</p> |

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| <p style="text-align: right;">Page 53</p> <p>1 Alan.</p> <p>2 MR. BALDWIN: Well, I see a line item</p> <p>3 called "Conferences and Seminars." And it's</p> <p>4 only for a thousand dollars, but it looks like</p> <p>5 we're projecting a thousand for this fiscal</p> <p>6 year, and then we also budgeted for next year</p> <p>7 for a thousand. And I'm not sure that's the</p> <p>8 line item that this created.</p> <p>9 MR. MAYS: Well, it seems like we've had</p> <p>10 that line item for a few times that we've</p> <p>11 attended a couple of seminars. Usually we</p> <p>12 don't even --</p> <p>13 MR. MENDENHALL: We can bring back some</p> <p>14 suggestions of specific, you know, "Here's a</p> <p>15 couple that are available. What do you</p> <p>16 think," sort of thing?</p> <p>17 MR. ZEIGLER: I would suggest getting</p> <p>18 the basics for OSHA compliance and things like</p> <p>19 squared away, where we would have HazMat,</p> <p>20 right to know, the basic training that would</p> <p>21 be done in any kind of general shop.</p> <p>22 With the chipper, I don't know -- that's</p> <p>23 a unique piece of equipment. That's a very</p> <p>24 dangerous piece of equipment, so I would</p> <p>25 imagine there may be some specific training to</p> | <p style="text-align: right;">Page 55</p> <p>1 guys a training course on it so that they get</p> <p>2 the basics on operations.</p> <p>3 MR. MENDENHALL: I think to Brian's</p> <p>4 point, and they might be just the folks who do</p> <p>5 that from a liability perspective --</p> <p>6 MR. MAYS: Right.</p> <p>7 MR. MENDENHALL: -- I mean, if we can</p> <p>8 get, you know, whatever -- for example, if</p> <p>9 that company offers some official type of</p> <p>10 training that they can, you know, document</p> <p>11 after the fact that we have it on our file</p> <p>12 that we have properly trained everybody and</p> <p>13 then you, as a district, are covered better,</p> <p>14 obviously.</p> <p>15 MR. ZEIGLER: Well, even to the point of</p> <p>16 having people with, you know, some -- sign</p> <p>17 some certification saying, "I've been through</p> <p>18 this course" --</p> <p>19 MR. MENDENHALL: Yeah.</p> <p>20 MR. ZEIGLER: -- is very important. You</p> <p>21 know, we do that in our shop. It's required</p> <p>22 for many different aspects of operations that</p> <p>23 we do. And it's not -- it's not a one-time</p> <p>24 only thing.</p> <p>25 MR. MAYS: We can get with Premiere and</p> |
| <p style="text-align: right;">Page 54</p> <p>1 that.</p> <p>2 For example, if we had a forklift, we</p> <p>3 need to have a forklift certified guy on it.</p> <p>4 MR. MAYS: Right.</p> <p>5 MR. ZEIGLER: I would imagine that</p> <p>6 everybody would have -- everybody who uses a</p> <p>7 chipper would have to have some type of</p> <p>8 formal, "Here's how you do it. Here's what</p> <p>9 you do. Don't put your hand here."</p> <p>10 MR. MAYS: Well, there really isn't a</p> <p>11 licensed outfit that you hold for that. It's</p> <p>12 more of a, to be honest with you, being in the</p> <p>13 industry, I did that, it's a common-sense</p> <p>14 thing.</p> <p>15 There is some training that I've already</p> <p>16 given the guys. You know, the first one was,</p> <p>17 "This is not a one-man toy. You know, you do</p> <p>18 not go out and operate this tool with one</p> <p>19 person. It's always got to be two people.</p> <p>20 It's a very, very dangerous machine."</p> <p>21 So we've already corrected with the hard</p> <p>22 hats and the shields and the ear protection,</p> <p>23 stuff like that. And the company that we</p> <p>24 bought from, Premiere is one of the bigger</p> <p>25 ones, they've offered to come out and give our</p> | <p style="text-align: right;">Page 56</p> <p>1 see what they have. I'm sure -- I mean, like</p> <p>2 I say, they have bigger machines than this.</p> <p>3 This is a smaller machine, so it's not as bad</p> <p>4 as most of the bigger ones out there, but they</p> <p>5 do have safety classes that they do tend to</p> <p>6 maybe give some certifications with it. So we</p> <p>7 can get with Premiere and find out it, if</p> <p>8 you'd like.</p> <p>9 MR. ZEIGLER: Because the first thing</p> <p>10 that will be asked is -- you know, when OSHA</p> <p>11 shows up and an accident happens is, "Were</p> <p>12 they properly trained?"</p> <p>13 And you'll say, "Yes."</p> <p>14 "Show me." And then you've got to show</p> <p>15 them how. So, at least, it won't take away</p> <p>16 the liability, but, nonetheless, it will</p> <p>17 mitigate it some.</p> <p>18 MR. MAYS: Right.</p> <p>19 MS. WHYTE: If we bring in OSHA, is our</p> <p>20 contractor, even if they share the facility,</p> <p>21 they store their stuff, are they going to be</p> <p>22 subjected to the OSHA?</p> <p>23 MR. MENDENHALL: Yeah, I mean, you're --</p> <p>24 well, you're responsible for -- I mean, it's</p> <p>25 on our property. So, yeah, ultimately they</p> |

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| <p style="text-align: right;">Page 57</p> <p>1 should be following the same guidelines that</p> <p>2 we're following.</p> <p>3 MS. WHYTE: Okay.</p> <p>4 CHAIRMAN RAGUSA: They have a</p> <p>5 contractual obligation to maintain training</p> <p>6 and certification.</p> <p>7 MR. MENDENHALL: Absolutely.</p> <p>8 CHAIRMAN RAGUSA: Mr. Ross.</p> <p>9 MR. ROSS: I think what Brian's point</p> <p>10 was, we need to know what those standards are.</p> <p>11 It shouldn't be something we anecdotally talk</p> <p>12 about around the table and say, "We ought to</p> <p>13 be doing this and this."</p> <p>14 We ought to have a clear understanding</p> <p>15 as to what are our obligations, and then</p> <p>16 implementing them is the next step, but,</p> <p>17 first, we've got to know what our obligations</p> <p>18 are. I don't mean to speak for you, but</p> <p>19 that's what I heard you saying.</p> <p>20 MR. MAYS: That's why I say I'll get</p> <p>21 with Premiere. Premiere is -- produced -- the</p> <p>22 people -- manufacture these things, so they</p> <p>23 obviously have all the information and</p> <p>24 knowledge on the equipment themselves, so</p> <p>25 we'll get with Premiere.</p> | <p style="text-align: right;">Page 59</p> <p>1 identify an appropriate safety training</p> <p>2 program and presenter and whether that, like</p> <p>3 was said, is it OSHA-training course?</p> <p>4 We need somebody who is going to take a</p> <p>5 look at what we do for a living and bring the</p> <p>6 proper educational material to us and deliver</p> <p>7 the appropriate certification, if there is</p> <p>8 such a certification.</p> <p>9 MR. MAYS: Okay.</p> <p>10 CHAIRMAN RAGUSA: I don't know that</p> <p>11 there is. We don't use lift equipment too</p> <p>12 much, we don't use fall equipment. There's</p> <p>13 just not that much in terms of certification.</p> <p>14 MR. MAYS: Uh-huh.</p> <p>15 MR. MENDENHALL: I'll look into it and</p> <p>16 see what the most appropriate training is.</p> <p>17 MR. CHESNEY: Isn't there like a</p> <p>18 ten-hour OSHA class?</p> <p>19 CHAIRMAN RAGUSA: There's an overview</p> <p>20 class. And, like I said, if you're going to</p> <p>21 get into lift equipment, if you're going to</p> <p>22 get into elevator platforms, anything like</p> <p>23 that, there's certifications you need to</p> <p>24 attend, but I don't know that we do that. I</p> <p>25 think our contractors do it.</p> |
| <p style="text-align: right;">Page 58</p> <p>1 MR. ZEIGLER: And also a compliance</p> <p>2 company would also know too what does need</p> <p>3 training or what doesn't need training, and</p> <p>4 they can probably administer the basic</p> <p>5 training for most of that stuff, except for</p> <p>6 maybe a specialized piece of equipment like</p> <p>7 this.</p> <p>8 MR. MAYS: Right. That's what worries</p> <p>9 me about -- there's a lot of people out there</p> <p>10 who give, you know, safety courses, but who</p> <p>11 gives a safety course on that specific piece</p> <p>12 of equipment.</p> <p>13 MR. ZEIGLER: Right.</p> <p>14 MR. MAYS: And that is probably the</p> <p>15 biggest piece of equipment we need to make</p> <p>16 sure we're trained properly on or "certified"</p> <p>17 on, I guess would be the word, so --</p> <p>18 CHAIRMAN RAGUSA: That manufacturer or</p> <p>19 their distributor in retail force will do</p> <p>20 training. I know that company well.</p> <p>21 MR. MAYS: Andrew, the guy we bought it</p> <p>22 from, he did say that, too.</p> <p>23 CHAIRMAN RAGUSA: Yes. But, in addition</p> <p>24 to that unique a piece of equipment, our</p> <p>25 manager or you guys in the field need to</p> | <p style="text-align: right;">Page 60</p> <p>1 MR. MAYS: Yeah, we don't have a whole</p> <p>2 lot of lifting --</p> <p>3 CHAIRMAN RAGUSA: All right. Is there</p> <p>4 any concern amongst the board that we don't</p> <p>5 have enough money to pay for any appropriate</p> <p>6 training for our staff, that we would need to</p> <p>7 create a line item or allocate additional</p> <p>8 funds for this budget?</p> <p>9 (No response.)</p> <p>10 CHAIRMAN RAGUSA: I think there is</p> <p>11 plenty of money. I don't know about plenty,</p> <p>12 but we can certainly find the funds in other</p> <p>13 lines.</p> <p>14 MR. ARGUS: I would agree we probably</p> <p>15 have enough funding in there somewhere, but I</p> <p>16 would like to see the monthly accounting, have</p> <p>17 that as a separate subject or line item in the</p> <p>18 financial reports for next fiscal year, so</p> <p>19 it's easier for us to monitor and make sure</p> <p>20 we're getting it done.</p> <p>21 CHAIRMAN RAGUSA: Can you just change</p> <p>22 the conventions and seminars or whatever it</p> <p>23 was to training as well, or is that a big</p> <p>24 deal?</p> <p>25 MR. BALDWIN: No. It may not fall</p> |

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1 within the exact same spot, because obviously
 2 there's a different account number, so it may
 3 be up further or down further. I don't know
 4 off the top of my head the exact number for
 5 training, but I will try to find something
 6 more comparable --
 7 CHAIRMAN RAGUSA: Okay.
 8 MR. BALDWIN: -- for training. It would
 9 just be you would have a zero budget for it,
 10 but we would just record the cost there.
 11 MR. ARGUS: Correct.
 12 CHAIRMAN RAGUSA: Okay. Well, I don't
 13 want to create more accounts, because I know
 14 over the years we've tried to narrow them; but
 15 if we need do it at this stage, I would put a
 16 training line item in and put \$2500 in it.
 17 I think we can get some pretty darned
 18 good training for \$2500 for four employees --
 19 or five employees.
 20 MR. CHESNEY: Yeah. I'm just looking at
 21 the Sun Coast Safety Council, and it's 125
 22 bucks for an all-day class per -- and it goes
 23 through general like stuff you do in a shop,
 24 you know.
 25 CHAIRMAN RAGUSA: Well, why couldn't

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1 that seminar line item take care of that?
 2 MR. CHESNEY: Yeah. I mean, it's
 3 just --
 4 MR. MAYS: It's basically the same
 5 thing.
 6 MR. CHESNEY: And you get a little OSHA
 7 certification card, and then they talk about
 8 what other stuff -- you know, you can go to
 9 that, and there might be other stuff that you
 10 discover in there.
 11 It talks -- the very first topic is what
 12 OSHA does and what they're going to come down
 13 on you if something happens. So I'll send it
 14 to you, Doug.
 15 MR. BALDWIN: I mean, we do have an
 16 account called "Miscellaneous Training."
 17 Either we can just change the line item from
 18 "Subscriptions and Seminars" to "Miscellaneous
 19 Training" or you can keep them both or --
 20 that's up to you.
 21 CHAIRMAN RAGUSA: What's the consensus?
 22 In my eyes, this is just an accounting
 23 function.
 24 MR. CHESNEY: Yeah. I mean, I would not
 25 (inaudible).

