

**MINUTES OF MEETING
LAKE ASHTON
COMMUNITY DEVELOPMENT DISTRICT**

The regular meeting of the Board of Supervisors of the Lake Ashton Community Development District was held on Monday, February 11, 2019 at 10:30 a.m. at the Lake Ashton Clubhouse Ballroom, 4141 Ashton Club Drive, Lakes Wales, Florida 33859.

Present and constituting a quorum:

Mike Costello	Chairman
Borden Deane	Vice Chairman
Murray Zacharia	Assistant Secretary
Bob Ference	Assistant Secretary
Robert Plummer	Assistant Secretary

Also present:

Jillian Burns	Governmental Management Services
Marcia Calleja	Governmental Management Services
Andrew d'Adesky	District Counsel
Rey Malave	District Engineer
Matt Fisher	Field Operations Manager
Numerous residents	

FIRST ORDER OF BUSINESS

Roll Call and Pledge of Allegiance

Ms. Burns called the roll, established a quorum, and led the pledge of allegiance.

**SECOND ORDER OF BUSINESS
THIRD ORDER OF BUSINESS**

**Approval of the Meeting Agenda
Public Comment on Specific
Items on the Agenda** *(speakers will fill out a card and submit it to the District Manager prior to the beginning of the meeting)*

Mr. Costello: We are going to open with public comments. I have several requests here. We are going to start with LouJean Steenberg.

Ms. Steenberg: Good morning. LouJean Steenberg, 4196 Dunmore Drive. I want to comment on the amenities alcohol policy. Having worked in the office and rented out this room and been here when we didn't have a restaurant between the Fire and Nini's

coming, I know we had a change in our alcohol policy for the residents that they were able to bring alcohol at any events and I think unfortunately a few of them still think they can do that. That needs to be policed a little bit more. Also for people renting this place we very much try to explain that they need to do all their alcohol purchases through Nini's and I know for a fact that several of them have tried to bring in things, have snuck in things and it is very hard for our security people to police this. I would like to see more of a presence of actual police force that we hire an off-duty police officer to be present especially at events that are hired by outsiders so that they may have some more force with these people to get them to stop this. I know because some of these situations there is actually been damage done in the clubhouse and we have of course refused to return their security deposit because of that. I think this is an issue that really needs to be looked at and given a lot of consideration. Thank you.

Mr. Costello: Thank you for your comment. We have Nancy Ebner from Muirfield Loop.

Ms. Ebner: I am Nancy Ebner from 4151 Muirfield Loop. I am the first house from the clubhouse that backs up to the hedge. We are the only house that hedge backs in that section. I have complained before about the maintenance of the hedge and I have learned since then through Nancy Hevel who has done a lot of background checking and working that Yellowstone has to have a bucket to trim the top of the hedge which doesn't happen often enough. I feel like the hedge needs to be cut down to a maintenance level because it hasn't been maintained properly for years. We sit on our lanai looking at the back of this hedge with vines growing on it. It is ugly. They need to maintain it. I don't want to cut it all the way down but a couple of feet so they can maintain it regularly. That is about all I have to say other than we as residents are expected to maintain our properties. We will be told about it if we don't. I expect the hedge to be maintained.

Mr. Costello: I agree with you and thank you for your comments. Ok we have Nancy Hevel.

Ms. Hevel: That is me again. Good morning. I am Nancy Hevel from 4175 Muirfield Loop just down from Nancy Ebner a bit. I printed off this morning the

Yellowstone landscape proposal for cutting down the hedges that was on the CDD website. There a few pros which maintain it for landscaper height where they don't need to do the bucket. Afternoon sun on the back of houses certain times of the year that would be nice to get some sun and a better view of the golf course since we are paying or did pay for golf course view homes. It would be nice to see the golf course. There are cons. It says there was an unbiased con but I don't know about that. It says to shield golf balls from the houses. We have had two golf balls barely hitting the hedge in the last three years. They have to cross two roads plus a median to even get to our backyard. Also it shields noise and constant traffic from the homes. My husband worked in an auditorium of a high school for 30 years. It was all about sound and lighting, staging and everything else. He has a decibel marker. He went out on our side of the hedge, which is ten foot tall, got the decibel reading for several minutes and then went on the other side of the hedge and did the same thing with traffic. No discernable change. Nothing. No spikes, no nothing. It was still the same. There are holes all in the hedge. You can see daylight through it. It can't be a proper sound barrier. Anyway then it says to block the sight of the homes from the golf course. I know at the last meeting a young lady got up and said she didn't want to look at the back of our homes driving in. That is all you see when you drive in at either gate. You drive in the west gate, back of homes. You drive in the east gate, it is all back of homes. This is all back of homes. You don't see a front of a house until you reach the corner of Berwick or until you pass the Health and Fitness Center. So why are our houses so ugly to look at compared to everybody else's houses in Lake Ashton and everybody else's houses on a golf course? That was another thing to provide privacy. I think that should be up to the resident as to how much privacy they really want, not up to a landscaper. It says to beautify the drive in and out of the property, well if you start with the hedge behind Nancy's house it is like this and then it goes like this, then it goes like this, this and this. It is scraggly. It has sprouts sticking up from it all the time. They don't trim it because they can't climb on a ladder. They have to have a bucket.

Mr. Costello: Time is up. Thank you.

Ms. Hevel: Thank you.

Mr. Costello: Colin Campbell from Muirfield Loop.

Mr. Campbell: Colin Campbell, 4211 Muirfield Loop. I am against trimming the hedge row along Lake Ashton Drive. My wife mistakenly gave my approval of that. I was out of town when Ms. Hevel was going around and canvassing the neighborhood. It does not back up to the golf course. It backs up to Lake Ashton Drive, which backs up to the golf course. This is a public road, which at times is very busy. When the trades come in to do whatever they do, it becomes even busier. As it is a public road, safety becomes an issue. If the hedges are lowered anyone in all of Florida can come into my neighborhood and look into my house. I shudder to think of the consequences of a resident along Muirfield Loop being a victim of a crime. These trades do not get vetted. We have no idea who is coming in on that road. The privacy these hedges provide is priceless. Some people may want people looking into the back of their house, but I don't. It is beyond me why anyone would want anyone looking into their house. And most important, the value of all the houses along Muirfield Loop would be lowered. Try selling a house with a busy highway as your backyard. The only other houses in CDD I with a backyard backing up to a main road is on Thompson Nursery Road. Check out the prices of those homes. Lastly the hedges in the gaps where the palm trees are I would like for them to be raised not lowered. That is all I have to say. Thank you.

Mr. Costello: Thank you for your comments. Ok that is the end of that. We have to go back one though because I forgot the approval of the agenda. Do I have a motion?

Mr. Deane: Motion.

On MOTION by Mr. Deane seconded by Mr. Plummer with all in favor the meeting agenda was approved.

