

**MINUTES OF MEETING  
VILLAGES OF BLOMMINGDALE  
DEVELOPMENT DISTRICT**

The regular meeting of the Board of Supervisors of the Villages of Bloomingdale Community Development District was held on Tuesday, **June 21, 2022** at 9:00 a.m. at the Villages of Bloomingdale Clubhouse, 6301 Valleydale Drive, Riverview, Florida, 33578.

Present and constituting a quorum were:

Jackie Darden	Chairperson
Curtis Brown	Vice Chairman
Dave Moore	Assistant Secretary
Deryll Fox	Assistant Secretary

Also present were:

Jason Greenwood	GMS
John Monahan	GMS
Mike Eckert	District Counsel
Clayton Smith	Field Manager
Luisa Moore	VOB Clubhouse Staff
Resident	

**FIRST ORDER OF BUSINESS**

**Roll Call**

Mr. Greenwood called the meeting to order at 9:00 a.m. and called the roll. All Supervisors were present.

**SECOND ORDER OF BUSINESS**

**Public Comment Period**

Mr. Greenwood asked do we have any public comment at this time? I don't think so.

**THIRD ORDER OF BUSINESS**

**Approval of Minutes from the May 17, 2022 Meeting**

Mr. Greenwood stated next is the approval of the minutes from the May 17, 2022 meeting, which were part of your agenda package. Were there any changes? If none, I'll be looking for a motion to approve.

On MOTION by Mr. Moore seconded by Mr. Brown with all in favor the Minutes from the May 17, 2022 Meeting as presented were approved.

**FOURTH ORDER OF BUSINESS**

**Business Items**

**A. Action Item List**

Mr. Greenwood stated Clayton just circulated that. It was something that we did express during our last meeting that we were going to go over. This is live and up to date as of today. I think it's very important as the agenda goes out a week ahead of time. Clayton, I don't know if you want to take it from here?

Mr. Smith responded yeah, of course. If you want, I can provide you with an update. We try to run through it at the meeting so we're up to date as possible and I don't show up here with a week-old list. We can get into some of these. Regarding the staff hours, it's pretty clear that we have some additional staff starting. Around the cinema, of course, you can look at the Property Appraiser website to see those ownership areas. They do own what looks like two areas around that whole pond, a little strip that's in it and the entire parcel around the theater itself. All of that is a conservation area. It's divided that way. That's the map for that. John spoke with TECO about the timeframe for pole repairs. They are behind.

Mr. Monahan stated yeah, they are very behind. It's not really at the forefront of their to-do-list at the moment, but they are working on it. They said that they are about nine to twelve months out.

Ms. Darden stated wow.

Mr. Smith stated absolutely.

Mr. Monahan stated I would not see that they will be fixed.

Ms. Darden asked really?

Mr. Monahan responded yes.

Ms. Darden asked are you referring to the one up front?

Mr. Monahan responded I'm not sure of the exact location.

Mr. Brown stated we have one right here that was hit by a truck.

Ms. Darden asked wouldn't that be associated with the insurance because that was an accident, right?

Mr. Greenwood responded right.

Mr. Smith stated it was, but it was due to TECO and they are having trouble getting the fiberglass.

Ms. Darden stated okay.

Mr. Smith stated TECO uses fiberglass poles. A lot of companies use concrete poles, but for these residential type areas, TECO uses fiberglass poles and they are really far out getting them. They make them safe by tying them off. They don't exactly know when they are going to get them.

Ms. Darden stated okay.

Mr. Smith stated I have some additional information on the streetlight lease. Basically, we are continuing under the current lease that we discussed a few months ago. The reason is because there is really no significant change to the lease. We can go through some of the pricing. Utility companies are allowed to set their prices. All of that is regulated by the State. For example, you can't just have a power company price gouging one specific group of people. John spoke with them and they gave us some information. Essentially right now, power prices are directly linked to gas prices going up. Normally they don't get increases requested. Typically, they don't get a lot of requests, but at this time, they are getting a lot of requests and they are approving them all because of fuel prices. The power company is trying to compensate for all of the fuel prices.

Mr. Brown asked so that's a way of locking you into a lease?

Mr. Monahan responded they said there is no benefit of signing an agreement. I believe that's directly related to rates going up and possibly going up further because of the gas prices. They just said that there is no real benefit to signing a Lease Agreement. I believe that it's probably more of a benefit from their end, but it's what they chose.