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1 MR. ARGUS: It's an easy way to --
 2 looking at a report for us to determine that,
 3 yeah, the training's been going on that we
 4 haven't identified; otherwise, we have to come
 5 here and ask, in staff's monthly report to us,
 6 they need to -- in the field report, tell us
 7 what training they've had.
 8 CHAIRMAN RAGUSA: Mr. Ross.
 9 MR. ROSS: But, Bob, it's not our job to
 10 -- that's not the job of a board.
 11 MR. ARGUS: No. I'm --
 12 MR. ROSS: That's the job of a manager.
 13 That's not our responsibility.
 14 MR. ARGUS: I'm just trying to make sure
 15 something gets done about it. I don't care
 16 what it is.
 17 MR. ROSS: I happen to agree with you,
 18 but you're in essence saying, "Let's create
 19 an administrative task for the purpose of the
 20 board making sure this is done."
 21 And I'm saying, by doing that, we're
 22 unintentionally conveying to our manager --
 23 MR. ARGUS: I understand.
 24 MR. ROSS: -- he doesn't need --
 25 MR. ARGUS: I see your point.

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1 MR. ROSS: -- the company doesn't need
 2 to be doing it. We should be doing it. And I
 3 don't agree with that.
 4 MR. ARGUS: I see your point. Okay.
 5 CHAIRMAN RAGUSA: Okay. So you guys
 6 will get going on a training program.
 7 MR. MENDENHALL: Yes.
 8 MR. MAYS: Yes.
 9 CHAIRMAN RAGUSA: So we don't need to
 10 worry about it from a budgetary standpoint.
 11 MR. ARGUS: Right.
 12 CHAIRMAN RAGUSA: Okay. Alan.
 13 MR. BALDWIN: Do you want it -- when the
 14 expenses come through, do you want it to hit
 15 the "Conference and Seminars," or do you want
 16 it to hit a training account number,
 17 "Miscellaneous Training"?
 18 CHAIRMAN RAGUSA: I don't see the need
 19 to add another account.
 20 MR. BALDWIN: Okay.
 21 MR. ARGUS: Okay.
 22 CHAIRMAN RAGUSA: If you guys disagree,
 23 tell me. You're not going to offend me.
 24 All right. Alan -- do any supervisors
 25 or anyone in the audience have any other

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| <p style="text-align: right;">Page 65</p> <p>1 comments with respect to the budget items</p> <p>2 that's proposed and discussed today?</p> <p>3 (No response.)</p> <p>4 CHAIRMAN RAGUSA: Alan, do you</p> <p>5 understand the changes that have been approved</p> <p>6 today?</p> <p>7 MR. BALDWIN: Yes.</p> <p>8 CHAIRMAN RAGUSA: A motion to adopt and</p> <p>9 approve Resolution 2013-3, which reads, "A</p> <p>10 resolution of the Westchase Community</p> <p>11 Development District relating to the annual</p> <p>12 appropriations of the district and adopting</p> <p>13 the budget for the fiscal year beginning</p> <p>14 October 1, 2013 and ending September 30, 2014,</p> <p>15 and referencing the maintenance and benefit</p> <p>16 special assessments to be levied by the</p> <p>17 district for said fiscal year."</p> <p>18 MR. ARGUS: So move.</p> <p>19 CHAIRMAN RAGUSA: Do we have a second?</p> <p>20 MR. ZEIGLER: Second.</p> <p>21 CHAIRMAN RAGUSA: All in favor please</p> <p>22 raise your hand.</p> <p>23 (All board members signify in the</p> <p>24 affirmative.)</p> <p>25 CHAIRMAN RAGUSA: That motions passes</p> | <p style="text-align: right;">Page 67</p> <p>1 at that.</p> <p>2 MR. ARGUS: Correct.</p> <p>3 MR. BALDWIN: You don't have capital</p> <p>4 project fund and you don't have an enterprise</p> <p>5 fund.</p> <p>6 MR. ARGUS: Okay.</p> <p>7 MR. BALDWIN: I'm sorry.</p> <p>8 CHAIRMAN RAGUSA: Okay. All right.</p> <p>9 Anything else on the budget?</p> <p>10 MR. ARGUS: Yes.</p> <p>11 MR. BALDWIN: You have another</p> <p>12 resolution.</p> <p>13 MR. ARGUS: Resolution 13 -- 2013-4, at</p> <p>14 the end of that division.</p> <p>15 CHAIRMAN RAGUSA: All right. Do we have</p> <p>16 a motion to approve and adopt Resolution</p> <p>17 2013-4, which reads, "A resolution levying and</p> <p>18 imposing a non-ad-valorem maintenance special</p> <p>19 assessment for the Westchase Community</p> <p>20 Development District for fiscal year 2014."</p> <p>21 MR. ARGUS: So move.</p> <p>22 CHAIRMAN RAGUSA: Mr. Argus has moved.</p> <p>23 Do we have a second?</p> <p>24 MR. ROSS: I'll second it.</p> <p>25 CHAIRMAN RAGUSA: Mr. Ross has</p> |
| <p style="text-align: right;">Page 66</p> <p>1 five to nothing.</p> <p>2 (Motion passes.)</p> <p>3 MR. BALDWIN: I have the actual dollar</p> <p>4 amounts that go in that resolution, if you</p> <p>5 would like them.</p> <p>6 CHAIRMAN RAGUSA: Let's go ahead and put</p> <p>7 them on the record. You're referring to</p> <p>8 2013-3.</p> <p>9 MR. BALDWIN: 2013-3.</p> <p>10 CHAIRMAN RAGUSA: Yes, please. Total</p> <p>11 general funds.</p> <p>12 MR. BALDWIN: Total general funds,</p> <p>13 expenses is 2,864,670, for the debt service</p> <p>14 funds is 1,232,075, for a combined of</p> <p>15 4,096,745.</p> <p>16 CHAIRMAN RAGUSA: Give me that again.</p> <p>17 Four million --</p> <p>18 MR. BALDWIN: Ninety six thousand forty</p> <p>19 five.</p> <p>20 CHAIRMAN RAGUSA: Okay. This has lines</p> <p>21 for capital project funds and enterprise</p> <p>22 funds. Those are zero?</p> <p>23 MR. BALDWIN: Your capital projects fund</p> <p>24 was at 60,000. I'm not sure -- oh. Okay. I</p> <p>25 see what you're talking about. You're looking</p> | <p style="text-align: right;">Page 68</p> <p>1 seconded.</p> <p>2 Any further discussion?</p> <p>3 (No response.)</p> <p>4 CHAIRMAN RAGUSA: All in favor please</p> <p>5 raise your hand.</p> <p>6 (All board members signify in the</p> <p>7 affirmative.)</p> <p>8 CHAIRMAN RAGUSA: That motion passes</p> <p>9 five to nothing as well.</p> <p>10 (Motion passes.)</p> <p>11 CHAIRMAN RAGUSA: And, again, Alan, your</p> <p>12 numbers that you gave us earlier will be</p> <p>13 plugged into this resolution.</p> <p>14 MR. BALDWIN: I have those numbers now.</p> <p>15 CHAIRMAN RAGUSA: Go ahead, if you</p> <p>16 would.</p> <p>17 MR. BALDWIN: I believe this one is --</p> <p>18 they just want a grand total. Correct?</p> <p>19 CHAIRMAN RAGUSA: They ask for the</p> <p>20 general fund operation assessments.</p> <p>21 MR. BALDWIN: Okay. The general fund --</p> <p>22 all the general fund is 2,965,617, and then</p> <p>23 debt services 1,266,134.</p> <p>24 CHAIRMAN RAGUSA: All right. Is that --</p> <p>25 that number is different than the number you</p> |

1 gave us for the other --

2 MR. BALDWIN: Correct. One is your
3 assessment line item, the actual assessment
4 one's expenses.

5 CHAIRMAN RAGUSA: Gotcha. Thank you.
6 Moving on to the next agenda item then,
7 engineer's report. I see no engineer. Did
8 anybody have any input from Tonja?

9 MR. MENDENHALL: I have nothing.

10 CHAIRMAN RAGUSA: Manager's report.

11 MR. MENDENHALL: I didn't have anything
12 additional to add.

13 CHAIRMAN RAGUSA: Okay. I show a
14 meeting schedule.

15 MR. MENDENHALL: Oh, besides the meeting
16 -- off agenda, I didn't have anything. The
17 meeting schedule, yes, it's based on your
18 current year, which has been pretty consistent
19 the several years I've been here. So it's
20 your opportunity obviously if you want to make
21 any changes to that meeting schedule, you
22 certainly can; otherwise, we're just looking
23 for a motion to approve or amend.

24 CHAIRMAN RAGUSA: Does everybody see
25 those dates?

1 CHAIRMAN RAGUSA: Anybody have a problem
2 with July 8th?

3 MR. ZEIGLER: I think that would be a
4 good idea.

5 CHAIRMAN RAGUSA: Okay.

6 MR. MENDENHALL: Okay.

7 MR. ARGUS: I'll modify my motion then.

8 CHAIRMAN RAGUSA: Any other dates
9 unusual? Mr. Ross.

10 MR. ROSS: In September, is the 9th an
11 election day, the second Tuesday in
12 September?

13 CHAIRMAN RAGUSA: November.

14 MR. CHESNEY: Well, there is a primary.
15 Yeah, the general is in November. There is
16 always the primary. I don't know when the
17 primary is.

18 MR. ROSS: If it's an election day, we
19 shouldn't do it.

20 MR. MENDENHALL: I don't think -- the
21 primary is usually a month before that.

22 MR. CHESNEY: I have no idea.

23 (Mr. Baldwin leaves the room.)

24 CHAIRMAN RAGUSA: We'd have to republish
25 if we change the date.

1 MR. ARGUS: Uh-huh.

2 MR. CHESNEY: Uh-huh.

3 MR. ARGUS: Motion to approve.

4 CHAIRMAN RAGUSA: Give me one second
5 here.

6 MR. CHESNEY: Do you want to leave that
7 July 1st?

8 MR. MENDENHALL: It doesn't matter to
9 me. You know, it's up to you. If it was my
10 preference, I'd do it later, but --

11 CHAIRMAN RAGUSA: July 1 is a Tuesday
12 with the 4th on Friday.

13 MR. CHESNEY: So we'll have Friday off.

14 MR. MENDENHALL: I mean, typically in
15 July, you wind up doing it the second week, so
16 you can stay consistent with that.