FOURTH ORDER OF BUSINESS

Approval of the Minutes of the Meeting held on January 14, 2019

Mr. Costello: Approval of the Minutes of the Meeting held on January 14, 2019.

Mr. Plummer: I have a correction, page 8, the discussion about the drainage on Dunmore, down here you have a Mr. Muller. That was a Mr. Wallner.

Ms. Burns: Thank you.

Mr. Deane: That goes through the whole thing.

Mr. Plummer: Yes.

Mr. Costello: Do we have any other corrections or additions?

Mr. Deane: Motion to approve the minutes as corrected.

Mr. Ference: Second.

Mr. Costello: Motion by Mr. Deane seconded by Mr. Ference. All those in favor?

On MOTION by Mr. Deane seconded by Mr. Ference with all in favor the Minutes of the January 14, 2019 Meeting with corrections was approved.

FIFTH ORDER OF BUSINESS

Engineer's Report

Mr. Costello: Engineer's report.

Mr. Malave: Good morning. Just a few things. One, you all probably have noticed the parking on the west side of the community center has been paved. We came to a consensus and agreement with the contractor on where the areas that were the most needed. He basically concluded with us that he would fix it. He was going to repave the entire roadway driving surface area. There are a couple areas, that work is all complete and we are satisfied with the paving work that has been done now. We do have a year warranty on their work in case we have any other complaints or concerns in the near future. We don't foresee any, but we should have that in our back pocket. They also paved Waterford, the area that was dug up where the new pipe was put in. I also looked at that and am satisfied with that work and a few other areas that he threw in there for us. We are very grateful to the fact that he did not charge us for those. We will continue to work with him the best we can with any of the other work that we have. The Dunmore drainage issue, we have contacted three additional contractors who are willing to give us prices and do the work. We are coming up with a couple other alternatives to get the prices at the same time so that we can give ourselves options on trying to reduce the cost there also separating the landscaping, the sidewalk, the golf cart as separate prices. We are going to do the prices even though we might not do that work at least we will know

what it costs. In addition, we are looking at the option of maybe going with the replacing of the existing pipe with a bigger pipe and see what that cost is. If we are going to be digging that whole area out and it is going to cost the same, one bigger pipe is better than trying to have those two pipes in there. We are trying to get the prices on that so that we can come up with alternatives that we can say here is what they are. We expect to bring that back at the next Board meeting so that we can go over those and see what prices we can get. Now having four contractors will give us some good competition and we should see what the prices come in at.

Mr. Costello: I like the idea that we are going to have competitive bidding because that usually does bring prices down. I had a phone call over the weekend by one of the prior members of this Board who told me that there is a pipe that goes from the retention pond where this is flowing out to the main lake and that they have had a problem with it before where it was simply vegetation that was growing at the end of the pipe. Is there any truth to this? I have no reason to disbelieve them.

Mr. Malave: That was a concern about seven or eight years ago that occurred. That was cleaned. We do not see an issue between the two. It is really hard to review with the lake levels as high as they both are on both sides. If you noticed that pond behind the lots, which is number 19, goes to another lake. There is a little golf cart bridge or something like that, that is the actual control structure. That goes into another wet area and that wet area is the one that goes into Lake Ashton. There are a lot of things that can happen in there. I think we can easily do a quick look at that.

Mr. Costello: I'm just thinking it's a lot cheaper to clear vegetation than do this.

Mr. Malave: The analysis that was done by the prior engineer and our office concluded that the problem is the additional drainage area that drains to that street. The two inlets that are on Dunmore cannot handle the quantity of water that drains to that point during large storms. Because of that it requires adding more inlets and getting a bigger pipe to the pond to at least get it off the street. That is a clean analysis.

Mr. Costello: You have the education in this area. One of the things that I would like to see though is as you get the estimates from the different companies if you could

get it over to us as quickly as possible so that we could review exactly what they are looking at doing, what the cost is going to be and more or less have time in order to take a better look at what is going on. This is going to be an expensive project. Like I said I would like to bring it in as cheaply as possible.

Mr. Malave: We will bring that back a week or two before the next Board meeting.

Mr. Costello: Thank you.

Mr. Zacharia: Rey, I have been asked by a resident who is retired road engineer with DOT a simple question, but I haven't been able to answer him. Have the inlets and the pipes been videoed or whatever it is you do to see whether or not they are clear?

Mr. Malave: We have cleaned them at one point. That was one of the things that was done quite a while back. When you look at the manhole located at the corner of that property before you make the 90 degree turn, if you were to follow the golf cart sidewalk alongside that house and make a 90 degree turn behind those lots, there is a manhole there. We have looked at that structure and you can tell when during the low season it has been cleaned and water has been flowing very well. We do not see any issues of there being any obstructions. Now one of the things that we can add to our bid is for them to TV it as we have done on previous jobs that we have done in the beginning so that we can use that as a way of saying yes we are good. Again, based on the analysis that we have done even with the pipes totally clean, we believe the inlets do not have the capacity for the quantity of water that gets to that intersection. That is really the main problem.

Mr. Costello: I realize that and it doesn't happen all that often, but there are times when we have severe rainstorms and quite honestly I know of one instance where two people had to replace their cars due to the fact that they attempted to drive through the water and as they are driving through the water, they are pushing the water up this person's driveway into the house. I saw it happen. Nobody should have to live in that manner worrying about a torrential downpour. Do you have anything else?

Mr. Malave: That is all I have. Thank you again.

Mr. Costello: Anybody have any other questions? Ok, we will see you next month.

Mr. Malave: Thank you much.

SIXTH ORDER OF BUSINESS

Unfinished Business

A. Consideration of Quote to Replace Quarterly Planted Annuals with Permanent Plants

Mr. Costello: Unfinished Business. Consideration of Quote to Replace Quarterly Planting Annuals with Permanent Plants. We have some pictures here from Yellowstone.

Ms. Burns: Do you want me to go over it?

Mr. Costello: Sure.

Ms. Burns: There is a quote in your agenda package. This is a follow up on an item discussed previously, the amount being spent to replace the annual flowers. Christine or Matt reached out to Yellowstone to get a quote to replace with perennial peanut that is in your package. It is \$12,988.10. That is a one-time cost. I did speak to Christine. She sent an email regarding this. We are reaching out to Yellowstone to get warranty information. A couple of options if we do decide we want to go ahead and not do the annuals and go ahead and replace them with something. Just a plant that could stay in place and not have to be replaced on a quarterly basis. Given the cost of over \$12,000 we can get additional quotes and bring them back to the next meeting if you want to look into other vendors but then the warranty information because Yellowstone, if the one maintaining those, we might be better off going with them. Also, she said that if perhaps we want to look at changing the annual schedule so they are replaced two to three times a year instead of the four, then that is also an option. I think Matt has some additional information.