Mr. Brown stated on the last one we had, even if there was an increase, we can lock in the rate.

Mr. Monahan stated I don't believe that they seem to want to lock in anything right now, just because of the times that we are in. Our contact at the Florida Public Service Commission said that there are hearings to argue these rate increases, but he said pretty much everything is going through right now, because of the current situation, obviously, world events. It can be argued, but they're not going to lock in our rate.

Mr. Brown asked is there any advantage to looking into solar?

Mr. Greenwood responded that is a good question.

Mr. Brown stated we would like to have them here at the Clubhouse to try to reduce the cost.

Mr. Greenwood stated right.

Mr. Moore stated I looked into that myself.

Mr. Fox stated being that we are a governmental agency, maybe there is a State or Federal program that would allow us to get into the lower rate. I don't know.

Mr. Smith stated there are options. I have another community through Duke. All of their streetlights are solar. It would be a huge savings for you guys, but the upfront costs, ended up making it about equal if not a little bit more. It will taper off over time as the return over investment (ROI) will be 20 years or so. My understanding is we don't really have a lease. We can always go back to TECO with our needs. I think switching out the lights would be way to get TECO to come out, but I don't think that they are going to take them back for free.

Mr. Greenwood stated yeah. There's a huge cost associated to pick up and remove them.

Mr. Brown stated I know.

Mr. Smith stated I'm not sure.

Mr. Monahan stated they will send me an email about the service.

Mr. Brown stated see what they can do.

Mr. Fox stated there are a ton of solar companies out there.

Mr. Smith asked what are you looking for specifically? Because we use 300-watt solar lights on aluminum poles that are 15.5 feet tall.

Mr. Moore responded to heat the pool.

Mr. Smith stated so it would be for the actual building.

Mr. Moore stated the pool is too cold, but the weather is still warm enough to be in the pool and we can extend that so the community can enjoy the pool year-round and it would save money on electricity.

Mr. Greenwood stated we will certainly look into it for the amenity and hopefully we will have some really good news. I did have a recent District look at solar and I think the ROI was quite significant where they didn't move forward with it. To hit a point with magnitude as well with solar panels, it's going to take a lot, but let's have the numbers in front of us and then the Board can make a decision from there.

Mr. Smith stated I have a couple of other items. The no trespassing signs were installed. Brian is working on the towing placement. Unfortunately, he's not here today. The coping replacement was completed. We had a couple of punch list items for them. They are going to come back and look around. Overall, it came out really well. The pool deck Safety Audit, we did it a while back actually. It is just going around and assessing the trip hazards along the pool deck. We grinded them down. The stormwater needs analysis, we talked about at the last meeting. That's complete. We had TECO come through the building and provide us with an energy audit. They found nothing too specific. John can elaborate on that.

Mr. Monahan stated I met with Blake onsite. He's very informative. He went through the entire building, pool area, air-conditioned area over to the left. No real major changes could be made. Certain items could be changed, honestly, lighting and whatnot for small savings. Obviously, if there is Board direction, I could look more into that going forward and meeting with him and actually instituting them.

Mr. Brown asked do you have any idea why there was a huge swing? Was it to heat the pool?

Mr. Monahan responded he said summer months are obviously a bit higher and there were two rate increases; one in October and one in January. They were both around 7% to 8%.

Mr. Greenwood stated there was that, but also, we had a new air conditioning unit installed. So, now that is running a lot more efficiently. Does that help compensate the raising of the fee, obviously with the increases of 14% to 16%. Over time hopefully we're going to continue monitoring these. We do that internally to make sure with the swing because, Curtis, you are correct, there was a big swing in the rates, but increases and an inefficient working AC unit were contributing factors to that. So, that was finished. I just wanted to touch on another point. For the towing, we entered into an agreement with Target Towing. We did enlighten the Chair that we did move forward with Target Towing. Your prior vendor, unfortunately, I guess there was a couple of instances where they were involved in an accident, but then it was also the insurance minimum requirement that the District requires. They haven't provided that policy to us. I know that we're at a CDD meeting, but Target Towing asked if the HOA would be interested in towing. I don't know if that's something that the HOA wants to. I know that there are HOA representatives in the room.

Mr. Brown stated we will listen to any HOA business. I believe we had a towing company in the past.