17 CHAIRMAN RAGUSA: That's the first
18 Tuesday.

19 MR. MENDENHALL: Yeah.

20 CHAIRMAN RAGUSA: So July 8 would be the
21 second Tuesday.

22 MR. MENDENHALL: Right.

23 CHAIRMAN RAGUSA: Does anybody have a
24 preference?

25 MR. ARGUS: It doesn't matter to me.

1 MR. BARRETT: Mark, you also -- you
2 didn't -- you avoided election days in the
3 past because the polling was at the meeting
4 site --

5 CHAIRMAN RAGUSA: Right.

6 MR. BARRETT: -- where it no longer is,
7 so --

8 CHAIRMAN RAGUSA: Yeah, but we've also
9 had people working elections.

10 MR. ARGUS: That's true.

11 MR. BARRETT: Okay. You're right.

12 CHAIRMAN RAGUSA: I know Bob did and
13 Mr. Heinemann did, so that's why the issues --

14 MR. CHESNEY: Just hold on. I'm looking
15 at a calendar of election days. 2014, the
16 primary is August 26th.

17 CHAIRMAN RAGUSA: Okay. We should be
18 good there.

19 MR. ARGUS: Yes.

20 CHAIRMAN RAGUSA: Okay. I guess we need
21 a motion to approve this, don't we?

22 MR. MENDENHALL: Yes, sir.

23 MR. ARGUS: It's on the floor.

24 CHAIRMAN RAGUSA: All right. We need a
25 motion to approve the notice of meetings of

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1 the Westchase Community Development District
2 for October 1, 2013 through September 9, 2014,
3 as proposed by the district manager, with the
4 exception of moving the July meeting from July
5 1 to July 8.
6 MR. ARGUS: So move.
7 MR. ROSS: Second.
8 CHAIRMAN RAGUSA: Okay. And just very
9 quickly for the record, the meeting schedule
10 will be October 1, 2013, November 5, 2013,
11 December 3, 2013, January 7, 2014, February 4
12 of '14; March 4 of '14, April 1 of '14, May 6
13 of '14, June 3 of '14, July 8 of '14, August 5
14 of '14, and September 9 of '14.
15 MS. WHYTE: The HOA has two conflicts --
16 CHAIRMAN RAGUSA: Okay.
17 MS. WHYTE: -- if I just heard you,
18 which was June 3rd, July 1st and September 9.
19 They have this room designated at 5:00. So
20 we've already changed July, so it would be
21 June 3rd and September 9th meeting.
22 CHAIRMAN RAGUSA: June 10 we can then,
23 if anybody -- does anybody have a problem with
24 June 10?
25 MR. ZEIGLER: No.

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1 MR. CHESNEY: When does school get out?
2 CHAIRMAN RAGUSA: Very good point. The
3 last day of school is June --
4 MR. CHESNEY: It's the 6th, June 6th, is
5 the last day of school.
6 CHAIRMAN RAGUSA: Yes. Well, we don't
7 have a choice, do we? We need to move it?
8 MS. WHYTE: Well, I can notify them --
9 MR. CHESNEY: Have it somewhere else.
10 MS. WHYTE: -- to either have it
11 somewhere else or ask them to take their
12 meeting over there.
13 MR. CHESNEY: Yeah, let's have them
14 take --
15 MS. WHYTE: We've already changed the
16 July meeting --
17 CHAIRMAN RAGUSA: Yes.
18 MS. WHYTE: -- to the 8th. So let me
19 just confirm with them on these two meetings,
20 on June 3rd and September 9th, to see if we
21 can run it -- correct? Those are the two?
22 CHAIRMAN RAGUSA: Yes. Please.
23 MR. ARGUS: While she's doing that, next
24 month, we meet on which day?
25 MR. MENDENHALL: September is the month

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1 I don't have.
2 MR. ROSS: I show it as September 10th.
3 MR. CHESNEY: Yeah, I have it as the
4 10th also.
5 CHAIRMAN RAGUSA: I have it as the 10th
6 also.
7 MR. ARGUS: All right. Thank you.
8 MS. WHYTE: We're okay to keep those
9 dates.
10 CHAIRMAN RAGUSA: Okay.
11 MS. WHYTE: So we're going to change to
12 July 8 --
13 CHAIRMAN RAGUSA: Yes.
14 MS. WHYTE: -- June 3rd and -- we'll
15 keep June 3rd and September 9th.
16 CHAIRMAN RAGUSA: Yes.
17 MS. WHYTE: So I'll make changes with
18 the modification. I'll change theirs around.
19 CHAIRMAN RAGUSA: All in favor of that
20 motion please raise your hand.
21 (All board members signify in the
22 affirmative.)
23 CHAIRMAN RAGUSA: That motion passes
24 five to nothing.
25 (Motion passes.)

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1 CHAIRMAN RAGUSA: Attorney's report.
2 MS. McCORMICK: First of all, in the
3 agenda package behind the last tab, there is a
4 storm drain basket agreement between the
5 district and Hillsborough County for the
6 installation of storm drain baskets.
7 This has already been reviewed and
8 approved by the county -- or signed off by the
9 county. It hasn't gone to the board of county
10 commissioners, but it's been reviewed by their
11 staff.
12 This would state -- it would provide
13 that the district is going to be solely
14 responsible for the storm drain baskets and
15 removing them if it's determined to
16 discontinue maintenance.
17 There's an indemnification provision in
18 here saying the district would defend,
19 indemnify and hold harmless the county for the
20 losses, liability or damages as a result of
21 the baskets, and that is something that the
22 county will require in order to allow us to
23 install the storm drain baskets.
24 There is a provision that during
25 hurricane season from May 1 through October

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| <p style="text-align: right;">Page 77</p> <p>1 31st the district will inspect and clean each 2 storm drain basket on a monthly basis. 3 There is a provision about the bypass 4 that is required on the storm drains. And I 5 did send this agreement to Tonja, to our 6 district engineer, and she said that that is 7 correct, the baskets have a bypass. So that's 8 fine to have that in there. 9 The agreement would be in perpetuity 10 unless either party decides to terminate the 11 agreement by giving 30 days' notice to the 12 other party. And then I had a couple of 13 suggestions by Supervisor Ross to add into 14 this agreement, so these have not been 15 reviewed by county staff, but I would think 16 that they're not going to be a problem. 17 And what I was thinking that if the 18 board wants to go ahead and approve this today 19 so that we can move forward with it, you can 20 authorize the agreement with these changes, 21 subject to me working it out with county 22 staff. 23 One would be that the agreement would 24 not waive, modify or replace any other rights 25 or obligations of the parties. For example,</p> | <p style="text-align: right;">Page 79</p> <p>1 CHAIRMAN RAGUSA: Those are good 2 changes, Mr. Ross, by the way. 3 MR. ROSS: Thanks. 4 MR. ARGUS: Motion to approve the 5 agreement or accept the agreement. 6 MR. ROSS: Second. 7 CHAIRMAN RAGUSA: All in favor please 8 raise your hand. 9 (All board members signify in the 10 affirmative.) 11 CHAIRMAN RAGUSA: That motion passes 12 five to nothing. 13 (Motion passes.) 14 MS. McCORMICK: Then I also have the -- 15 we've been talking for a couple of months 16 about the request by the Phams to do brick 17 pavers within their -- it's in their property, 18 which is on Marblehead Drive, to install 19 pavers. 20 And when we initially talked about this, 21 I think there was discussion by the board that 22 it would be something that we wanted to 23 consider to do a recorded license agreement 24 when somebody makes a request to install 25 pavers.</p> |
| <p style="text-align: right;">Page 78</p> <p>1 the county's obligation to repair or replace a 2 damaged stormwater pipe, that our -- we 3 wouldn't have an obligation to install the 4 storm drain baskets, that this would be solely 5 at our discretion as to whether or not we 6 would do that. 7 And the removal of the baskets would be 8 at our sole option and discretion. That, the 9 county may want to retain the ability to ask 10 that they be removed, but I'll work on 11 including that provision in here. 12 And then also include a provision that 13 the district has the right to access the 14 county storm pipes in order to install, remove 15 and maintain the baskets. I have to go back 16 to the county for that approval. 17 And the county has already issued a 18 permit to us for installing these storm drain 19 baskets, but they had other staff that came 20 back and said you also have to do a formal 21 agreement that would go to the board of county 22 commissioners. 23 CHAIRMAN RAGUSA: Any other community 24 done this? 25 MS. McCORMICK: Not that I'm aware of.</p> | <p style="text-align: right;">Page 80</p> <p>1 So I had prepared these, and I'm sorry 2 they didn't get in the package, but this is a 3 proposed license agreement. And then I think 4 this was already presented to the board. 5 This would be an application approval 6 process. Let me go to this, which was what we 7 had initially talked about doing on paver 8 requests. And this is just basically tracking 9 the same process that the county uses for 10 installation of pavers within county rights of 11 way. They do not require a recorded 12 agreement, but they do require that the person 13 who's installing the pavers agree to all of 14 these requirements related to -- related to 15 the installation. 16 They also -- and this is something I 17 wanted to bring to your attention -- they also 18 have, if you look at the last page of the 19 application approval process, the county 20 notifies residents that are requesting to 21 install pavers that it does not -- or it 22 discourages the use of decorative pavers 23 within rights of way for driveways or 24 sidewalks because of various issues, like the 25 fact that they can shift and are less stable</p> |

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| <p style="text-align: right;">Page 81</p> <p>1 than concrete in those places, and if they do</p> <p>2 -- if the person does decide to install the</p> <p>3 decorative pavers, they have to agree to abide</p> <p>4 by all of the Americans with Disabilities</p> <p>5 Act's requirements as well as FDOT standards.</p> <p>6 So this is really -- I mean, it's a</p> <p>7 policy issue. If the board wants to, you</p> <p>8 know, go forward with these requests on a</p> <p>9 case-by-case basis, but I think that the point</p> <p>10 of doing a recorded agreement that would run</p> <p>11 with the property so that a later purchaser of</p> <p>12 the home would also be on notice that they</p> <p>13 have these obligations for the maintenance and</p> <p>14 repair of pavers, it's a good idea. For some</p> <p>15 reason, the county doesn't require it, but I</p> <p>16 think it's something that, you know -- at least</p> <p>17 Mr. Ragusa had brought it up -- that it would</p> <p>18 be something to look at it, and I agree that</p> <p>19 it's a good idea if we're going to go down</p> <p>20 this path.</p> <p>21 MR. ZEIGLER: Would this agreement still</p> <p>22 hold true if someone does pavers up to the</p> <p>23 sidewalk, on both sides of the sidewalk all the</p> <p>24 way down the street and also to their garage,</p> <p>25 or is the intention of this just to not</p> | <p style="text-align: right;">Page 83</p> <p>1 field. One of my experiences is that when</p> <p>2 somebody thinks they have to go through this</p> <p>3 sort of approval process, they think that's</p> <p>4 the end-all: "Hey, I've got the district's</p> <p>5 approval, so now I can do this," and</p> <p>6 unintentionally they failed to check with</p> <p>7 other regulatory bodies, whether that be the</p> <p>8 county, if they have any regulatory approval,</p> <p>9 or more particularly for our community, the</p> <p>10 Westchase Community Association, that they</p> <p>11 still obviously have to go through whatever</p> <p>12 modification approval or other approval.</p> <p>13 And I feel like almost we should have</p> <p>14 something in here -- maybe it's in the approval</p> <p>15 document -- that says they still need to get</p> <p>16 whatever other necessary approvals, whether</p> <p>17 it's from the county or the HOA.</p> <p>18 MS. McCORMICK: I think that's in both</p> <p>19 of these documents --</p> <p>20 MR. ROSS: Oh, is it?</p> <p>21 MS. McCORMICK: -- but I'm not sure if</p> <p>22 it specifically references the association, so</p> <p>23 that would be a good thing to add, because I</p> <p>24 know it talks about all other governmental</p> <p>25 permits and approvals that are required in</p> |
| <p style="text-align: right;">Page 82</p> <p>1 modify the sidewalk?</p> <p>2 MS. McCORMICK: Yeah. If you look at</p> <p>3 the last page of this -- the only page you</p> <p>4 guys have, are they colored? I think they</p> <p>5 are.</p> <p>6 MR. ARGUS: Yeah.</p> <p>7 MS. McCORMICK: Okay. So all of this</p> <p>8 yellow area is what the Phams are proposing to</p> <p>9 put pavers on. The only thing that really</p> <p>10 impacts the district is the area that's in the</p> <p>11 actual right of way, which, because it's</p> <p>12 within a gated area, we own the road.</p> <p>13 So we are only concerned with the area</p> <p>14 that is cross-hatched, which is the area</p> <p>15 between the sidewalk and where the pavement</p> <p>16 starts. The rest of it is their property, and</p> <p>17 they wouldn't have to ask the district for any</p> <p>18 permission to install pavers in that area.</p> <p>19 MR. ROSS: We own the cross-hatch</p> <p>20 property?</p> <p>21 MR. ARGUS: Uh-huh.</p> <p>22 MS. McCORMICK: Right. Right, because</p> <p>23 it's part of the right of way.</p> <p>24 CHAIRMAN RAGUSA: Mr. Ross.</p> <p>25 MR. ROSS: Just a comment from left</p> | <p style="text-align: right;">Page 84</p> <p>1 order to install the pavers.</p> <p>2 But we probably should include an</p> <p>3 additional paragraph that references the</p> <p>4 association as well. I think in this</p> <p>5 particular case didn't it go to the association</p> <p>6 first --</p> <p>7 MS. WHYTE: (Moves head up and down.)</p> <p>8 MS. McCORMICK: -- and then they were</p> <p>9 directed to the district?</p> <p>10 MS. WHYTE: We have a thing for mods</p> <p>11 with the HOA or the WCA where they -- once</p> <p>12 they get an approval, they will not approve it</p> <p>13 until they submit it to us, being in a gated</p> <p>14 community.</p> <p>15 MS. McCORMICK: Because do they have to</p> <p>16 approve the pavers that are on the lot area?</p> <p>17 MS. WHYTE: They have to approve the</p> <p>18 pavers on the lot. They also have a</p> <p>19 requirement as to how much -- they can't have</p> <p>20 more than 50 percent of their grass, which is</p> <p>21 up to them to decide, you know, so they have</p> <p>22 the final say, once we've agreed to allow the</p> <p>23 process.</p> <p>24 MR. ROSS: I still stand by my comment.</p> <p>25 I think what happens is, the next applicant,</p> |