Mr. Fisher: As you see there is different options in there. On our drive through we talked about putting in peanut which may not be the direction we want to go. It was the first idea. It is a ground cover. It's the same cost for a one gallon plant which there is a variety. Al Goldstein mentioned we can get with some gardeners that are volunteers Diane Taylor, and Barbara Cassidy. We can get ideas from them as well. Whatever direction the Board wants to take. Those are what visuals we had. It is an initial cost of \$12,900. That would be the upfront cost but if we decide to go for a more permanent plant it would be a \$12,000 savings on the current contract with Yellowstone yearly.

Mr. Costello: In other words we spend \$12,000 to save \$12,000 the first year and then after that we would be riding pretty much free and clear.

Mr. Fisher: Exactly.

Mr. Costello: Sounds like a bargain to me.

Mr. Fisher: It would be \$1,000 a month savings off the contract which would equal \$12,000 yearly with a permanent plant.

Mr. Costello: You are saying that there are different plants.

Mr. Fisher: They are all one price for a one gallon plant. It doesn't matter what it is.

Mr. Deane: They could be mixed and matched.

Mr. Fisher: Exactly. At the entrance to the community there is a couple of beds there and out front of the clubhouse. We can mix and match, whatever the Board would like. We would be more than happy to do that.

Mr. Costello: Before you leave, the hedges have you spoken to them at all on that?

Mr. Fisher: Spoken to Yellowstone? Yes, we have spoken to Yellowstone about the hedges.

Mr. Costello: What I am talking about it is, is it detrimental to cutting them down.

Mr. Fisher: It won't kill the plant if that is what you are asking. His opinions were listed in that email. My opinion, I don't have the bias either way. It depends on what each one of your viewpoints are. It won't kill the plant if that is your question is what Chris informed me.

Mr. Deane: Matt, his proposal is to cut four feet off, will that change if we change it to just cut two feet off?

Mr. Fisher: It won't change the price of the \$2,000 because they have to bring the machinery out. They can't just use a hedge trimmer. They have to bring chain saws and cleanup so that is \$2,000 to cut it at whichever height the Board decides.

Mr. Ference: Before we go there did we decide whether we are going to do the one-time permanent planting?

Ms. Burns: That is on the agenda later.

Mr. Ference: Did we decide that?

Ms. Burns: No. Let's do that. The hedges are on later.

Mr. Costello: That is my fault.

Mr. Ference: Let's resolve that issue before we move onto the hedges.

Mr. d'Adesky: Is that a motion?

Mr. Ference: Yes I would like to see us decide that we are going to do this one time for \$12,988.10. The variety of plants, are you going to allow or should we allow Yellowstone to do that because they have a better idea of what variety etc.?

Ms. Burns: Let Matt.

Mr. Fisher: We have the option to go to other vendors and landscapers and bring back competitive prices. It doesn't have to be Yellowstone that does that. We got with Yellowstone just to get an initial price on the savings.

Mr. d'Adesky: So you can do a not-to-exceed and then competitive price it out and try to get under that.

Mr. Deane: I don't think we should do it. I think we wait to get competitive prices. Someone may come in and do it for \$5,000 or \$6,000. Wait till we get the bids and then make a decision not make a decision at this time.

Ms. Burns: Do we want to have Matt instruct Yellowstone not to do the next annual if it is scheduled between now and the next meeting? Then we can bring competitive bids back to the March meeting.

Mr. Ference: Yes.

Mr. Zacharia: I had occasion this past week to attend the CDD II meeting where this same subject came up, not the hedges but the annual plantings. I don't think anybody else from CDD I was there at the time. The conclusion they reached is something I would like to share with you all. Someone other than me thinks it is a good idea then I would encourage you to offer it up as a motion, but what was decided for CDD II specific to the annual or the quarterly replacement of pretty flowers along the buildings and entrance ways was that staff in the form of Mary Bosman and anyone else, there were some master gardeners there just as we have master gardeners who live in Lake Wales. They were going to investigate other possibilities. They are also concerned that it be a plan that not

just looks at the pretty flower beds but also looks at the more permanent plantings and hedges such as those that go around the entry drive here and those that go up and down the driveways, that there be a site plan developed on what we are talking about replacing when, where and at what cost. Is that correct on what they decided to do?

Ms. Burns: Yes, they were going to investigate it further and bring back options.

Mr. Zacharia: I will ask the question as I do with so many subjects, are there any advantages or disadvantages to CDD I and CDD II approaching this subject together?

Mr. Costello: I don't know of any. Let's face it, strength in numbers. I think that we could do it, but in the meantime if Matt was to go out and investigate other prices.

Ms. Burns: I think the price given to both Districts was a price per plant. I think you are looking at you have a certain amount of plants and they have a certain amount of plants we are paying per plant so I don't know that there would necessarily be an advantage to bidding it together.

Mr. Plummer: Is Yellowstone bidding that one as well? So it is the same company. What you are asking is to do it community-wide instead of east and west?

Mr. Zacharia: I am asking whether or not there is any advantage or disadvantage to using the same one, two or three pretty flowers on the entranceways, Thompson Nursery and 653, in front of the clubhouse and the HFC and any other place pretty flowers are going. The same thing with the hedges. We have been talking about replacing those hedges along the entrance drive. I am not sure where we are with that but they have about used their usable life. Same situation as along Ashton Drive. They are talking about the same thing over there. I don't know whether again Mary and our Community Director should get together with anybody else that cares to join in as we have done with the amenity policy and as we have done with other things and ask them to tackle this particular subject together.

Mr. d'Adesky: I think that is something that can be accomplished with discussion between Mary Bosman, the Community Director here, and Matt. They can just get together to make sure it is cohesive and it is getting into one aesthetic image. I don't think it needs something practically like a joint bid. I don't think that is called for in this case.

Mr. Zacharia: Do we need further action?

Ms. Burns: If we are just bringing back additional costs to the next meeting it is fine. We will put it on the March agenda.

B. Discussion and Clarification of Amenity Facility Alcohol Policy

Mr. Deane: I would like to speak to this. The alcohol license for Lake Ashton is very specific, it includes this building, the patio and the pool area only. That is what the alcohol license includes. I would like to speak to having a replacement for the guards for this building. Have it done by off-duty police officers who wouldn't be in uniform, who would have arrest power, who would have a radio if they needed additional help all they have to do is get on the radio. This past weekend the affair that went on in this building was horrible. There were kids running everywhere. At the end of the day when the hall was cleaned up there was over three cases of empty cans of beer picked up. Nini's does not sell canned beer. It was brought in by the people in the party. There was also almost a case of empty tequila bottles picked up. The people at Nini's went to look for the guards and they were nowhere to be found. We get charged for two guards for watching this hall, but one of them was acting as a rover through the development. I believe this is ridiculous. I do not believe that we should use our security company to guard this building for outside affairs. The cost differential is only \$5.00 an hour. We get \$1,700 to rent this hall. If we have to have two guards for five hours that is \$50 that we wouldn't collect on the rental fee that would come out of the rental fee instead of the guard fee because we are only charging \$25 an hour for guards. The police officer costs \$30 an hour. I had a long conversation at this week's meeting in Lake Wales with the Chief of Police and he will guarantee us having off-duty police officers as many as needed for any affair and the cost is \$30 per hour. That is a difference of \$5.00 an hour from the cost of the guards. I believe it is something we have to do to stop people from bringing alcohol illegally into this building. I would like to make that as a proposal.