Mr. Greenwood stated right. I just wanted to bring to light, that we have towing at the amenity, which is great.

Mr. Moore asked has the contract been signed?

Mr. Greenwood responded yes.

Mr. Moore asked is Amenity Center staff providing the contact information?

Mr. Greenwood responded it's on the sign that is outside the amenity, but I can provide that. That's not a problem.

Mr. Moore stated yeah. I would think staff would need that.

Mr. Greenwood stated most importantly, yes.

Mr. Moore stated I'm okay with that.

Mr. Greenwood stated we've asked for them to be active in this area. However, if there is a call and a vehicle needs to be removed, they are probably going to be here a lot quicker. But we can ask them to be very diligent at the Amenity Center. Alright. Clayton, did you have anything else?

Mr. Smith responded yes. We talked about the road repairs a while ago. I have a proposal for a company that worked with the HOA. It's a safety issue. There are spots that hold water on Harbordale. They are going to fix it for free after I told them that it was on HOA property.

Mr. Fox stated they are eager to get more of our business. They have been more responsive than any other company.

Mr. Moore asked is there anything that they are going to do on HOA property?

Mr. Fox responded I don't know if that's an issue simply because its written.

Mr. Smith stated I think what the CDD should do is to approve the work on CDD roads and see what process the HOA follows.

Mr. Fox stated just reach out to me.

Mr. Smith stated yeah.

Mr. Moore stated I just want to make sure that the process is streamlined and we not approving work on property that we don't own.

*\*Due to background noise, portions of Mr. Smith's comments could not be understood by the transcriber.*

Mr. Brown asked did we previously approve the improvements?

Mr. Smith responded you previously approved it, but it took forever to schedule it.

Mr. Brown stated this is not a Miami curb size of the road. They are just extending the asphalt out.

Mr. Smith stated correct.

Mr. Brown stated and center it with a Miami curb.

Mr. Smith stated I assume that they are putting in a little turnaround spot.

On MOTION by Mr. Brown seconded by Mr. Fox with all in favor the proposal from Azzereleli to repair spots that hold water on Harbordale in the amount of \$3,900 was approved.

Mr. Smith stated the next one that I want to discuss is a proposal to remove a Sabal Palm in the amount of \$600.

Mr. Greenwood asked who is doing that work? Is that Prince?

Mr. Smith responded Prince & Son. Yes. Prince is still working on a proposal for the sod.

Mr. Greenwood stated alright. So, we need a motion to approve the Prince & Son proposal in the amount of \$600 for the Sabal Palm removal.

On MOTION by Mr. Fox seconded by Mr. Moore with all in favor the proposal from Prince & Son for the removal of a Sabal Palm in the amount of \$600 was approved.

Mr. Brown stated we have a couple that need to be removed.

Mr. Smith stated there is one over here, a small one, but that's the only one. All of the other ones were an additional cost to remove.

Mr. Moore asked didn't we reach out to Fitness Logic to get an ETA for them to come and look at the elliptical? We had Fitness Logic in here for years. I suggest that we try to narrow down an ETA from them. They are located quite a ways from here.

Mr. Greenwood stated let me check with Brian to see where he is with that request. This isn't the first time. I know that the District has been very loyal to them. I'll see if Brian can get us an answer before the end of this meeting. Alright?

Mr. Moore responded thanks.

Mr. Greenwood stated okay. Is that it?

Mr. Smith responded that's all I had unless there are any questions. I don't have an update on the porter services.

Mr. Greenwood stated there's nothing more on the porter services. We asked them what days and who they are contracting out here. It's in process. Hopefully I'll have more by the next meeting. I haven't received a response on it yet.

Mr. Fox asked from Rainmaker?

Mr. Greenwood responded yes. There were a couple of emails, but I want to follow up with them. Alright. So, that finishes up the Action Items List. I think this is very useful and a great implemented plan. It shows you all the items that currently have.

Ms. Darden stated right.

Mr. Greenwood stated I think that's the transparency that you were looking for. Right, Jackie?

Ms. Darden responded yes.

Mr. Greenwood stated awesome.

Mr. Fox stated its very beneficial.

**B. Public Hearings**

Mr. Greenwood stated alright, moving into our next item, we have the public hearings. We have Resolution 2022-07, adopting the Fiscal Year 2023 budget and Resolution 2022-08, imposing special assessments and certifying the assessment roll. So, at this point, I'll be looking for a motion to open the public hearing.