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1 they just see --

2 MS. WHYTE: Right.

3 MR. ROSS: -- "Oh, I filled out the

4 approval." And it's not that they are

5 nefarious. They just don't realize they've

6 got to go through another step.

7 MS. McCORMICK: Right.

8 MR. ROSS: If it's in there, that avoids

9 the problem.

10 MS. McCORMICK: Well, I mean, again --

11 and I know -- I mean, part of the reason, you

12 know, we wanted to put the effort into getting

13 this the right way the first time so that

14 there would be procedures in place that staff

15 can, you know, work with somebody else that

16 might be making this request next time, and

17 they won't have to -- it won't be such a time-

18 consuming process.

19 But the Phams have been very patient,

20 because this has been going on for a couple of

21 months, and I know that they're anxious to --

22 you know, if we're going to approve it,

23 they're anxious to go forward with the

24 construction.

25 CHAIRMAN RAGUSA: Mr. Zeigler.

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1 MR. ZEIGLER: I saw several references

2 to the district engineer. Will we incur an

3 expense from the engineer for her to review

4 this, and if so, I would expect that expense

5 to be passed on to the resident? Will we

6 have --

7 CHAIRMAN RAGUSA: The engineer has not

8 typically gotten involved in --

9 MR. ZEIGLER: Oh, okay. I just see it

10 referenced here several times.

11 MS. McCORMICK: I think that would come

12 into play if, you know, we had to go back in

13 there and like take out the pavers and restore

14 the area back to its original condition.

15 And there are provisions in here, I'm

16 pretty sure, and I'll double-check it, for the

17 applicants to pay all of the costs --

18 MR. ZEIGLER: Well, just like, Number

19 Two, "All work shall be done in keeping with

20 the standards approved by the district and

21 under the supervision of the district engineer

22 or representative."

23 Are they going to be involved?

24 MS. McCORMICK: I think that would just

25 be oversight as needed. I don't think that --

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1 MR. ZEIGLER: Okay. I just want to make

2 sure.

3 MS. McCORMICK: Yeah.

4 CHAIRMAN RAGUSA: Mr. Chesney.

5 MR. CHESNEY: So we need to approve this

6 so we can begin doing it --

7 MS. McCORMICK: Right.

8 MR. CHESNEY: -- because everyone is

9 getting backlogged. Right?

10 MS. McCORMICK: Right.

11 MR. CHESNEY: So, I mean, if there are

12 any changes, we can always change --

13 CHAIRMAN RAGUSA: The motion would be to

14 approve the execution of the license agreement

15 with the homeowners at 12201 Marblehead Drive.

16 MR. CHESNEY: Second.

17 CHAIRMAN RAGUSA: I guess that was my

18 motion. Any further discussion?

19 (No response.)

20 CHAIRMAN RAGUSA: All in favor raise

21 your hand.

22 (All board members signify in the

23 affirmative.)

24 CHAIRMAN RAGUSA: That motion passes

25 five to nothing.

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1 (Motion passes.)

2 CHAIRMAN RAGUSA: Now, what I think we

3 need to do is tweak this paver application

4 approval form, this process. There are some

5 things that we probably need to tweak. I

6 think we can -- can you go back and clean it

7 up a little bit and bring it back to us next

8 month?

9 MS. McCORMICK: Sure.

10 CHAIRMAN RAGUSA: I think we can go

11 ahead and approve this one and then finalize

12 the approval process, because I think these

13 homeowners have done everything that we've

14 ever asked of them. And we have held them up

15 for an extended period of time.

16 So is there anybody else -- do you have

17 any other input you want to give on this paper

18 application approval document that Erin

19 provided us? It's three pages. Go ahead and

20 communicate directly with Erin.

21 Mr. Barrett.

22 MR. BARRETT: Is there a cost associated

23 with recording this property with the county?

24 And if so, who pays that?

25 CHAIRMAN RAGUSA: It's six bucks.

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|---|--|
| <p style="text-align: right;">Page 89</p> <p>1 MR. BARRETT: Oh, it's --</p> <p>2 CHAIRMAN RAGUSA: It's a couple --</p> <p>3 MS. McCORMICK: Well, it's more pages</p> <p>4 that than. There would be a cost associated</p> <p>5 with them, and I haven't provided for that. I</p> <p>6 mean, typically we paid for the cost of</p> <p>7 recording, but we can ask the applicants to</p> <p>8 pay that.</p> <p>9 CHAIRMAN RAGUSA: It's going to be less</p> <p>10 than \$20. I mean, candidly, it protects our</p> <p>11 interest. I wouldn't have a problem paying</p> <p>12 this. We're not going to get a lot of these.</p> <p>13 MR. CHESNEY: I agree.</p> <p>14 CHAIRMAN RAGUSA: One of the things I</p> <p>15 think we need to work with is make sure the</p> <p>16 WCA understands what we have done so that --</p> <p>17 because I want to avoid the situation, I guess</p> <p>18 -- this applies to anybody trying to make</p> <p>19 these upgrades to their home, I suppose. But</p> <p>20 I don't want to have a homeowner go to the WCA</p> <p>21 and wait, in theory, 29 days to get the WCA to</p> <p>22 tell them you've got to go to the CDD, so --</p> <p>23 and then they wait another 29 days to get on</p> <p>24 our docket.</p> <p>25 So if we could work something out with</p> | <p style="text-align: right;">Page 91</p> <p>1 MS. WHYTE: It was brought to our</p> <p>2 attention, I would presume probably about a</p> <p>3 year and a half ago, that the WCA was</p> <p>4 previously -- just a modification was being</p> <p>5 approved, and, you know, we discovered that it</p> <p>6 was our property.</p> <p>7 So the question is -- we've only done, I</p> <p>8 would say, maybe all in all, a half a dozen in</p> <p>9 the last year and a half, but there are many</p> <p>10 that were done --</p> <p>11 MR. MAYS: Prior.</p> <p>12 MS. WHYTE: -- prior to that.</p> <p>13 MS. McCORMICK: Just in the gated</p> <p>14 communities.</p> <p>15 MS. WHYTE: Yeah, just in the gated</p> <p>16 communities. I mean, I can clearly -- we can,</p> <p>17 over the next month, just drive around and see</p> <p>18 what's done and get the modification approvals</p> <p>19 and stuff and see how many we're talking</p> <p>20 about.</p> <p>21 It may be 20, 25. But the question is,</p> <p>22 do we go back and notify the residents that we</p> <p>23 now have --</p> <p>24 CHAIRMAN RAGUSA: These are ones that</p> <p>25 CDD did not approve?</p> |
| <p style="text-align: right;">Page 90</p> <p>1 the WCA that -- but, again, they have an</p> <p>2 approval process for the coloring and et</p> <p>3 cetera, and the dimensions, I suppose. If we</p> <p>4 could streamline that process where it's not</p> <p>5 really a 60-day process, that may be better</p> <p>6 for everybody.</p> <p>7 MR. CHESNEY: We approve it. We're just</p> <p>8 concerned about recording it and that they</p> <p>9 understand what their obligations are.</p> <p>10 CHAIRMAN RAGUSA: Have we approved</p> <p>11 everyone in the past?</p> <p>12 MS. WHYTE: Not --</p> <p>13 MR. MAYS: Just started, yeah, but one</p> <p>14 of Sonny's question is probably, what about</p> <p>15 the previous people? Are we supposed to go</p> <p>16 back and get them to sign this agreement, so</p> <p>17 theirs is recorded also?</p> <p>18 MR. CHESNEY: Good luck. But, I mean,</p> <p>19 on a process standpoint, I don't want to</p> <p>20 approve these every -- are we going to put</p> <p>21 these in the consent agenda, and then they</p> <p>22 have to wait for us to do it? Can't we</p> <p>23 empower them --</p> <p>24 CHAIRMAN RAGUSA: That's something that</p> <p>25 needs to be in this process.</p> | <p style="text-align: right;">Page 92</p> <p>1 MS. WHYTE: (Moves head up and down.)</p> <p>2 CHAIRMAN RAGUSA: What do you guys</p> <p>3 think?</p> <p>4 MR. CHESNEY: I think it would be a</p> <p>5 waste of time?</p> <p>6 MR. BARRETT: Even if you insist they</p> <p>7 remove them if they don't.</p> <p>8 CHAIRMAN RAGUSA: I think we have that</p> <p>9 right.</p> <p>10 MR. CHESNEY: I agree.</p> <p>11 MS. WHYTE: The liability is still the</p> <p>12 same.</p> <p>13 CHAIRMAN RAGUSA: Mr. Ross.</p> <p>14 MR. ROSS: My thought is to go ask them</p> <p>15 to sign this agreement is a waste of time.</p> <p>16 But once you initiate that request, you're</p> <p>17 obligated to follow through. There will be</p> <p>18 some people who will decline.</p> <p>19 But it might be prudent to send some</p> <p>20 form letter that counsel drafts, that just</p> <p>21 simply informs each of those property owners</p> <p>22 that this is the situation. We own the</p> <p>23 underlying land. We are granting them a</p> <p>24 license to have that on top there.</p> <p>25 This should have been done originally,</p> |

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1 but just wanted to make them aware. That way,
 2 we never have an issue five, ten years down
 3 the road as to what exactly we approved or
 4 didn't approved.
 5 MR. CHESNEY: Maybe like a certificate
 6 of mailing, not necessarily certified, just
 7 mail --
 8 MR. ROSS: Whatever counsel thinks is
 9 prudent.
 10 MR. CHESNEY: Yeah.
 11 MR. ROSS: But I think it would be
 12 helpful to have a document that states our
 13 position there.
 14 It doesn't have to be -- Erin is good at
 15 this -- it doesn't need to be something that
 16 comes across as strident. It just would be
 17 something that we wanted you to be aware of
 18 this.
 19 CHAIRMAN RAGUSA: "Strident," what a
 20 great word.
 21 MR. CHESNEY: I agree. And then just
 22 some kind of documentation somehow.
 23 MS. McCORMICK: Can you all put together
 24 a list --
 25 MS. WHYTE: I can.