Mr. Costello: I agree with you. We have people who are security guards who quite honestly don't have the authority that they should have to be doing this job in here.

Sooner or later something is going to happen. They are going to end up unfortunately having their license suspended. We are going to end up in a lawsuit and whoever brought the liquor in we are going to ask them to join us in the lawsuit. Quite honestly if you want to continue that practice be prepared. We are not going to shoulder it on our own. One of the proposals that I made to Christine was or one of the things that I told her I would like to see is on every ticket for every affair it will say on the back of the ticket do not bring any alcohol into the building or you will be asked to leave. Period. This is a state law. This isn't our law but we have to abide by it and sooner or later somebody is going to say the wrong thing to the wrong person and we are going to end up with more aggravation than we need. I agree with you wholeheartedly that we need police officers in this building.

Ms. Burns: Christine has already revised it. The previous language on there said no outside food and beverages. She has clarified it to specifically state you can't bring alcohol and circulated that draft to everybody last night around midnight. That has already been taken care of on all the forms going forward.

Mr. Costello: Another thing that maybe our attorney can answer this question is in the contracts can we put in there if anybody is seen bringing outside alcohol into the building they will forfeit the entire deposit?

Mr. d'Adesky: We could absolutely write that in.

Mr. Costello: Maybe that would be an initiative where people think twice and they will tell people.

Mr. d'Adesky: I want to make one comment because I know we did receive an email on this issue as well and there has been some public comment in the past that has been of the opinion that you should be able to bring alcohol in the clubhouse. It is not an issue of opinion. Like Supervisor Costello and Supervisor Deane have stated, it is an issue of law. We cannot have other people bringing alcohol in this building. That is going to violate their liquor license and it is going to end up like you said with legal issues.

Mr. Costello: I can't blame them. God forbid they do get their license suspended. Quite honestly that is their livelihood. They are going to look to be reimbursed in some

way shape or form. We are going to be the party that is going to reimburse them. I think we have to make it very evident that if you bring alcohol into this building from outside of Nini's let the buyer beware.

Mr. Ference: Let's go back to what Borden suggested in replacing this security staff already with retired, not retired but off-duty?

Mr. Deane: Active police officers.

Mr. Ference: I beg your pardon. I think that is a great idea regardless of how we spell out on tickets and contracts etc. etc. I do think that a presence will enhance the safety and the security of this building so if that requires a motion that we replace the security that we have with the Lake Wales Police Department then I make that motion.

Mr. d'Adesky: Is there a second?

Mr. Deane: Yes.

Mr. Costello: Well actually Borden had made the proposal.

Mr. Ference: Then I make the second.

Mr. Costello: We had a discussion with the motion that was on the floor. Murray did you have something on this?

Mr. Zacharia: Yes. The subject of alcohol consumption ownership has been discussed by the work group charged with joint amenity policy revision on numerous occasions. I heard all of which you said about Nini's license. I understand that, but that still leaves open a number of questions that we need to have answered for purposes of the amenity policy and for our own knowledge. I don't know whether you want to discuss that now under discussion and clarification of amenity facility alcohol policy?

Mr. d'Adesky: Are there a lot of them?

Mr. Zacharia: I have handed out a discussion document and I think we can quickly answer a lot of the questions. Bottom line, the top half of what you have basically gives us a history of where we have been in our discussion. We have a number of things we need to do looking forward, one is that the Supervisors, all of you and the Supervisors in CDD II have been asked for comments and suggestions as have the community directors. There is seven definitions in the document which we looked at several times and in a

recent review of the inter-local agreement trying to find the answers to another question. I have come to realize that the definitions in our amenity policy and the definitions used in our interlocal agreement and rule #3 rules about using stuff aren't exactly the same. I am going to try to make them the same. There is a question on accounting for the money that comes in if we have any nonresident users, which there have been none since 2002. It needs to be addressed if we have a joint policy. If someone pays \$2,400 to use our pool, bowling alley etc. where does the money go?

Mr. d'Adesky: To that CDD.

Mr. Costello: Right now we are getting a little bit off. This is something that next week we are probably going to address.

Mr. Zacharia: The group was hoping to have a joint response prepared for next week. If we don't want to talk about it that is fine.

Mr. d'Adesky: On that specific issue I will reassure you that is kind of like waiting for Santa Claus because of all of the CDDs that we currently represent, we have not had a single person pay the nonresident user fee in any District. It is highly unlikely.

Mr. Zacharia: The last thing on the list is clarification of alcohol related statements to ensure compliance with both the law and our contract.

Mr. Costello: I agree with you but the thing is we are talking about quite honestly they don't have a liquor license in their building and we do. We are the ones right now that are in jeopardy if it continues. Sooner or later we are going to end up with a problem so I would rather end the problem before it begins.

Mr. Zacharia: I don't appreciate being cut off before I was finished.

Mr. Costello: I am not trying to cut you off. I am trying to say that you are going into the joint amenity policy. We realize that you worked on it and we appreciate it, but by the same token right now we are getting away from where we should be because we are looking at what is happening in this building. We are looking at how we are going to control this with either police.

Mr. Zacharia: You just said this building. Last Friday this entire community received an email through the blast that said Nini's at Lake Ashton holds the liquor

license to serve and sell alcoholic beverages at the clubhouse which means no alcoholic beverages can be brought into the clubhouse and surrounding outdoor amenity. Can the Tuesday afternoon golf group which sets up in the pavilion every Tuesday afternoon bring beer cans? Can the bocce ball players drink beer and wine? Wine goes well with bocce. Can the shuffleboard players bring their Crown Royal and the list goes on. I understand the address. This document published last Friday says surrounding outdoor amenities. To me those three or four places I just mentioned are surrounding outdoor amenities. If they are not just tell me they are not.

Mr. d'Adesky: Murray, you can always feel free to contact us to ask these questions because some of them are a little bit case-by-case, but Borden has had extensive conversations with us.

Mr. Deane: The only areas that apply to the liquor license are this building, the patio, and the pool. It does not pertain to the bocce ball court, to the pavilion, to the BBQ area, to the shuffleboard areas, to the tennis courts. It only pertains to in this building, the patio, and the pool. That is directly from the liquor board.