On MOTION by Mr. Brown seconded by Mr. Fox with all in favor the public hearing to adopt the Fiscal Year 2023 budget was opened.

**i. Consideration of Resolution 2022-07 Adopting the Fiscal Year 2023 Budget and Relating to the Annual Appropriations**

Mr. Greenwood stated we have now opened the public hearing. We don't have any audience members on the Zoom or in person. Actually, we do. We have two. With the Proposed Budget that we approved back in April, there was no assessment increase. I think that was something the Board wanted to move forward with. With where we're at currently with economic



times and whatnot, not having an assessment increase, the District is in good financial health. So, at this point, we don't really need to be looking to raise assessments arbitrarily. If there aren't any questions, I'll be looking for a motion to close the public hearing.

Mr. Brown asked we're going to close the public hearing?

Mr. Greenwood responded yes. We opened the public hearing, we will close it and then we're going to adopt the resolutions.

On MOTION by Mr. Fox seconded by Mr. Moore with all in favor the public hearing to adopt the Fiscal Year 2023 budget was closed.

Mr. Greenwood stated so, the next motion that I'll be looking for is the adoption of Resolution 2022-07, adopting the Fiscal Year 2023 budget and the annual appropriations.

On MOTION by Mr. Brown seconded by Ms. Darden with all in favor Resolution 2022-07 Adopting the Fiscal Year 2023 Budget and Relating to the Annual Appropriations was adopted.

**ii. Consideration of Resolution 2022-08 Imposing Special Assessments and Certifying an Assessment Roll**

Mr. Greenwood stated the next item on the agenda is the adoption of Resolution 2022-08, imposing special assessments and certifying the Assessment Roll. Do we have a motion?

On MOTION by Mr. Moore seconded by Ms. Darden with all in favor Resolution 2022-08 Imposing Special Assessments and Certifying an Assessment Roll was adopted.

**FIFTH ORDER OF BUSINESS**

**Staff Reports**

**A. Attorney**

Mr. Greenwood stated the next item on this agenda is staff reports. Mike, you're up first. Do you have anything?

Mr. Eckert responded first of all, thank you for letting me serve the District. I have a couple of things that I wanted to address with the Board. One relates to notices and one relates to security. I know that in the past, staff had some trouble getting the Sheriff to trespass people who were not following the rules. I have another community in Hillsborough County that is running into the same issue. They finally found out that what they needed was a new agreement and some new signage. So, I'm passing that information along to Jason. His firm also just picked up that District, so he's going to work with the inside people there to be able to replicate that. So, you guys have that authority moving forward. That's the first thing. The second thing is on public notices. Your manager is always looking for ways to save you money. There is a publication that we've looked at here in Hillsborough County that meets the requirements at least for your monthly meeting advertisements. He's going to look into that and see if that will save you guys some money. I'm glad to hear that might be an option. That would be a short-term thing though, if the law that was signed by the Governor in May takes effect in January in Hillsborough County. It actually takes advantage of it. What happened was the Florida Legislature basically said, local governments can advertise their meetings and public notices on a county owned and run website, if they can show that it's cheaper than newspaper advertising. I think it will be unless the county decides that they want to make a lot of money, which I don't think they will. That law doesn't go into effect until January 1<sup>st</sup>. We will be looking to see what Hillsborough County does there, but that could certainly save you perhaps thousands of dollars off of your budget each year, if it's implemented in the way that it was intended when it was adopted by the Legislature. So, we'll keep an eye on that and see. We are going to reach out to many of the counties that we work with throughout the State with our 200 Districts, to find out which counties were being proactive on getting the website up and running. So, hopefully their costs will be just recovering the cost of setting up the website. That's all I have. I'm happy to answer any questions.

Mr. Brown stated hopefully that will work, but the county internally takes a year to get their website up.

Mr. Eckert stated I understand, but this is a different project.

Mr. Brown stated that would be separately managed.

Mr. Eckert stated it should be separately managed within the county. There will probably be a link to it on the county website, but I think if this is going to work the way that it's intended, it's probably going to have to be a separate standalone structure with just a link to it. That's what we anticipated based on some of the discussions we had.

Mr. Brown stated they have it on the county website, just for CDDs.