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1 MS. McCORMICK: -- of the properties?
 2 Okay.
 3 MR. ARGUS: So this applies to --
 4 CHAIRMAN RAGUSA: Going forward.
 5 MR. ARGUS: -- all the roadways that are
 6 owned by CDD, not just the gated communities?
 7 MS. McCORMICK: Right.
 8 MR. ARGUS: So that would be the
 9 alleyways in West Park Village and the private
 10 road by 7-Eleven, if the businesses want to
 11 pave it.
 12 CHAIRMAN RAGUSA: But there are no
 13 sidewalks on the alleys.
 14 MR. ARGUS: Well, we have the right of
 15 way.
 16 CHAIRMAN RAGUSA: In theory, someone
 17 could pull up the concrete from their garage
 18 to the alley, which is maybe four or five
 19 feet --
 20 MR. ARGUS: Right.
 21 CHAIRMAN RAGUSA: -- and put pavers in.
 22 I guess this would cover that, yes.
 23 MR. ARGUS: Okay. Thank you.
 24 CHAIRMAN RAGUSA: Anything else,
 25 Counsel?

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1 MS. McCORMICK: So I didn't catch --
 2 were we going to just have this be done
 3 administratively for future requests, or do
 4 you want to bring it back to the board?
 5 CHAIRMAN RAGUSA: We didn't decide.
 6 MR. ROSS: I support Mr. Chesney's
 7 suggestion. It's an administrative function.
 8 MR. ARGUS: The same here.
 9 MR. ZEIGLER: I agree.
 10 MR. ROSS: Obviously, anything out of
 11 the order, they bring to the board.
 12 CHAIRMAN RAGUSA: We're unanimous then.
 13 MS. McCORMICK: Okay. You have another
 14 responsibility.
 15 MS. WHYTE: I can just -- as we approve
 16 it or as we do it, I can notify you in our
 17 field office report, and just say, "Hey, we
 18 approved this and this just for your records."
 19 CHAIRMAN RAGUSA: Anything else for us,
 20 Erin?
 21 MS. McCORMICK: Yes. Doug, are you
 22 going to talk about the Castleford fence
 23 extension, or do you want me to talk about
 24 that?
 25 MR. MAYS: Yeah, we can talk about it

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1 together. However you want to do it.
 2 MS. McCORMICK: So about a month -- or
 3 two months ago the board approved the -- they
 4 approved a request by a resident in Castleford
 5 to put in a fence so that people wouldn't be
 6 cutting through his property.
 7 And his adjacent neighbor had contacted
 8 Doug because -- actually his attorney -- the
 9 attorney is a neighbor -- also contacted me
 10 directly because he -- they are concerned with
 11 the installation of the fence.
 12 Apparently, the neighbor has, according
 13 to the attorney, an elderly father who uses
 14 that way to get through to the road; and so by
 15 putting up the fence, it's going to impair
 16 their access.
 17 So Doug has been talking back and forth
 18 with the two neighbors, and one of the
 19 solutions that I discussed with Doug is
 20 potentially putting in a gate into the fence
 21 that the resident neighbor would have a key to
 22 so that his access or the access of his father
 23 would not be impaired and he would be able to
 24 get through that area.
 25 But now the issue has come up that the

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| <p style="text-align: right;">Page 97</p> <p>1 parties are not in agreement as to who is 2 going to pay for this fence with the gate. 3 Initially when the board approved this, it 4 indicated that the cost for the fence should 5 be borne by the party that was requesting the 6 fence to be installed. 7 So that was the last action that was 8 taken by the board. However, the person that 9 made the request -- the resident that made the 10 request is now saying, "Well, if a gate is 11 going to go in the fence," then he doesn't 12 know why he should have to pay the entire cost 13 of the fence. And that's sort of where things 14 are at right now. 15 And, I said, "Okay. Well, before we go 16 forward with putting this fence in with or 17 without a gate, I think that we should bring 18 this back to the board to determine if you 19 still want to proceed." 20 CHAIRMAN RAGUSA: Mr. Ross. 21 MR. ROSS: Has the fence been installed 22 yet? 23 MS. McCORMICK: No. Right? 24 MR. MAYS: (Moves his head from side to 25 side.)</p> | <p style="text-align: right;">Page 99</p> <p>1 MR. CHESNEY: Right. Right. So that 2 part still hasn't changed. Yeah, the same 3 thing. 4 CHAIRMAN RAGUSA: Mr. Zeigler. 5 MR. ZEIGLER: Is this the same spot 6 where the shrub was put in, and we pulled out, 7 so -- 8 MR. MAYS: Yes. 9 MR. ZEIGLER: -- we've already incurred 10 some expense already, and he's already 11 vandalized, so to speak, the plantings that 12 we've already put in? 13 MR. MAYS: Yes. 14 MR. ZEIGLER: I think my recollection of 15 the original purpose of this was that they 16 were -- there was theft issues and people 17 transgressing through that, so the intention 18 was to stop the ability for people to have 19 easy exit out of that neighborhood if they 20 were doing some, you know, small petty theft 21 type of issues. 22 I thought that was the original 23 intention of this gate. 24 MR. MAYS: That's what it was. We tried 25 to do it cheaper by putting a plant in, and we</p> |
| <p style="text-align: right;">Page 98</p> <p>1 MS. McCORMICK: No. 2 MR. ROSS: My quick reaction is, we 3 ought to move -- we ought to revoke whatever 4 authority we granted until it's resolved. 5 That we ought to have on the record, "Okay. 6 Nobody get cute. Let's just stop and you guys 7 figure out. If you can't figure it out, we'll 8 revisit it." 9 These things become bigger issues, and 10 they can only become a bad situation. So 11 that's my suggestion, we revoke whatever 12 authorization we previously granted until it's 13 hashed out. 14 CHAIRMAN RAGUSA: Mr. Chesney. 15 MR. CHESNEY: Just so I'm clear, we 16 said, "You can have the fence, but you have to 17 pay to put it up"? 18 MS. McCORMICK: Right. 19 MR. CHESNEY: To me, that still is 20 basically what you're saying, the same thing, 21 "You can add it, but it needs to have a gate 22 now," so -- 23 MS. McCORMICK: And there is not a 24 significant change in the cost with or without 25 a gate.</p> | <p style="text-align: right;">Page 100</p> <p>1 were going to charge them for the plant, and 2 then the guy throws the plant out, of course. 3 They put it in, not us. He didn't even 4 realize who owned the land. The biggest thing 5 is the gate. They just don't feel that they 6 should have to pay for a gate when they don't 7 want a gate. 8 And the guy is saying he would do it as 9 long -- you know, he wouldn't complain about 10 it as long as we put a gate on there, he does 11 not feel he should pay for anything, because 12 he doesn't want it in the first place. 13 And from his standpoint, he's right. 14 If they're worried about theft, then maybe 15 they should put a fence down the whole side of 16 their yard, so that's what he's talking about, 17 too. 18 MR. CHESNEY: Brian's thing -- the more 19 I think about it, the more -- how wise it is 20 -- you just revoke access until they work it 21 out, and you don't even realize -- 22 CHAIRMAN RAGUSA: You've picked a side, 23 though. 24 MR. ROSS: I don't agree with that, but 25 I respect your view.</p> |

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| <p style="text-align: right;">Page 101</p> <p>1 MR. CHESNEY: I think the way I was</p> <p>2 thinking, trying to mediate it, is more</p> <p>3 picking the side, because I'm saying now you</p> <p>4 need to get a gate. I don't know. I like --</p> <p>5 CHAIRMAN RAGUSA: Who owns the land?</p> <p>6 MR. MAYS: It's ours, so you can put</p> <p>7 what you want on there or not put what you</p> <p>8 want on there.</p> <p>9 MR. ZEIGLER: My position is, if</p> <p>10 there's, indeed, a need to limit or reduce or</p> <p>11 stop traffic through there, forget about who</p> <p>12 it is, for the good of the neighborhood, then,</p> <p>13 you know, I don't really have -- I don't care</p> <p>14 what either side says. I would say impede the</p> <p>15 movement through there to begin with, because</p> <p>16 you said you --</p> <p>17 MR. MAYS: Right.</p> <p>18 MR. ZEIGLER: -- don't need it for</p> <p>19 maintenance.</p> <p>20 MR. MAYS: Mowing reasons. Right.</p> <p>21 MR. ARGUS: But doesn't putting a gate</p> <p>22 in there defeat the purpose of a fence, which</p> <p>23 was to decrease people walking through --</p> <p>24 MS. McCORMICK: The gate would have a</p> <p>25 lock.</p> | <p style="text-align: right;">Page 103</p> <p>1 MR. MAYS: So we need to cut those out,</p> <p>2 too, to make sure that --</p> <p>3 MR. ZEIGLER: He kind of opened up a can</p> <p>4 of worms.</p> <p>5 MR. MAYS: Right.</p> <p>6 MR. ZEIGLER: And he's still kicking the</p> <p>7 can.</p> <p>8 CHAIRMAN RAGUSA: Mr. Ross.</p> <p>9 MR. ROSS: Just one supervisor, I feel I</p> <p>10 don't have adequate or possibly accurate</p> <p>11 information.</p> <p>12 So I move that we revoke the prior</p> <p>13 authorization granted with regard to</p> <p>14 installation of the fence, and further, that</p> <p>15 we remove any landscaping that's improperly</p> <p>16 installed and bill that property owner.</p> <p>17 We just need to go back to scratch and</p> <p>18 treat everybody fairly.</p> <p>19 CHAIRMAN RAGUSA: Do we have a second?</p> <p>20 MR. ROSS: That's my motion.</p> <p>21 MR. CHESNEY: Sure, I'll second it.</p> <p>22 MS. McCORMICK: Well, let me just</p> <p>23 clarify, because we're removing any</p> <p>24 landscaping that was improperly installed, and</p> <p>25 if there is any cost associated with that,</p> |
| <p style="text-align: right;">Page 102</p> <p>1 CHAIRMAN RAGUSA: It locks.</p> <p>2 MR. MAYS: It would have a lock.</p> <p>3 MR. ARGUS: Oh, okay.</p> <p>4 MR. MAYS: Also, the difference between</p> <p>5 gate and no gate is \$15. I mean, I would pay</p> <p>6 the \$15 myself to take this thing away.</p> <p>7 CHAIRMAN RAGUSA: I thought I asked</p> <p>8 staff or counsel to direct a letter to the</p> <p>9 homeowner who removed our plant and send them</p> <p>10 a bill for that plant.</p> <p>11 MR. CHESNEY: I'm a little hazy. Which</p> <p>12 one removed the plant? Do you know?</p> <p>13 MR. MAYS: The guy that --</p> <p>14 CHAIRMAN RAGUSA: The one who wants</p> <p>15 access.</p> <p>16 MR. MAYS: Yeah.</p> <p>17 MR. CHESNEY: The guy who wants the</p> <p>18 gate.</p> <p>19 MR. MAYS: Right.</p> <p>20 MR. ZEIGLER: And is he also the same</p> <p>21 one who also has planting all the way down to</p> <p>22 the water?</p> <p>23 MR. MAYS: Yes.</p> <p>24 MR. ZEIGLER: So he's already on our</p> <p>25 property.</p> | <p style="text-align: right;">Page 104</p> <p>1 we're going to bill the person that installed</p> <p>2 the landscaping? Would that --</p> <p>3 MR. ROSS: Yeah. Yeah.</p> <p>4 MS. McCORMICK: And did somebody -- and</p> <p>5 that's the -- that's the neighbor of the</p> <p>6 person that requested the fence.</p> <p>7 MR. CHESNEY: Well, I mean, quite</p> <p>8 frankly, what did we plant, a bush or</p> <p>9 something there?</p> <p>10 MR. MAYS: Yeah.</p> <p>11 CHAIRMAN RAGUSA: Where you can't even</p> <p>12 notice?</p> <p>13 MR. ROSS: Okay. I see there's</p> <p>14 opposition. I'll withdraw that part from my</p> <p>15 motion. Just that we revoke the prior</p> <p>16 authorization to install the fence --</p> <p>17 MR. CHESNEY: Yes.</p> <p>18 MR. ROSS: -- until we have complete and</p> <p>19 accurate information.</p> <p>20 CHAIRMAN RAGUSA: Doug, how long is this</p> <p>21 fence?</p> <p>22 MR. MAYS: How long is it?</p> <p>23 CHAIRMAN RAGUSA: Yes.</p> <p>24 MR. MAYS: From here to that wall.</p> <p>25 CHAIRMAN RAGUSA: I'm going to vote</p> |