Mr. Zacharia: Thank you. I have heard that before and I repeated it, but we have seen evidence in writing of other interpretations, which has confused the joint amenities work group. We are just trying to get it straightened out. There is also in the document something that says that the amenity manager can make exceptions to the requirement that all alcohol brought into and served in the building be from meetings and it goes on to say that is potluck, bingo events and private functions held by patrons.

Mr. Deane: Not true, cannot.

Mr. Zacharia: That has been in the policies for years. I understand you are saying it is not true, well remove it.

Ms. Burns: The reason that was in there, my understanding is because when there was no restaurant that was the policy because there wasn't the issue of the liquor license on the building. So while there was no restaurant open that was the policy.

Mr. d'Adesky: Also generally we like to give the amenities manager discretion even if they don't end up exercising that discretion.

Mr. Costello: From what Mr. Deane is saying, they have the right to exercise it once we have a current active license in the building.

Mr. Zacharia: That statement about the amenity manager should be expunged.

Ms. Burns: Correct.

Mr. Zacharia: We have an annual event attended by 200 people, it is called the Thanksgiving potluck where we are encouraged to bring a bottle of wine for Thanksgiving. That is now a no-no, correct?

Mr. Deane: You cannot do any alcohol in this building unless it is purchased from Nini's. Period. That is the law.

Mr. Zacharia: Regardless of whether Nini's is open during those hours or not?

Mr. Deane: That is correct.

Mr. d'Adesky: We haven't looked into this, but it is possible that there is a corkage fee that they could charge if you bring your own wine.

Mr. Costello: Quite honestly, I realize what you are saying and I know that on New Year's Eve we had a problem. Due to the fact that, I talked to Sandy and asked if there was any way to hire somebody who will work these and she told me that she is going to look to get somebody so that when events come up they can work with them.

Mr. Plummer: What I eventually was going to say is back to the original question for a vote, but I was going to make one remark in regards to it as far as law enforcement being present in this facility during any type of event. The first thing that we have not talked about is the fact that our security people are not trained to deal with the issues that we talked about here as far as security of the building when it comes to physical issues. If you have law enforcement here that issue will be taken care of. If you have intoxicated people here they are trained to take care of those and alleviate those problems which will cause you the larger liability in the long run. My belief is that having law enforcement here for those outside events to enforce those laws because that is what they are going to do and our security people cannot enforce those laws. It is a wise decision. I'd like to call for a vote on the question in regards to the law enforcement at the events.

Mr. Costello: One other thing that you have to look at also is right now we may be eating \$10 an hour on it but for any event that is booked from this day on we will pass the expense onto the renter.

Ms. Burns: Just to clarify one thing. If we are raising the security fee that has to be done through a public hearing. At this point we can hire the security, the District can eat the \$5 an hour out of that \$1,700 as Borden had expressed. When we want to do a public hearing to increase that fee from \$25 to \$30 it is a wash because the people who are renting will be able to take care of that fee. If you want to start that as a requirement going forward we can.

Mr. Costello: We have a motion on the floor right now so what we will do is we will pass that motion then move on. Then the second part of it, where we are going to increase the fee for security? We have a motion and a second. All those in favor?

On MOTION by Mr. Deane seconded by Mr. Ference with all in favor proposal to hire Lakes Wales Police Department to replace security guards at all outside events held at the clubhouse was approved.

Mr. Costello: I will make a motion that we amend the fees.

Ms. Burns: No. It has be advertised, a public hearing. I think we can wait until we have other fees that maybe discussed as part of the joint amenity policies. The point of my discussion was that if you wanted to require the police now we can do that and the District is out the \$5 an hour which is a not a huge expense.

Mr. Deane: The size has already been set. Up to 150 people there is one officer and over 150 is two officers and over 200 is three and that is already set in the policy with the charges. The extra charges that would be given to us from the security company. Like this event on Saturday they charged us for 12 ¼ hours, which we paid for which the renter paid for. It is part of his contract in the rental.

Mr. Zacharia: The same size tiers which apply now would apply to officers from Lake Wales.

Mr. Deane: Right, exactly.

Ms. Burns: We have already reached out to the Lake Wales Police Department, but they require a minimum of two if alcohol is served no matter the size of the party.

Mr. Deane: The fees we have to change in the future but at the present time I think we should eat the fee. Instead of getting \$17,000 we will end up with \$1,650. I don't think it is going to make any difference in our income but it sure will make a hell of a difference in our liability protection and everything else pertaining to alcohol.

Mr. Costello: Do you have anything else, Murray, at this time?

Mr. Zacharia: No, I think the discussion and attorney and staff clarification on the alcohol will go a long way towards us concluding our assignment.

Mr. Costello: In reality this is not our decision, this is the State of Florida and quite honestly we have to abide by the law. We can't be a sanctuary CDD.

SEVENTH ORDER OF BUSINESS New Business and Supervisor Requests

A. Consideration of Copier Lease Renewal

Mr. Costello: New business and Supervisor Requests. Consideration of Copier Lease Renewal.

Ms. Burns: The lease on the current copier is up. Under this we will save \$15 a month and get a new copier. The current payment is \$180 something a month and this payment is \$162.50.

Mr. Deane: Motion to approve the new copier and lease agreement.

Mr. Zacharia: Second.

Mr. Costello: Motion by Mr. Deane and a second from Mr. Zacharia. All in favor?

On MOTION by Mr. Deane seconded by Mr. Zacharia with all in favor the copier lease agreement for \$162.50 per month was approved.

B. Consideration of Facility Agreement with City of Lake Wales to Use Clubhouse as a Polling Place

Mr. Costello: Consideration of the Facility Agreement with the City of Lake Wales to Use Clubhouse as Polling Place.

Mr. Zacharia: I would like to move that we adopt the proposed contract that was in our agenda package for the upcoming April 2019 City elections.

Mr. Plummer: Second.

On MOTION by Mr. Zacharia seconded by Mr. Plummer with all in favor the facility agreement with the City of Lake Wales to use clubhouse as polling place was approved.

C. Consideration of Fitness Center Prevention Maintenance Quotes

Mr. Costello: Consideration of Fitness Center Preventative Maintenance Quotes.

Ms. Burns: There are two quotes here. One is for Fitness Services of Florida. The amount is \$216.04 per visit. The additional visits are \$100 a visit and labor is billed at \$65 an hour. There is a quote from Fitness Smith which is \$185 per visit with the extra visits at \$25 an hour. The labor fee is \$55 an hour. The Fitness Smith proposal is for quarterly maintenance but they can do every other month as well for the same price if we wanted to do that. We currently use Fitness Services of Florida for the preventative maintenance but we have also used Fitness Smith for equipment purchases as recently as 2018. Both of the contracts have a 30 day termination. Staff, this is from Christine, is comfortable with either provider. If you are looking for a recommendation the Fitness Smith is less. If we want to try the quarterly maintenance we could save some money there. If we needed to add back in to have them come every other month we could do that. The Fitness Smith would save us a little bit of money.