Mr. Eckert stated that's an IT issue. We have counties that have 40 to 50 CDDs as well as cities and Special Districts that aren't CDDs. Hopefully it'll bring us to this century in terms of how we advertise. It's always a fight with the newspapers, but ultimately, it should be about efficiency for the taxpayers.

Ms. Darden asked are the no trespassing signs on our roads acceptable?

Mr. Eckert responded I haven't reviewed the signage with the Statute.

Ms. Darden stated I was looking for an aggressive stance, not just no trespassing. If I ask you to leave and the person who is asking them to leave says that that you're trespassing, they should refer to the sign.

Mr. Eckert stated I think what needs to happen is they need to go ahead and follow up with the contact at the Sheriff's Office that was able to break through that issue that they were having. Follow up with them and find out if are there any changes to the signage that you all need to trespass somebody.

Ms. Darden stated okay.

Mr. Eckert stated then go from there. That would be my suggestion. Rather than change something right now, I think you need to have that discussion so everybody is on the same page. But it was promising that we have it and they've been enforcing it.

Ms. Darden stated right. Okay.

Mr. Moore stated my only follow up is when you're able to connect with the other Districts to find out exactly what they did.

Mr. Greenwood stated right.

Mr. Moore stated it doesn't sound like it's in place. Actually, there may be some other things that we need to do, so I don't know when that will happen. Let us know as soon as that happens.

Mr. Greenwood stated as soon as possible essentially. I just had a brief discussion with Mike beforehand that I want to have with Brian. Because it's not just this amenity here, it's throughout Hillsborough. It's something that we would want implemented at each District. It's going to be across the entire board, but Mike is here this morning. We heard about this news just this morning.

Mr. Eckert stated I just connected with the two communities together this morning.

Mr. Moore stated it seems like the consensus would be for the Sheriff to still be out there. He even had the option of ignoring them.

Ms. Darden stated there's a whole lot of action at the priority levels.

Mr. Fox stated I think someone should talk about those signs. We went through this in July at the HOA meeting.

Mr. Eckert stated well, an HOA is different than the CDD in that respect.

Mr. Fox stated correct.

Mr. Eckert stated because with a CDD, you guys as the Board own this facility, whereas with an HOA, everybody owns the facilities.

Mr. Fox stated true. I can't imagine that we had two different types of signage for no trespassing.

Mr. Eckert stated you're correct. It's just how they deal with it.

Mr. Fox stated attention should be on a law enforcement agency following Statute blah, blah, blah and we had to post that or they would get cited.

Ms. Darden stated but I think the difference between the signage you're referring to just allows them onto private property to make an arrest.

Mr. Fox stated yes, you're right. It does allow them to do that, but we have the issue of not having to trespass someone unless we put that signage up.

Mr. Eckert stated yeah.

Mr. Fox stated so we put it up for the purpose of if somebody comes in and they start trouble, they're not looking to arrest the troublemaker. They will trespass immediately.

Mr. Eckert stated it's just a partnership with the police to get their input. Say, "*What do you all need? We will put the signage up. Tell us exactly what you need and we'll do it,*" but I think there is a new agreement and there was some different signage.

Mr. Moore stated alright. It would be like two different no trespassing signs.

Mr. Fox stated let's do the research.

Mr. Moore stated I just want to make sure that we have the proper verbiage.

Ms. Darden stated and attach the Statute to it.

Mr. Moore stated right.

Mr. Eckert stated I think we all know the intent. The intent is, if somebody is here violating policies, you want the ability for the Sheriff to remove them. The Sheriff is going to have to tell us what they need.

Ms. Darden stated right.

Mr. Moore stated right. Thanks, Mike.

Mr. Eckert stated thank you.

Ms. Darden stated thank you. It's good to see you.

Mr. Eckert stated its good to see you all too.

Mr. Greenwood stated thanks, Mike.

**B. Engineer**

Mr. Greenwood stated moving to our next item, we've got the District Engineer's Report. The stormwater needs analysis was sent to the right authority. So that's been handled. Other than that, there's no other follow-up on the engineering side, at this point.

**C. District Manager**

**1. Discussion of Energy Audit**

Mr. Greenwood stated next is the District Manager's Report. We have the discussion of the energy audit. I's part of your agenda package and we've already discussed that when we discussed the Action Items List. I didn't know if we wanted to go back into that.