1 against it, because I'm going to -- if it
 2 doesn't carry, I'm going to make a motion that
 3 we just install a fence with no gate using CDD
 4 funds to do it. That's how you resolve this.
 5 It's our land. There's been a
 6 reasonable request to limit egress and
 7 movement through that property. It made sense
 8 to us. We're not talking a lot of money.
 9 Staff can do it ourselves. Correct?
 10 MS. WHYTE: Uh-huh.
 11 MR. MAYS: It's a tough one, but --
 12 because there's a piece that hangs over the
 13 water they need to install, so --
 14 CHAIRMAN RAGUSA: I don't know that
 15 we're setting -- I don't know that we're
 16 setting a huge precedent on spending money,
 17 but I think this is a better way of resolving
 18 it, because once you announce to these
 19 residents what we're going to do, then they're
 20 going to have to come up with some kind of a
 21 compromise. I think you're going to force
 22 their hand, but --
 23 MR. ROSS: Just to respond to that, I
 24 know we're discussing a motion not yet made --
 25 CHAIRMAN RAGUSA: Yes.

1 MR. ROSS: -- but your comments
 2 illustrate my difficulty. It appears you have
 3 greater facts than I do or maybe I've just not
 4 paid attention as closely as you have. I
 5 don't understand why we would be taking action
 6 that's going to adversely impact our residents
 7 unless the greater good exceeds the adverse
 8 impact.
 9 And I just -- that's what I mean by I
 10 don't feel like I have complete and accurate
 11 information. I don't feel like the initial
 12 presentation we were told, or at least I didn't
 13 understand, the next-door neighbor would be
 14 adversely impacted.
 15 MR. CHESNEY: I mean, I'm going to add
 16 to that, is that, I mean, we're definitely
 17 taking sides then, because there's one guy who
 18 wants a gate and one guy doesn't want a gate.
 19 Okay? And, I mean, we haven't had a gate
 20 there before.
 21 I don't know about you. I don't -- I,
 22 mean, so people walk through there. Have we
 23 had any other complaints besides these two --
 24 MR. ZEIGLER: They're cutting through
 25 their yards. They have to cut through those

1 two neighbors' yards in order to exit out onto
 2 to Linebaugh, so they're going out and
 3 jogging. I mean, I think that's an issue by
 4 itself.
 5 MS. WHYTE: (Inaudible)
 6 MR. CHESNEY: I mean, are we going to
 7 allow gates? Because, if so, I get probably,
 8 during the school year -- I don't know -- 800
 9 kids a week cutting through my yard. I would
 10 love to have a CDD gate extend down to the
 11 water.
 12 I'm just saying reasonably -- and I can
 13 tell you I have a lot more people cutting
 14 through my yard than whoever this guy is.
 15 I mean, I literally -- that's not an
 16 exaggeration, 800 people in a week.
 17 CHAIRMAN RAGUSA: Wow. Let me just go
 18 back to my perspective on this. I thought we
 19 had a well-presented scenario when we decided
 20 as a board to go ahead and either approve a
 21 fence or landscaping the first time, because
 22 we felt the need to prevent traffic flow going
 23 through that area.
 24 I guess I always knew in the back of my
 25 mind some neighbor -- I think we were told

1 that the neighbor uses it.
 2 MS. WHYTE: Uh-huh.
 3 CHAIRMAN RAGUSA: So I guess when I
 4 voted to approve that, I knew I was taking a
 5 side. And my concern is -- and I said it real
 6 quickly in response to your motion was that we
 7 have picked a side, because, candidly, the
 8 neighbor who doesn't want any type of a
 9 barrier will never reach an agreement with the
 10 guy who does; and so, therefore, just by
 11 holding in this position, under our mind-set
 12 here will never put a barrier up, so the one
 13 has won by doing that.
 14 MR. CHESNEY: Okay. We can go back to
 15 my original idea and say, "Look, you can have
 16 your fence and he can have a gate," and then
 17 we're done with it.
 18 MR. ROSS: That's my point, Mark. I'm
 19 not saying you're wrong. I'm just saying I
 20 don't remember that being a consideration,
 21 that we were picking this neighbor's right to
 22 not have people walking behind his house
 23 versus somebody else's right to walk on
 24 district land.
 25 I just didn't -- for some reason didn't

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| <p style="text-align: right;">Page 109</p> <p>1 process that. And shame on me for not 2 processing it. I didn't take it that way, and 3 so I didn't take it that I was picking sides. 4 And so my suggestion to revoke it is not 5 to say we couldn't make the same motion to 6 reapprove it next month, but rather it's 7 coming from my position of I feel like I'm 8 missing something here. I don't have the 9 whole story. 10 It's a little bit shocking to me, 11 because the reality is that the neighbor who 12 wants to install the fence, they can put a 13 fence around their yard. I mean, if it's 14 their property, they go to the HOA and they 15 get approval. That's not really what their 16 issue is. 17 Their issue, it sounds like to me, is 18 people walking on district land beyond their 19 property line, and that's what they want to 20 stop. 21 MR. CHESNEY: Although it is limited on 22 the back, if it's on a lake, you're not 23 allowed to put it all the way down your 24 property line. 25 MR. ROSS: But you can still square</p> | <p style="text-align: right;">Page 111</p> <p>1 CHAIRMAN RAGUSA: Anybody have input? 2 (No response.) 3 CHAIRMAN RAGUSA: All right. All in 4 favor of the motion please raise your hand. 5 (Board members signify in the 6 affirmative.) 7 CHAIRMAN RAGUSA: That motion passes. 8 Mr. Zeigler opposed. It was four to one. 9 (Motion passes.) 10 CHAIRMAN RAGUSA: Mr. Ross. 11 MR. ROSS: To your request or suggestion 12 to staff, can we have that on next month's 13 agenda, and can we have maybe some digitals so 14 I can make sure I'm not screwing things up in 15 my memory? 16 CHAIRMAN RAGUSA: That was going to be a 17 comment. 18 MR. CHESNEY: I want a visual -- 19 CHAIRMAN RAGUSA: When we have these 20 types of issues come up, take a quick digital 21 picture and send them to us. Here's a macro 22 view, and then give us a micro view of what 23 we're looking at. 24 And I know sometimes you guys provide us 25 with maps and draw the lines, but it's easier</p> |
| <p style="text-align: right;">Page 110</p> <p>1 off -- 2 MR. CHESNEY: It has to be halfway -- 3 you can square off part of your backyard, 4 yeah, because I actually did that for a while. 5 CHAIRMAN RAGUSA: All right. You guys 6 done. You convinced me. I'm going to vote in 7 favor of your motion. I want staff to send a 8 message that this issue is going to come up 9 next month. 10 MR. MAYS: That it's what? 11 CHAIRMAN RAGUSA: It's going to come up 12 next month and these two homeowners need to 13 reach an agreement amongst themselves. 14 Mr. Argus. 15 MR. ARGUS: And I was about to support 16 the way you were thinking only in 17 modification. We just pay the \$15 for the 18 gate and let the guy put his fence up. Be 19 done with the issue. 20 MS. McCORMICK: He won't pay for -- 21 MR. ARGUS: Huh? 22 CHAIRMAN RAGUSA: I like Mr. Ross' 23 mediator perspective. 24 MR. ARGUS: Okay. All right. 25 MR. ROSS: I call the question.</p> | <p style="text-align: right;">Page 112</p> <p>1 if we can see shrubbery without trying to find 2 it ourselves. That will shall help a lot. 3 MR. MAYS: Okay. 4 CHAIRMAN RAGUSA: Mr. Argus. 5 MR. ARGUS: Just to follow up on one of 6 the comments I heard during this discussion, 7 if I remember correctly, at least one of the 8 two parties involved has some plantings on our 9 property? 10 CHAIRMAN RAGUSA: Yes. 11 MR. ARGUS: If so, we need to take the 12 same action against -- with those plantings as 13 we did with Glenfield -- the Glenfield 14 resident. 15 CHAIRMAN RAGUSA: I believe that's 16 accurate. 17 MR. ARGUS: Okay. 18 MS. McCORMICK: Do you want me to send a 19 letter to them? 20 MR. CHESNEY: Why don't we just have 21 Doug go over there and -- 22 MR. MAYS: I'll address it with the 23 person, if you want -- 24 MS. McCORMICK: Okay. 25 MR. MAYS: -- so save the letter, so --</p> |

1 because I've got to have a conversation with
2 him now about this, so --

3 CHAIRMAN RAGUSA: Okay.

4 MS. McCORMICK: I just realized I do
5 have -- this is the picture that the guy
6 brought.
7 So I have one more thing that just came
8 up this afternoon, that Sonny indicated that
9 Sheriff Gundersen had said that the traffic
10 control jurisdiction agreement is coming up
11 for renewal, and I think that -- in looking at
12 my notes, I think that it's only for the
13 Greens, that their agreement is up for renewal
14 in September, and then the one for Harbor
15 Links is probably --

16 MS. WHYTE: January, I believe.

17 MS. McCORMICK: -- in March or something
18 like that, but I thought maybe the board would
19 want to go ahead and authorize the renewals,
20 the agreements -- the two agreements in the
21 same form so that we can get them -- because
22 they will have to go back to the board of
23 county commissioners so we can get that
24 moving.

25 MR. CHESNEY: So move.

1 MR. ARGUS: And who's their attorney?

2 MS. McCORMICK: His name is Web Melton
3 with Bush Ross.

4 MR. ARGUS: Okay. Thank you.

5 MR. CHESNEY: Can I just -- I hate to
6 ask, because I know it's just going to cause
7 something to happen, but, I mean, how come we
8 only have agreements for Greens and Harbor
9 Links?

10 I remember doing them, but, I mean, we
11 have other communities, like the Enclaves, I
12 mean.

13 MS. WHYTE: We don't own the roads in
14 the Enclaves.

15 MR. ARGUS: Stonebridge.

16 MS. WHYTE: Stonebridge has --

17 MR. CHESNEY: What about Stonebridge?

18 MS. WHYTE: There's no speeding.

19 There's only 66 homes.

20 MS. McCORMICK: It's to control the
21 traffic behind the gates.

22 MR. CHESNEY: All right. Well, yeah,
23 I know. I'm just curious, I guess. There is
24 no speeding --

25 MR. ARGUS: So would we need one for the

1 MR. ARGUS: Second.

2 CHAIRMAN RAGUSA: Any further
3 discussion?

4 (No response.)