Mr. Deane: I make a motion to accept the Fitness Smith quarterly proposal.

Mr. Ference: Second.

Mr. Costello: I have a motion from Mr. Deane seconded by Mr. Ference. All those in favor?

On MOTION by Mr. Deane seconded by Mr. Ference with all in favor the Fitness Smith quarterly proposal was approved.

EIGHTH ORDER OF BUSINESS

Monthly Reports

A. Attorney

Mr. Costello: Moving onto monthly reports. Attorney.

Mr. d'Adesky: My other comments on the facilities agreement that is updated as pursuant to my comments. Obviously bringing the policies we will review those once that shapes up. Does anybody have any questions for me on the government issues?

B. Community Director

1) Monthly Report

2) Consideration of Quotes for Outdoor Furniture

Mr. Costello: Community Director.

Ms. Burns: I am actually going to give Christine's report today. Marcia is here and I am sure many of you have seen her around a few days a week filling in for Christine while she is out. The community director's report is in your package if anybody has any questions I would be glad to answer them. Just a couple things to point out. The joint resident feedback survey was sent out electronically on Friday, February 1st. There is hard copies available at either activity desks and as of February 3rd approximately 142 surveys have been submitted. Christine and Borden met with Nini's on the lease compliance audit. There are a couple of things that are outstanding. Nini's is aware of them so we are waiting to get those but just wanted to keep you updated on that. We are going to follow-up with them and make sure that they are compliant with the issues in their lease. Other than that unless anybody has any questions on the community director's report, we have a quote for outdoor furniture included as well as a memo. Outdoor furniture was approved as a capital improvement project for fiscal year 2019. The amount budgeted was \$5,000. There are quotes here for three benches. One of the benches being installed would be at the entrance to assist with pickup and the other one would be at the tennis courts. There is a quote from Belson Outdoors for \$3,067.18 for three benches. This quote includes the shipping and handling charges. There is a quote from Keystone Rich Designs for \$3,044 for the three benches. It does not include shipping. We haven't received their shipping quote at this time. The quote received from the Park Facilities catalog is \$3,206.02. It includes shipping and handling charges. The low quote here is from Belson Outdoors. You will see there is photos included as well of the design of the benches.

Mr. Ference: Well all this being equal I think the Belson quote is all inclusive handling, etc. etc. so I would make the recommendation that we accept that quote for three benches \$3,067.18.

Mr. Zacharia: Second.

Mr. Costello: We have a motion and a second. All those in favor.

On MOTION by Mr. Ference seconded by Mr. Zacharia with all in favor proposal from Belson Outdoors in the amount of \$3,067.18 for three benches was approved.

Mr. Costello: Do you have anything on the pump?

Ms. Burns: That is under Matt's report.

C. Field Operations Manager

1) Monthly Report

2) Consideration of Hedge Height on Lake Ashton Boulevard

3) Consideration of Quotes to Replace the Pump on the Entrance Fountain

Mr. Fisher: Good morning. In your agenda package is my report. Any questions I would be happy to answer. Some other items is the pump that you were asking, Mike, we have three quotes for the pump to the fountain off Thompson Nursery Road. That pump has been shortening out causing that water not to flow through the spouts tripping the breaker. We need a new one. That one is at its end of life. Kincaid came in the cheapest, 1 horsepower submersible pump. Spies was a little high.

Mr. Ference: You have worked with all of them before?

Mr. Fisher: We have. Each one is fantastic so I would just go with the cheapest.

Mr. Ference: So be it. I suggest your recommendation we go with the cheapest submersible pump.

Mr. Zacharia: Second.

Mr. Ference: The name of it again is?

Mr. Fisher: Kincaid.

Mr. Costello: Kincaid, they did the lighting on the Boulevard didn't they?

Mr. Fisher: They did replace all the up lighting. If you noticed they put the two lighting on the building, it looks great. They are a great company.

Mr. Costello: We have a motion on the floor. All in favor.

On MOTION by Mr. Ference seconded by Mr. Zacharia with all in favor the proposal from Kincaid Electrical to replace the submersible fountain pump was approved.

Mr. Costello: Anything else?

Mr. Fisher: Yes, sir. We want to wrap up the hedge issue.

Mr. Costello: That would be a good idea.

Mr. Fisher: The Board has all the information in front of you. It is up to you guys what you want to do with that.

Mr. Costello: Any comments?

Mr. Zacharia: Just again clarification. The report we received talks about cropping four feet off the top of the hedge. I am assuming four feet from the ground where the trunk of the hedge comes out and it sets up on the berm.

Mr. Fisher: That is four feet from the top down.

Mr. Zacharia: Would that then take it to six feet from the top down?

Mr. Fisher: In essence in certain areas yes. That land that the podocarpus sits on is not even. It is hilly. We walked it at the peak of the edge from the naked eyes when they trim seems level. It would be from the top down four feet off.

Mr. Zacharia: Am I to understand that if there is a quote of \$2,000 to take four feet off the top?

Mr. Fisher: You don't have to do four feet. You can do whatever the Board wants.

Mr. Zacharia: I am just saying we have a quote that says that is what it costs to cut four feet off the top of the hedge. Are we now paying \$2,000 each time Yellowstone comes in to trim the hedge.

Mr. Fisher: That is a good question. This is a one-time fee to the tree service they use Butch's Briggs. Yellowstone can help them maintain the shrub at that height on a normal occurrence. In the same breath Yellowstone absorbs the cost from Briggs to have them trim the top when they are out to trim the palms on the Boulevard which is a \$500 fee. There was some confusion there that the CDD covered that cost but Chris informed

me that they absorb that cost to alleviate their crew from having to get on ladders on that uneven land. I didn't want you to think that the community paid for that service where Yellowstone absorbed that to maintain it at that current height.

Mr. Zacharia: So going forward forget who is paying for what. If we left the height of the hedge the way that it is but the CDD maintained it through whoever Briggs, Yellowstone or whatever, what would it cost the CDD to maintain that hedge and how often would the hedge be maintained.

Mr. Fisher: To maintain that hedge right now is worked into the contract. That is the sides of the hedge. The side on the road and the side on the resident's houses. I have heard some deficiencies that I can deal with the Supervisor and have it done more often. Now the tops that is done when Briggs comes out and trims the palms on the Boulevard. That is \$500 twice a year that Yellowstone absorbs that cost. They pay it so their employees don't have to do it and risk falling off the ladders. It is twice a year that way. Outlined in the opinions from Chris was that if it is cut down they can trim it more often. Their crew can.

Mr. Deane: How long is it going to take for the bushes to get tops on them again if you cut four feet off of them? It will look kind of scraggly.

Mr. Fisher: As outlined in the opinions from Chris it looked like chopped shrubs, like a buzz cut.

Mr. Costello: The big question is taking the four feet off the shrubs they are saying that they are not going to damage the shrubs and are they going to take responsibility, should we start losing a lot of those shrubs? I think we got the answer right there.