Mr. Smith asked does anybody have any questions?

Mr. Monahan stated it seems like their main recommendation would be lighting fixtures. They estimated it to be around \$500 and an additional \$150. We will move forward with changes in some of the lighting fixtures. I can honestly talk with Blake a little bit further on that. That's what we wanted.

Mr. Greenwood stated we can replace these lights with LEDs.

Mr. Brown stated absolutely. I didn't see the electric bill for the past few months.

Mr. Greenwood stated I'll circulate that. I'll get with the accountant.

Mr. Brown asked what serious problems do we have and will that solve them?

Mr. Greenwood responded there was one bill that had a credit on it because someone was getting in touch with TECO reporting the lights that were out. So, Curtis brought us a credit of about \$126. I have to review the next one. There wasn't a significant decrease, but there was a small increase. I'll be able to circulate that and get back with you on that, Curtis.

Mr. Smith stated one thing that we did was we fixed all of the florescent fixtures. We removed the ballast and replaced with LED bulbs. They are quite a bit brighter and it does save some money there. Those are probably your most energy consumptive light fixtures. The ones in the bathroom and in the gym get hot. So, we can do that. We can change all of these with LEDs.

Mr. Brown stated that's relatively inexpensive.

Mr. Smith stated yes. I can have maintenance work on it, so you don't have to pay for the labor, just the parts to switch them out.

Mr. Brown asked do you need a motion for that?

Mr. Greenwood responded no. I think it's just staff direction. Our maintenance guy is going to be here. We will change out the lights and once it's completed, I will let the Chair know that the lights have been switched out. Dave, you are here almost every day. So, let's get that on the schedule for more efficient lighting in here.

Ms. Darden stated I don't think that you are going to get any savings from the air conditioner.

Mr. Smith stated you probably have another month or two until you see it.

Mr. Greenwood stated alright.

Mr. Smith stated the way that it is running, I can't imagine that there is not going to be a savings.

Ms. Darden stated oh, I'm sure.

Mr. Smith stated during the winter, it wasn't heating very well and during summer, it wasn't cooling well.

Ms. Darden stated right.

Mr. Greenwood stated perfect.

*Mr. Brown left the meeting.*

## **2. Filing of Form 1 Statement of Financial Interest**

Mr. Greenwood stated the next item is just more of an FYI. Mandy in our office wanted to make sure that you file your Form 1 Statement of Financial Interests. You should've received that in the mail. If you haven't filled that out or if you need another copy, get in touch with Mandy. She will be able to get you an electronic copy.

Ms. Darden stated its due on July 1<sup>st</sup>, right?

Mr. Greenwood responded yes. It's one of those things where you send it off and just make sure it's done. We just want to keep the Board Members aware of that.

**D. Aquatic Maintenance Report**

Mr. Greenwood stated the next item is the Aquatic Maintenance Report. It is in the electronic agenda on the iPads, but not in the physical paper copies because they didn't provide it to us until late.

**E. Amenity Manager - Report**

Mr. Greenwood stated moving into the Amenity Manager's Report, A "*No Throwing Object Within Pool Area*" sign that was installed in the pool area. For the month of May, you had 875 residents utilizing the Amenity Center. The new coping was installed. I wanted to keep the Board Members up to date that the contractor pushed their first initial date of starting and then they delayed it. Like Clayton said, we have a couple of punch list items that Brian is going to be following up with. We're still looking into the mister options. There are some really nice options. One of them was quite extravagant. I think the cost was \$2,800.

Mr. Monahan stated I believe so.

Mr. Greenwood stated obviously, that would be an investment of the District, but it was a big unit. If the Board wants to move forward with that, we just want to get at least two or three more quotes before the Board makes a decision. With the elliptical machine, Brian did enlighten me that they picked up the part. We're just waiting for the timeframe on when it will come back. Brian says he wasn't provided a timeline and I've requested that he finds out and brings it back to us.

Mr. Moore stated I don't want the part to sit there. Just keep on top of them. One thing that I don't see in the report was the person who invited themselves into the pool at 11:30 p.m. after breaking our chain. The Board wants to discuss that.

Mr. Greenwood stated yes. Brian spoke with that individual. I wanted Brian to maybe touch on it. My understanding is the individual had a very honest heart-to-heart conversation with Brian saying that had a bad evening and they needed somewhere to sit. I know it's not an excuse. I'm just expressing what Brian told me.