5 CHAIRMAN RAGUSA: All in favor please
6 raise your hand.

7 (All board members signify in the
8 affirmative.)

9 CHAIRMAN RAGUSA: That motion passes
10 five to nothing.

11 (Motion passes.)

12 MS. McCORMICK: And that's all I've got.

13 CHAIRMAN RAGUSA: Okay.

14 MR. ARGUS: A question.

15 MS. McCORMICK: Yes.

16 MR. ARGUS: Enclave Roads, where do we
17 stands on that?

18 MS. McCORMICK: We have not really made
19 any progress. I've sent an email to the
20 attorney for the association saying that they
21 based on the last couple of conversations I've
22 had with them, I need to know whether or not
23 they want to convey the roads to the CDD or
24 whether they want to take over payment for the
25 street lights, so I'll just keep --

1 alleyways in West Park Village?

2 MR. CHESNEY: No, because they're not
3 gated. Well --

4 MS. McCORMICK: Yeah.

5 MR. ARGUS: No.

6 MR. CHESNEY: I see what you're saying.

7 MR. ARGUS: It's private property.

8 MR. CHESNEY: I couldn't understand why
9 we had to go in the first place, that's all.
10 I didn't mean to -- I just --

11 CHAIRMAN RAGUSA: Okay. Anything else,
12 Counsel?

13 MS. McCORMICK: No. Thank you.

14 CHAIRMAN RAGUSA: Field manager's
15 report.

16 MR. MAYS: As we discussed before the
17 meeting, we've got a resident in the community
18 of Bennington that has brought a request.
19 There's six -- you know the street trees
20 that are along that area? This is a county
21 easement.

22 The street trees that are in there
23 belong to the homeowners, but through the
24 years, hurricanes, dead trees, stuff like
25 that, there are six trees in that entire

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| <p style="text-align: right;">Page 117</p> <p>1 community that never -- no trees ever got 2 replanted in those locations.</p> <p>3 I have a request from a resident to see 4 if the CDD will authorize the putting back of 5 six trees. My conversations with her were the 6 reasons that I have in support of even putting 7 new trees in those areas is because of the 8 issues we've had with driveway, sidewalks, 9 plumbing, with the type of trees that were put 10 in there in the beginning, the oaks, the Drake 11 elms, these type of trees, the sycamores, that 12 are causing damages to people's -- problems 13 anyway, their driveways and all -- and the 14 sidewalks that the county's had to deal with 15 because of these type of trees.</p> <p>16 Three of the six houses I looked at, 17 they have a large tree in their front yard. 18 If you put a tree, you got a tree hanging over 19 the top of it anyway.</p> <p>20 MR. CHESNEY: Yeah. Well, I just -- I'm 21 a little -- once again, I hate to bring up 22 something that a long, long time ago we had 23 this issue, because, you know, we had the 24 issues of whether or not we were going to trim 25 them --</p> | <p style="text-align: right;">Page 119</p> <p>1 problems.</p> <p>2 I did mention that if there was one tree 3 that we would put in, it would be like a sabal 4 palm, because palm trees -- their roots don't 5 obstruct sidewalks.</p> <p>6 MR. CHESNEY: So you want to put in a 7 different tree. That's the only problem, it 8 would be different.</p> <p>9 MR. MAYS: That's the thing, they're 10 different.</p> <p>11 MR. CHESNEY: I don't think you can --</p> <p>12 MR. MAYS: There are probably a few palm 13 trees along there already in that area, so 14 there are some palms that people have took out 15 -- they're Drake elms -- before I even came 16 here and put in, for instance, a couple of 17 Washingtonians. There's a few of those in 18 that area.</p> <p>19 MR. CHESNEY: The guidelines we had set, 20 though, are set by the developer originally on 21 what trees go on the street trees, so we 22 always just match it.</p> <p>23 MR. MAYS: Right.</p> <p>24 MR. CHESNEY: Okay.</p> <p>25 MR. MAYS: Well, that community doesn't</p> |
| <p style="text-align: right;">Page 118</p> <p>1 MR. MAYS: Right.</p> <p>2 MR. CHESNEY: -- which we trim them now.</p> <p>3 MR. MAYS: Right.</p> <p>4 MR. CHESNEY: I'm pretty sure at that 5 time -- and I know we can change things -- we 6 had decided if we're trimming, it we'll 7 replace it.</p> <p>8 MR. MAYS: Right.</p> <p>9 MR. CHESNEY: Okay.</p> <p>10 MR. MAYS: In some -- we will replace 11 it. That's why I'm bringing it to you all's 12 attention. We will replace it.</p> <p>13 MR. CHESNEY: But you don't want to.</p> <p>14 MR. MAYS: Certain areas I don't think 15 we should --</p> <p>16 MR. CHESNEY: Okay. Well --</p> <p>17 MR. MAYS: -- because we're getting a 18 lot of requests for -- for instance, the worst 19 ones are like around street lights, and you 20 get a request for -- and we now have a safety 21 issue because that tree has grown so big and 22 they planted them right around the lights, so 23 I'm trying to let this resident know that by 24 putting a tree back in there, it's going 25 obstruct that light and cause future</p> | <p style="text-align: right;">Page 120</p> <p>1 have similar trees at all. They have three 2 different species along that road between 3 oaks, Drake elms, and palm trees. Like I say, 4 there are some palm trees there, too.</p> <p>5 So I don't think we're really changing 6 the look of that. But I tried to tell the 7 residents that, you know, because of certain 8 issues that we've had, we need to be careful 9 about replanting those type of trees.</p> <p>10 And she still -- she doesn't have 11 problem with the oak -- I mean, the palm 12 trees. I just didn't want to make a decision 13 on putting trees back in areas without you 14 guys knowing about it. I know we've talked 15 about replacing when trees have died, which we 16 have done that.</p> <p>17 MR. CHESNEY: I understand what you're 18 saying.</p> <p>19 CHAIRMAN RAGUSA: Mr. Ross.</p> <p>20 MR. ROSS: I actually support your 21 approach in that we have enough evidence that 22 the wrong kind of trees were installed in 23 certain areas. We've got a claim every year 24 for somebody who trips over a sidewalk that's 25 now exploding because of the roots</p> |

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| <p style="text-align: right;">Page 121</p> <p>1 underneath. So I applaud your approach. Why</p> <p>2 install something that's going to be an unsafe</p> <p>3 condition?</p> <p>4 The flip side of it is, though, they</p> <p>5 should be allowed to have some sort of</p> <p>6 replacement landscaping item. I believe the</p> <p>7 HOA has updated their guidelines, and there</p> <p>8 may be additional plant material beyond</p> <p>9 whatever the original developer approved for</p> <p>10 trees.</p> <p>11 And so it may be beneficial to have</p> <p>12 staff, the homeowner get with the HOA, see if</p> <p>13 there are some options that nobody realized</p> <p>14 was available. I actually think the palm idea</p> <p>15 is a good idea. I don't want to jam it down</p> <p>16 the resident's throat. I think we can come up</p> <p>17 a solution that is consistent with everybody's</p> <p>18 objectives.</p> <p>19 MR. MAYS: Well, the one resident that</p> <p>20 was home when I was checking each address, he</p> <p>21 didn't -- he voiced his concern having that</p> <p>22 type of tree put back also, and when I</p> <p>23 mentioned palm trees, he said, "I wouldn't</p> <p>24 have a problem with that."</p> <p>25 MR. CHESNEY: But I think the thing is</p> | <p style="text-align: right;">Page 123</p> <p>1 little bit, because they're the ones that are</p> <p>2 a little bit more particular.</p> <p>3 MS. WHYTE: I'll check --</p> <p>4 MR. MAYS: That's why I said just -- I</p> <p>5 would want to knock on each homeowner's door</p> <p>6 that's missing their tree anyway and explain</p> <p>7 the situation, explain what's going on.</p> <p>8 And if I got the positive result from</p> <p>9 the one gentleman, I probably would get a</p> <p>10 positive from two or three other ones, which</p> <p>11 that would probably appease the residents,</p> <p>12 that we have done at least four out of the six</p> <p>13 -- three out of the six. You know what I</p> <p>14 mean?</p> <p>15 So we've got majority of them replaced,</p> <p>16 which would probably make her happy anyway,</p> <p>17 so --</p> <p>18 CHAIRMAN RAGUSA: Do we own these</p> <p>19 trees?</p> <p>20 MR. MAYS: No.</p> <p>21 MR. CHESNEY: No.</p> <p>22 CHAIRMAN RAGUSA: Do we own the land</p> <p>23 between the sidewalk and the road?</p> <p>24 MR. MAYS: No.</p> <p>25 MR. CHESNEY: No. We just had this</p> |
| <p style="text-align: right;">Page 122</p> <p>1 you just need to get -- make sure you don't</p> <p>2 peeve off the HOA, because they're pretty</p> <p>3 strict on --</p> <p>4 MR. ROSS: And it's -- I know there are</p> <p>5 guidelines on lots of things, like color</p> <p>6 palette. I'd be surprised they haven't done</p> <p>7 it with landscape material.</p> <p>8 MR. CHESNEY: Right.</p> <p>9 MS. WHYTE: Street trees are not on the</p> <p>10 HOA's list of --</p> <p>11 MR. ROSS: Oh.</p> <p>12 MS. WHYTE: -- because they are not --</p> <p>13 they only govern what's on the homeowner's</p> <p>14 property, not what's on the easement, because</p> <p>15 that's basically --</p> <p>16 MR. CHESNEY: Yeah, but you want</p> <p>17 something that will match it out. I guess</p> <p>18 that's my --</p> <p>19 MR. ROSS: Yeah, they should actually</p> <p>20 take it up.</p> <p>21 MR. CHESNEY: I guess that's my --</p> <p>22 I would be -- quite frankly, you can plant</p> <p>23 whatever you want there at your discretion.</p> <p>24 But if -- I would think that as a board you</p> <p>25 should at least garner the input of the HOA a</p> | <p style="text-align: right;">Page 124</p> <p>1 conversation. You and I, at the time, we</p> <p>2 agreed that if we trim it, we'll replace it.</p> <p>3 MR. MAYS: Yeah. Kind of falls under</p> <p>4 the tree program, so --</p> <p>5 MR. CHESNEY: Yeah, we'll replace it.</p> <p>6 MS. WHYTE: I just checked. They only</p> <p>7 govern what's on the homeowner's property.</p> <p>8 MR. CHESNEY: And they'll all get</p> <p>9 replaced, because I know there's some that you</p> <p>10 took down that they didn't get replaced.</p> <p>11 MR. MAYS: Yeah.</p> <p>12 MR. CHESNEY: And it gets expensive. I</p> <p>13 mean --</p> <p>14 CHAIRMAN RAGUSA: I don't know why we're</p> <p>15 paying to replace trees.</p> <p>16 MR. CHESNEY: For the beauty of</p> <p>17 Westchase, the value of Westchase as a whole.</p> <p>18 CHAIRMAN RAGUSA: That's (inaudible) and</p> <p>19 they get to sue.</p> <p>20 MR. CHESNEY: We put the trees in in the</p> <p>21 first place.</p> <p>22 CHAIRMAN RAGUSA: No, we didn't.</p> <p>23 MR. CHESNEY: We're going to -- see,</p> <p>24 we're going to rehash the same conversation we</p> <p>25 had ten years ago.</p> |