Mr. Fisher: It happens to them.

Mr. Costello: It just seems to me that you are taking a considerable amount of, you are almost cutting them in half for God's sake. Quite honestly I find it hard to believe that it is not going to have a detrimental effect on the shrubs.

Ms. Burns: No motion? Nobody wants to approve it?

Mr. Costello: Do we want to move forward with this right now at this time? Does anybody have any further comment?

Mr. Deane: The only comment I have is we have a comment from a resident that it is not being maintained. We have to do something about that immediately.

Mr. Fisher: This was addressed last month and actually they are being maintained. I will walk them with Chris tomorrow or Wednesday. The sides should be done every time the Boulevard is trimmed. I will be on top of that more.

Mr. Deane: I am sure the resident will show you.

Mr. Fisher: Feel free. If there is anything being neglected, feel free, I am always here. I know Mike had some concerns awhile back about the shrubs on the Boulevard.

Mr. Costello: A while back you could ride in here and look like the place was abandoned. It looked terrible. They were not doing their job period. They were collecting a check every month or whatever but it did look terrible pulling in here.

Mr. Fisher: It looks good now.

Mr. Costello: It has looked a lot better.

Mr. Fisher: Whatever direction the Board wants to take I am on board with. I will definitely make sure those hedges are maintained on the sides.

Mr. Zacharia: For clarification we have no height requirements on those particular hedges. They could go to 25 feet if they would withstand that.

Mr. Fisher: I am not sure. I don't have the answer to that.

Mr. Zacharia: There is a six foot hedge height for every homeowner in Lake Ashton.

Ms. Burns: That doesn't apply to the CDD.

Mr. Costello: Ok does anybody want to make any action or any further questions?

Mr. Zacharia: I think what we are struggling with is what height.

Mr. Costello: I believe you are right and as usual we have different opinions. We have different opinions from different residents. Some want them high. Some want them low. We have to make the decision though. Do we make the decision to bring it down? There will be eventually some savings by us bringing them down in height.

Mr. Fisher: There won't be no.

Mr. Costello: They are still going to have to bring in a bucket?

Mr. Deane: No they won't have to.

Mr. Fisher: Yellowstone pays that. We don't pay to have a bucket.

Ms. Burns: It will save Yellowstone money.

Mr. Costello: If they are paying it I guarantee we are paying it somewhere along the line. It just isn't listed on the bill.

Mr. Zacharia: My concern is that we are not going to do anything and then we are going to continue to have no specifications for the maintenance of those podocarpus hedges going down Lake Ashton Boulevard. We talked about six feet. We talked about ten feet. We talked about a whole bunch of numbers none of which is in any document that presents standards and specifications for the maintenance of the hedge. I know from years of personal gardening experience, not expertise, that if I cut a hedge twice a year and I don't hat rack it because I don't want it to look like it has been hat racked that eventually a four foot hedge becomes a five foot hedge becomes a six foot hedge and then becomes a 25 foot hedge. We need to if nothing else say something like the hedge must be maintained at a cut trimmed height of ten feet and that the trimming shall be done no less often than X times per year. That would be my suggestion is that we at least develop standards that could be built into whoever's contract.

Mr. Ference: I appreciate exactly what you are saying, Murray, at least it will keep us from hedging on the whole thing.

Mr. Fisher: The current hedge is being trimmed twice a year. I can bring back proposals and I am just letting you guys know what I am being told and what Christine was told that they were absorbing that \$500 cost from Briggs twice a year. Just relaying what I am being told.

Mr. Costello: I fully understand that. The thing being that I would like to see a decision made on this. Are we going to bring it down to seven foot?

Mr. Deane: I make a motion that we cut the hedges to 8 feet. Keep them at 8 feet and maintain them at 8 feet.

Mr. Zacharia: Second.

Mr. Costello: We have a motion from Mr. Deane and a second from Mr. Zacharia. All those in favor.

On MOTION by Mr. Deane seconded by Mr. Zacharia with all in favor the hedge height on Lake Ashton Boulevard be cut down and maintained at eight feet with a cost from Yellowstone for \$2,000 was approved.

Mr. Deane: So we have the \$2,000 cost to bring it down to eight feet.

Mr. Fisher: Eight feet should be sufficient for them to get on a ladder. That takes off almost two feet.

Mr. Costello: Anything else?

Mr. Fisher: That is it. Anything else for me guys? Thank you very much.

Mr. Costello: Thank you.

D. CDD Manager

Ms. Burns: There is a joint meeting scheduled for February 19, 2019 at this location to discuss the outcome of the golf course committees discussion with the seller. If anyone is interested in that they should attend the joint meeting. Other than that I do not have anything to add.

NINTH ORDER OF BUSINESS

Financial Reports

A. Approval of Check Run Summary

B. Combined Balance Sheet

Mr. Costello: Financial reports. Approval of check run summary.

Mr. Deane: Motion to approve check run summary.

Mr. Plummer: Second.

Mr. Costello: I have a motion from Mr. Deane and a second from Mr. Plummer.

All those in favor.

On MOTION by Mr. Deane seconded by Mr. Plummer with all in favor the check run summary was approved.

Mr. Costello: Combined balance sheet. Nothing required on that. Any questions? How about Supervisors requests which isn't on there?

Mr. Zacharia: I do have two items that have been verbally brought to my attention by residents. I had one resident that suggested that the Thompson Nursery entrance

specifically the gate house area is very difficult for him to see when he is eastbound on Thompson Nursery Road. It comes up when you are traveling 45 mph, it comes up rather quickly because of the preserve area whereas when you are westbound you see old Number 11 and the island green and lights and I think there is lights on the fence. He is just suggesting to put a big beam of light on top of the gatehouse. I am not sure if that is a good answer but he is asking for some consideration of additional lighting that would help him see the gatehouse as he approaches Lake Ashton.

Mr. Costello: God forbid we blind somebody and they get into an accident. I hate to say it but I don't want the responsibility of that.

Mr. Deane: I just think you have to watch the way the road changes. I understand it comes up fast and there is a turn lane that is over 200 feet long. I mean it is there.

Mr. d'Adesky: You will have light pollution nuisance issues if you are shooting up a beam of light.

Mr. Zacharia: I don't know if that was the answer. It was readily admitted that during the holiday season when the place was a glow it was not a problem. He wasn't suggesting that we need little twinkle lights in all the trees or bushes all year long but something that would help him find his way home at night when he is eastbound.

Mr. Costello: I don't know what we can do that we wouldn't be accused of taking away from, I mean God forbid there is an accident. They are going to blame us period. I understand because there are times when you come up and it is a lot quicker than what you thought. By the same token anybody have any suggestions? We will take it under consideration and if somebody can come up with an alternative by all means we will look at it. I don't know what we can do that we wouldn't be accused of something.