Mr. Moore stated I understand that. So, where does it stand now? Do they still have access to the Amenity Center?

Mr. Greenwood responded well, at this point, yes.

Mr. Moore stated To me, that is egregious. Somebody breaks the chain and forces their way into the Amenity Center. I personally would like to see us to block their access.

Mr. Greenwood stated we have made contact with him.

Mr. Moore asked do we know what the maximum penalty is?

Mr. Eckert responded it's within the discretion of the Board, but typically what I see for something like this, if there is damage to property, you're looking at a 90-day suspension. Then that's what I would do.

Mr. Fox asked what about restitution?

Mr. Eckert responded you can go longer. It's within the discretion of the Board, but once you extend it, you run the risk of somebody saying, "*I'm not paying my assessment because I'm not getting the benefit,*" so it's up to the Board. I certainly wouldn't go over a year. I don't know if the person has already made restitution.

Mr. Moore stated I think it should be a minimum of six months.

Ms. Darden asked six months.

Mr. Moore stated that's totally egregious.

Ms. Darden stated it is. I think 60 days is appropriate.

Mr. Moore stated this is something to me that is extremely egregious.

Ms. Darden stated I understand that.

Mr. Moore stated you're not saying, "*I'm going to break your pool.*"

Ms. Darden stated I understand.

Mr. Eckert stated we're not going to decide that today. What would happen is, the Board would say, "*We want to suspend this person's access until the next meeting.*" We would then send a letter to that person saying, "*You will have the opportunity to come before the Board and discuss whether or not your suspension should be extended.*" The Board can consider that and



then that would be the process you would go through. All you could do today is direct staff to suspend their privileges until the next Board meeting and then we write the letter. Then the Board would make the final decision at that meeting.

Ms. Darden stated then have restitution drawn up.

Mr. Eckert stated it's not restitution. We're not a criminal court.

Ms. Darden stated right.

Mr. Eckert stated but it is something where we can say, *"Hey, the District has been damaged by this amount, we can pursue you civilly or you can pay."*

Ms. Darden stated right. I agree with what you're saying. I agree with you too, Dave, but it has to be a step-by-step process.

Mr. Moore stated I understand. I thought that we advised the resident to attend this meeting.

Ms. Darden stated no.

Mr. Eckert stated I haven't written the letter. That's the process that we would go through.

Mr. Moore stated it is my recommendation to direct staff to cut off his access and have Mike send a letter.

Mr. Greenwood stated right.

Mr. Moore stated request that they attend the next meeting, but he shouldn't have access.

Ms. Darden stated right. I agree.

Mr. Greenwood stated we can take a motion for that.

On MOTION by Mr. Moore seconded by Ms. Darden with all in favor suspending the resident that broke into the Amenity Center for 60 days and requesting that they attend the next meeting was approved.

Mr. Greenwood stated okay. We'll have that placed on the next agenda and go from there.

Mr. Moore stated before we go, I know that you wouldn't recommend it and you probably would never do it, but is there a permanent suspension?

Mr. Eckert responded yes, I've seen that done in a couple of occasions, but it has been due to felonious conduct, honestly.

Mr. Fox asked how does that work with the trespass law? Let's say we trespass somebody out of here, once you trespass somebody, that's it, they don't ever come back. I don't understand the local statutes regarding trespass.

Mr. Eckert stated each county varies. I just dealt with this in Clay County. The Sheriff will come out and say, *"You need to leave because if not, I'm going to trespass you."* That trespass warrant is good for two years. Then that's how long they're not allowed in. Now, we as the landowner can talk to the Sheriff and say, *"Hey, we're good with six months and after six months, we're going to ask you to pull back,"* and the Sheriff will pull. I don't know what Hillsborough County does.

Mr. Moore stated that's a good point. I think staff, if they ever get into a situation like this, if they don't want to leave and the Sheriff comes out and trespasses you, you're looking at a two-year suspension.

Mr. Eckert stated it depends on what the Sheriff does.

Ms. Darden stated right, and the fact that once we get proper signage, the Florida Statute is on it. So, there's no ambiguity to what the Sheriff can or cannot do.