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| <p style="text-align: right;">Page 125</p> <p>1 CHAIRMAN RAGUSA: We did not. The</p> <p>2 developer put the trees in.</p> <p>3 MR. CHESNEY: Okay.</p> <p>4 CHAIRMAN RAGUSA: All right. What's the</p> <p>5 consensus?</p> <p>6 MR. CHESNEY: Let Doug do what he wants.</p> <p>7 MR. MAYS: Sorry. Sorry I brought it</p> <p>8 up. Yeah.</p> <p>9 Let's see. We're going to need to</p> <p>10 replace one of the canopies in Baybridge</p> <p>11 Park. It's one of the original ones -- well,</p> <p>12 out of the four we have in the whole</p> <p>13 community, we've had to replace one of them</p> <p>14 already from wear and tear and a little bit of</p> <p>15 vandalism issues.</p> <p>16 We've been repairing them for years.</p> <p>17 This one now is starting to show dry rot, rips</p> <p>18 in it, so we need to replace that one. The</p> <p>19 cost is \$3200, so --</p> <p>20 MR. CHESNEY: Get it in this year.</p> <p>21 MR. MAYS: I would like to -- I would</p> <p>22 like to change that now, because it's just</p> <p>23 getting worse. We get a windy day, it's just</p> <p>24 going to, you know, start ripping even worse,</p> <p>25 so --</p> | <p style="text-align: right;">Page 127</p> <p>1 MR. ROSS: My suggestion is Whole Foods</p> <p>2 coordinate the next movie night the HOA</p> <p>3 sponsors.</p> <p>4 MS. WHYTE: They want to do this as soon</p> <p>5 as possible. That was my first thing. I</p> <p>6 actually even sent it to Debbie.</p> <p>7 MR. CHESNEY: I agree. I think this is</p> <p>8 the most that Brian and I have ever agreed</p> <p>9 together in a meeting.</p> <p>10 MR. ARGUS: Or the Great West Chase might</p> <p>11 be a good time for it, too.</p> <p>12 MR. CHESNEY: Yeah, the Great West</p> <p>13 Chase --</p> <p>14 MS. WHYTE: The Great West Chase --</p> <p>15 MR. CHESNEY: -- that would be a good</p> <p>16 one, too, the Great West Chase.</p> <p>17 CHAIRMAN RAGUSA: The Great West Chase,</p> <p>18 the foot race?</p> <p>19 MR. ARGUS: The WOW's --</p> <p>20 MS. WHYTE: The WOW's -- oh, I'm sorry.</p> <p>21 I just now -- it's not until October.</p> <p>22 MR. BARRETT: The one that's been using</p> <p>23 your park for 13 years.</p> <p>24 MS. WHYTE: The one in October. But I</p> <p>25 think she was looking to do something now.</p> |
| <p style="text-align: right;">Page 126</p> <p>1 CHAIRMAN RAGUSA: Yes.</p> <p>2 MR. MAYS: -- I think we need to replace</p> <p>3 that now. I just wanted to let you guys know</p> <p>4 that.</p> <p>5 And I think Sonny has a request from a</p> <p>6 resident -- something about Whole Foods, that</p> <p>7 she has all the information on.</p> <p>8 MS. WHYTE: I put it on the field office</p> <p>9 report. Whole Foods requested -- they're new</p> <p>10 to the community. They're up on Dale Mabry.</p> <p>11 They would like to come by, preferably in a</p> <p>12 park area, and just hand out food.</p> <p>13 I did make it clear that usually the</p> <p>14 board has -- you know, it would be up to your</p> <p>15 discretion.</p> <p>16 MR. CHESNEY: They're not making a</p> <p>17 profit. They're getting creative.</p> <p>18 MS. WHYTE: I understand it's just</p> <p>19 snacks.</p> <p>20 MR. MAYS: Didn't know if this was</p> <p>21 something that you guys -- in the past, you</p> <p>22 know, when people are trying to bring in --</p> <p>23 give you something to benefit their business,</p> <p>24 you guys have turned it down, but --</p> <p>25 CHAIRMAN RAGUSA: Mr. Ross.</p> | <p style="text-align: right;">Page 128</p> <p>1 And, like I said, I suggested movie</p> <p>2 night. I think that would be appropriate and</p> <p>3 perfect.</p> <p>4 MR. CHESNEY: Well, I guess.</p> <p>5 MS. WHYTE: Okay.</p> <p>6 MR. CHESNEY: I like the Great West</p> <p>7 Chase.</p> <p>8 MS. WHYTE: Then I can do that in</p> <p>9 relation to the movies or the run.</p> <p>10 MR. CHESNEY: Well, give away stuff --</p> <p>11 MS. WHYTE: That's all I have. Do I</p> <p>12 have anything else on the list?</p> <p>13 MR. MAYS: No, that's all we have</p> <p>14 really.</p> <p>15 MR. ARGUS: The other thing on your</p> <p>16 report was the splash park. Do we want to</p> <p>17 talk about the information we received on</p> <p>18 that?</p> <p>19 MR. CHESNEY: I didn't understand.</p> <p>20 There's so many different prices on there.</p> <p>21 CHAIRMAN RAGUSA: I don't get it either.</p> <p>22 MS. WHYTE: Basically you had asked us</p> <p>23 to us come back because of the two options.</p> <p>24 MR. MAYS: One guy said fifty, the other</p> <p>25 guy said two hundred twenty four.</p> |

1 MS. WHYTE: Again, you wanted some sort
2 of an idea. There was one in there for under
3 a hundred thousand.

4 MR. CHESNEY: One seventy eight.

5 WHYTE: Yeah, well, that was -- I mean,
6 he's was just sending -- I mean, he's in
7 Naples. He hasn't even seen our park. I sent
8 him pictures. So if you wanted pricing, you
9 wanted ideas of whether or not you wanted to
10 turn the actuating fountain back into an
11 actuating fountain or into a splash park.

12 I received another one today, but like
13 he said, this company, which is the same
14 company that does cascade fountains that we're
15 hiring to do the Cavendish pond, he felt he
16 could do it, but then he came back, as my
17 email said this afternoon, that it would be a
18 project he couldn't handle, but he would
19 recommend somebody. So, I mean, there's one
20 in there for 93,000. There's -- you know, I
21 mean, it depends on what you want.

22 CHAIRMAN RAGUSA: Why don't we put that
23 on next month's budget -- or next month's
24 agenda?

25 MR. CHESNEY: Yeah, I agree.

1 modified to fit our existing --

2 CHAIRMAN RAGUSA: Correct.

3 MR. CHESNEY: The first guy with all the
4 funny features that didn't look right cost
5 less.

6 MS. WHYTE: But we can go back and fine-
7 tune it now, if you want us to explore the
8 idea of an actuating fountain.

9 CHAIRMAN RAGUSA: Okay. Anything else?

10 MR. MAYS: No, sir.

11 CHAIRMAN RAGUSA: Supervisor comments.
12 Mr. Ross.

13 MR. ROSS: Is there any update on the
14 vacant land next to Stonebridge?

15 MS. McCORMICK: I haven't heard
16 anything.

17 CHAIRMAN RAGUSA: I heard nothing.

18 MR. ROSS: Do we know if it's still
19 under contract or whether the buyer's
20 terminated?

21 MS. McCORMICK: I have not heard any --

22 MR. ROSS: How can we find that out?

23 CHAIRMAN RAGUSA: Call the developer.

24 MS. McCORMICK: Yeah.

25 CHAIRMAN RAGUSA: Do you want to do

1 MR. MAYS: Do you want us to keep
2 getting information on it then?

3 CHAIRMAN RAGUSA: Please.

4 MR. MAYS: Okay.

5 MR. CHESNEY: I want you tell me which
6 one you think.

7 MR. MAYS: I told you which one I
8 think.

9 CHAIRMAN RAGUSA: Well, I thought the
10 general consensus was we were not going to go
11 with the major, elaborate --

12 MR. CHESNEY: Right.

13 MR. MAYS: That's what I thought you
14 guys had said, too. That's why we came back
15 with this.

16 MS. WHYTE: Actually --

17 MR. ZEIGLER: It seems like when we
18 simplified, it got more expensive.

19 CHAIRMAN RAGUSA: It definitely did not
20 get cheap.

21 MR. MAYS: No.

22 MS. WHYTE: Well, you -- I mean, if you
23 look at the size of it, it's fairly large.
24 It's obviously not something that's in a
25 shopping mall somewhere. It would have to be

1 that?

2 MS. McCORMICK: Yeah, I can -- I can
3 give him a call and send out an email, just
4 let you know if they have --

5 MR. ROSS: If they canceled the
6 contract, maybe they'd be kind enough to share
7 the purchase price they got it for.

8 MS. McCORMICK: Okay. Anything else?
9 If you think of anything, let me know.

10 MR. CHESNEY: I spoke with Stonebridge's
11 president today. He hadn't heard anything.

12 CHAIRMAN RAGUSA: I have a request that
13 I'm going to ask staff or just so I can -- I'm
14 going to raise it with all of you to make sure
15 no one has an objection.

16 I would like to have access to all of
17 the gated communities in Westchase. I have it
18 to one. If there's an issue with the Greens,
19 I can't get back there. You know, I know
20 people in there, and they'll probably let me
21 in if I go through a list of people as to
22 finding someone who's home.

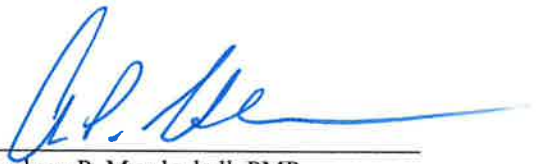
23 I would like to be put on the list to
24 get into the Greens. I don't know that I need
25 a scanner or whatever is on the car, but I

1 would like to be able to get into the gated
 2 communities in Westchase. Whether it's
 3 through a pass code on the key pads, I would
 4 like to be able get in to see them.
 5 There's no reason why any of these
 6 supervisors should be barred from going
 7 anywhere in Westchase.
 8 MR. CHESNEY: Okay.
 9 MR. ARGUS: It makes sense.
 10 MR. MAYS: We can put a code in there
 11 for everything except the Greens that would
 12 say "CDD board members," a CDD board member
 13 code, and give you all a specific code.
 14 We'll figure a number and give it to you all.
 15 MS. WHYTE: Or if you'd like a remote.
 16 MR. MAYS: The Greens, we can just put
 17 you on the list, like you say, the list, and
 18 you just have to through the guard house
 19 and --
 20 MS. WHYTE: Identify yourself.
 21 MR. MAYS: -- identify yourself as a CDD
 22 board member, and we'll let them know it's
 23 part of their post orders also to authorize
 24 CDD board members to go through.
 25 CHAIRMAN RAGUSA: Do you guys share my

1 request?
 2 MR. ARGUS: Yes. Good idea.
 3 MR. ROSS: (Moves head up and down.)
 4 MR. ZEIGLER: (Moves head up and down.)
 5 MS. WHYTE: I'll send you a list.
 6 CHAIRMAN RAGUSA: Thank you. Anything
 7 else, gentlemen?
 8 (No response.)
 9 CHAIRMAN RAGUSA: A motion to adjourn
 10 would be appropriate.
 11 MR. ROSS: So move.
 12 MR. CHESNEY: Second.
 13 CHAIRMAN RAGUSA: All in favor.
 14 (All board members signify in the
 15 affirmative.)
 16 CHAIRMAN RAGUSA: Motion passes five to
 17 nothing.
 18 (The motion passes, and at 6:00 p.m.,
 19 the meeting adjourns.)
 20
 21
 22
 23
 24
 25



Mark Ragusa
 Chairman, Westchase CDD



Andrew P. Mendenhall, PMP
 Secretary, Westchase CDD