Mr. d'Adesky: The engineer may have some creative solution for that.

Mr. Zacharia: Second request that I received was from a couple of residents here who have enjoyed going to restaurants in and around Polk County for years where they are invited to have their animal, their dog sit outdoors curbside with them at the restaurant. There are a lot of pet friendly facilities. They have asked whether we could allow dogs on the patio of the restaurant in Lake Ashton.

Mr. Costello: I would not be in favor of that, the reason being is number one, what if some dog bites somebody? Number two, dogs have a habit that wherever they are is their restroom. Number three, I don't even know if that the health laws would allow it.

Mr. d'Adesky: Correct. That is probably the number one issue.

Mr. Costello: I have a dog, I love the dog dearly, but she eats at home. Unless I have something I bring home in a doggy bag for her.

Mr. d'Adesky: Of course the different analysis if it is something required by law. If it is a blind person with a service animal, which is treated differently. Nowadays everybody has an emotional support animal. That is completely different analysis.

Mr. Deane: Also they are not allowed in the clubhouse area. You have to go through the clubhouse area to get to the patio. The answer is no as far as I am concerned.

Mr. Costello: Like I said I have a dog and the dog is with me most of the time when I am home or the dog park. I know that Borden has a dog and we all love our animals dearly but I don't know that there is a place for them at a restaurant. Any other Supervisor requests?

Mr. Deane: I was requested to find out about solar. The only thing that I have to tell the Board at the present time was that I was shocked that our monthly electrical is between \$16,000 and \$18,000. The electric bill for the clubhouse is high \$4,000 to low \$5,000. I don't know where all the other electric bills are coming from. I haven't gotten that information yet but I am going to get them. I am going to get the information on the other electric bills to find out where all the other electric bills are coming from. I am sure this clubhouse is about 30% of our electric bill. If we can find it economically feasible we could probably eliminate that \$5,000 bill a month with solar. If not more but I have to get with the office to find out where the rest of the electric comes from.

Mr. Costello: Some of it is streetlighting.

Ms. Burns: Irrigation.

Mr. Costello: Like you said if we can eliminate \$5,000 a month let's face it everybody would like to have an extra \$60,000 a year to spend. One of the things that I would like to bring up and it is a little bit early in February but April is a month where

we honor volunteers. We have a lot of volunteers here that do a lot of things for us and saying thank you doesn't cost anything. It is kind of like having your hedges with a bucket according to Yellowstone but at the same token I would like to see us start something now through our people that we have, some sort of a day that recognizes the people who do the volunteer work for us. They do a great job. All it has to be is something as simple as just a way of saying thank you. I would like to see our director come through with something that we can thank the people who do so much for us. Maybe at the next meeting we can have something or some suggestions as to maybe a volunteer appreciation day or whatever. These people do a lot of work for us and saying thank you doesn't cost a penny. Just something to think forward to.

TENTH ORDER OF BUSINESS

Public Comments

Mr. Costello: Ok public comments.

Mr. Goldstein: Al Goldstein. I have a problem here. We have a problem here. I made the City of Lake Wales City Commissioner aware of it at the meeting last Tuesday night. Approximately February 1st the City of Lake Wales Water Department came in and dug some holes to get to a pipe. I only have one picture. This hole here is ten inches deep and about a foot wide. Some of them are on the easement for the city and some of them are on the middle of lawns. Last weekend I must have gotten ten phone calls from people that I know because they know I have a big mouth and I go to the meetings. I mentioned to the young lady at the utility department. She absolutely ignored me. She said what do you want, the grass grew up? If you look at the picture that isn't just grass it was dug down. What they need to do is build up that pipe. I made Matt aware of it on Wednesday morning after I met with the city commission. He called the utility department, he is yet to hear from them. What I would like the CDD to do is to instruct our attorney to write the city manager and the city attorney letting them know that possibility of litigation if somebody falls in this hole to protect our residents and ourselves on that. I think it is very important.

Mr. Zacharia: Where is this?

Mr. Goldstein: It is about ten or twelve residents.

Mr. Costello: All they are doing is marking the valves to the hydrants because I have a hydrant right on my property for the mains and all that. Bob you being a firefighter.

Mr. Plummer: What they are doing to locating the shut-off valves.

Mr. Costello: Right in case there is a problem they can isolate the problem and not cut off the water to an entire section.

Mr. Goldstein: I understand that but it has created a problem.

Mr. Costello: I understand that.

Mr. Zacharia: Basically is where it that thing that you took a picture, that hole?

Mr. Goldstein: This is one on Heathland Lane on both corners.

Mr. Costello: Thank you.

Mr. Perez: Pete Perez. I have two issues. Number one is the fact the CDD Board only waiting eight months to fix the problem I had in front of my house and as I said it took eight months although eventually it was fixed. Even though now the street, my section of the street is black and the rest is whatever is natural. Thank you for at least getting it done. I thank Mike for all the help he gave me during that time trying to get out of my driveway. Number two and perhaps because I am old I think you indicated park benches were about \$1,000 a piece am I correct?

Mr. Deane: It is close.

Mr. Perez: I looked up three companies and I put in there heavy duty metal park benches. The most expensive one I saw was \$600. I know you have already approved it but I would like to ask you in the future to do your due diligence before you except prices from people even though in other areas they are much less expensive.

Mr. Deane: What style and size were the benches? They come in different lengths.

Mr. Perez: They were park benches. I will try and find it for you. All I am asking is that you do your due diligence. You may have but that is what I found. Thank you.

Mr. d'Adesky: Just to be clear the price that we quoted included installation and shipping.

Ms. Steenberg: LouJean Steenberg, 4196 Dunmore Drive. Just a follow-up on the conversation with the alcohol and the amenity policy. I would like to see in the amenity policy in case we do not have a restaurant with a liquor license that there is guidance as to how alcohol is brought into this facility and who has the right to approve it and what the rules around it would be. Some of this stems from when the Fire left us and before Nini's came in. I think as long as we are working on the amenities policy that should be as part of it. Thank you.

Mr. Costello: Thank you. I would think that we would cover that by saying that state laws would be followed at all times.

Mr. d'Adesky: We can work on the specific language to carve that out. That is not an issue. That is very easy.

Mr. Deane: If we are renting the facility and somebody is using it they have to have a license operator serving the alcohol. Whereas if it is a community function and you bring it, it is completely different.

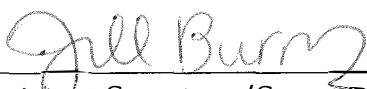
Mr. d'Adesky: Right.

Mr. Costello: Do you have anything else?

ELEVENTH ORDER OF BUSINESS Adjournment

There not being any further business to discuss,

On MOTION by Mr. Ference seconded by Mr. Deane with all in favor the meeting was adjourned.


Assistant Secretary/Secretary


Chairman/Vice Chairman