Mr. Eckert stated I take the position with other Districts, once the Sheriff comes out to trespasses for two years, the District doesn't have to do anything because it's then between them and the Sheriff. So, my suggestion is, I would not look at a permanent ban unless you had conduct that was seriously threatening the welfare of the other people who were in the facility.

Mr. Moore stated aggressive and looking to do it. I just want to make sure that I understood whether or not we had the option to do that, if something warrants it or was egregious enough.

Mr. Eckert stated I think you do. Then you just need to be prepared to litigate that issue if the person jumps up and says, *"I'm paying the same amount of assessments and nobody in my household is allowed to use the facilities."* They may argue for a reduced assessment and you may or may not care.

Mr. Fox stated you still have to pay your taxes.

Mr. Eckert stated yeah. It benefits your property. The property that has increased property values and doesn't have their own pool, there's all kinds of benefit arguments that still apply.

Mr. Moore stated this is a public pool, not someone's private pool. I've heard argument, *"I have 18 months to follow the rules."*

Mr. Fox stated it's not the same as the HOA.

Mr. Greenwood stated they have to pay the non-resident fee, obviously. Alright. That was a good discussion there.

**SIXTH ORDER OF BUSINESS                      Financial Reports**

- A.     Approval of Check Register**
- B.     Balance Sheet and Income Statement**
- C.     Special Assessment Receipts Schedule**

Mr. Greenwood stated we have the financial reports. We have approval of the Check Register, which is also included. You have your Balance Sheet, Income Statement and Special Assessment Receipt Schedule. There are two parts of this. You will see that the total items being presented is \$27,262.38. The first motion that I'll be looking for approval, is for the items excluding CALM in the amount of \$13,602.37.

On MOTION by Mr. Moore seconded by Mr. Fox with all in favor the May 1, 2022 to May 31, 2022 Operation and Maintenance Check Register in the amount of \$13,602.37 excluding CALM expenditures were approved.

Mr. Greenwood stated next is the Check Register including CALM in the amount of \$13,660.01.

On MOTION by Ms. Darden seconded by Mr. Fox with Ms. Darden and Mr. Fox in favor and Mr. Moore abstaining the May CALM expenditures in the amount of \$13,660.01 were approved. (Motion Passed 2-1)

**SEVENTH ORDER OF BUSINESS                      Other Business**

Mr. Greenwood asked do we have other business items to discuss at this point?

Ms. Darden responded no, sir.

Mr. Moore stated I noticed this year that with some of the beach attire that people are wearing at the pool, you'd think that they were in Rio de Janeiro and not necessarily a family pool. People do what they want to do.

Ms. Darden asked are we going to restrict them to granny panties?

Mr. Moore responded we need to restrict the dress code.

Mr. Fox asked don't we have a dress code already?

Ms. Darden responded you can't wear a thong.

Mr. Fox stated maybe we should take a look out there.

Mr. Greenwood yeah. How about we look at the rule for appropriate wear at the pool?

Mr. Eckert stated I think we probably have something in the rules that addresses inappropriate attire or something like that. I've had some that get a little bit more specific. Why don't we look at the policy and bring it back at your next meeting with some suggestions of what we have seen in other places. Certainly, there are things that you can put in there, but the problem also, just so you understand, is going to be the enforcement and then the interaction with the person. So, you're going to have to make sure that you've got some staff training.

Mr. Fox stated which is also why we want to be on the same page with the Sheriff. It all kind of goes together.

Mr. Greenwood stated yeah. So, I guess look at the policies and what language can be displayed for appropriate attire around the pool.

Ms. Darden stated this is a family environment.

Mr. Moore stated normally I wouldn't care, but this year it seems like it's being taken to a whole new level.

Mr. Greenwood stated so we'll bring that back.

**EIGHTH ORDER OF BUSINESS**

**Supervisors' Request**

Mr. Greenwood asked do we have any Supervisor's requests at this time?

Mr. Fox responded I had a concern about the grass. You told me that they had mowed it previously. Maybe they mowed it early one weekend. It was a foot and a half high.

Mr. Smith stated it is eight days between mows. The grass is growing very fast.

Mr. Greenwood asked is there anything else? No? Then I will be looking for a motion to adjourn.

**NINTH ORDER OF BUSINESS**

**Adjournment**

On MOTION by Mr. Moore seconded by Mr. Fox with all in favor the meeting was adjourned.



Secretary/Assistant Secretary



Chairman/Vice Chairman