

MINUTES OF MEETING
BAYTREE
COMMUNITY DEVELOPMENT DISTRICT

The regular meeting of the Board of Supervisors of the Baytree Community Development District was held on Wednesday, May 3, 2017 at 1:30 p.m. at the Baytree National Golf Links, 8207 National Drive, Melbourne, Florida.

Present and constituting a quorum were:

Carolyn Witcher	Chairman
Edward Rizzotti	Vice Chairman
Maria Hernandez	Supervisor
G. Melvin Mills	Supervisor
Richard Bosseler	Supervisor

Also present were:

Jason Showe	District Manager
Michael Pawelczyk	District Counsel
Christian Ossa	District Engineer
Melissa DeFrancesco	District Engineer
Alan Scheerer	Field Manager

FIRST ORDER OF BUSINESS

Roll Call

Mr. Showe called the meeting to order and called the roll.

SECOND ORDER OF BUSINESS

Community Updates

A. Security

There being none, the next item followed.

B. BCA

Ms. Hill: We held our annual meeting on April 7, 2017, and we just took care of our normal business. We filled some spots on our Board. We discussed the pavilion and we decided that our attorney and the CDD attorney will get together and draw a document that will specifically delineate each organization's responsibility.

Ms. Hernandez: Have you polled the homeowners yet? Or will you do that when you get a price?

Ms. Hill: I'm not going to poll anybody until I have more information.

Ms. Witcher: It might be good to poll in the winter because so many people aren't here during the summer.

Ms. Hill: I will keep that in mind. All we're doing right now is laying groundwork and doing a lot of research.

Ms. Witcher: Thank you.

THIRD ORDER OF BUSINESS

Approval of Minutes of the April 5th, 2017 Meeting

Mr. Showe: We were hoping to have the minutes by today but because of the short turnaround of the meeting those minutes have not been reviewed and corrected yet. We will include those as part of your June agenda.

FOURTH ORDER OF BUSINESS

New Business

A. Discussion of Suntime Lake Bank

Mr. Showe: As a follow-up to your last meeting, you requested that we go ahead and look at some proposals to look at some of the work for the Suntime Bank. We provided you a couple different documents. One is a proposal to come up with a landscape design package, Mel you can touch on that since you, me, and Alan met with the landscape architect out there.

Mr. Mills: We met shortly after our last meeting over on Suntime Bank with a lady that resides in Kingswood. She strongly suggested that we consider planting native plants. She was going to measure and give us a layout, but she came in with a price of \$750.

Mr. Showe: That \$750 will give her enough for the resources to design a layout that will accomplish the goals we talked about when we met with her. She is also going to provide us some digital picture that she does where she gives you a concept of what it will look like with the plants she is proposing. That plan will also give you a standardized layout of how many plants and this is where they are going. We can then take that document and get bids for the planting. Until we have a solid plan is it hard to go out and get bids on any kinds of plants.

Mr. Mills: We also asked her to give it to us in phases instead of doing it all at one time. After looking at it, it is going to be a lot of planting. My estimate is that it is going to be about \$100,000. The only way we can do it is in phases.

Mr. Showe: You could do the project in phases or you can save the money to do the project.

Ms. Witcher: I like that idea, to save the money and then when we have enough money we do it all at one time.

On MOTION by Ms. Hernandez, seconded by Mr. Mills, with all in favor, the Landscape Architect Proposal for \$750 was approved.

Mr. Showe: District Counsel has drafted up the start of a letter we would send out. The appropriate time to send this letter would be once you have the plan in place and have determined that you are going to move forward. We will send this letter out in advance of the planting so that all the homeowners along that area are notified of what and when we are doing it.

Mr. Mills: Do we really want to tell them what we are planting? It is honestly none of their business.

Mr. Showe: Once we define the property line, which will be the next proposal, it's really irrelevant what we are planting. We could just put that we are putting in landscaping. Lastly, we handed out an email that we received recently from the engineer in terms of surveys. They went ahead and got 2 prices for surveying of that lake bank so that we can properly identify our property. Their recommendation was to move forward with Packard surveying for \$1,920, they did the survey for the Kingswood project too. The survey is an important piece of this to ensure that when we plant we are on our property especially if we are sending out letters saying they can't come on our property.

Ms. Witcher: Will it be marked at all?

Mr. Showe: Will they mark it when they survey it?

Mr. Scheerer: They'll put stakes.

Mr. Showe: Is there a motion to move forward with the Packard survey?

Mr. Mills: Should we approve that now? Or should we wait until we get a plan established? The Board may decide they don't want to do it.

Ms. Hernandez: We still need the survey though.

Ms. Witcher: I think the survey is a good idea.

Mr. Showe: The survey will give us the ability to fully delineate if they are on our property or not. It is really up to the Board, so if you'd rather wait until you have the landscaping plan and price that is fine.

Mr. Mills: Our budget is getting tighter and that's \$2,000. If we don't have to spend it then let's not.

Ms. Witcher: Mel, how long is it going to take her to get a plan or price to you?

Mr. Mills: It didn't take her very long last time.

Mr. Showe: We've already met with her on site, so she already has a feel for the project and what goals we are hoping to accomplish. I'm hoping that by the next meeting we will have a full plan and at least preliminary ball park prices.

Ms. Witcher: So, we can hold that until the next meeting?

Mr. Showe: Yes.

Ms. Hernandez: From an engineering standpoint, would it be better to have the survey now or wait?

Mr. Ossa: I think regardless of what you end up doing you need to have the survey done. This is an ongoing issue, and with a survey that is a legal document it will help you with any issues going forward.

Ms. Hernandez: I think it's a good idea to have a survey so at least we know what we are dealing with.

On MOTION by Ms. Hernandez, to move forward with the survey.
Motion dies for lack of a second.

B. Fiscal Year 2018 Budget Workshop

Mr. Showe: Typically, we reserve a special meeting time set aside for this but timing wise it was not possible to do that this year. We have included both the budget workshop and the resolution setting the budget hearing. I will briefly go through the budget with you, but I won't go through it line item by line item. The first overall philosophy we go with is keeping the assessments level, so there has been no change in the assessments in the budget you have been presented today as part of the workshop. Under your admin costs, which is on page 1, those are almost identical to what you have now. There's really nothing to note that has changed there.

When you go to page 2, which is your District Operations, we kept the majority of this equal to what we have now. The one change we did make based on Board recommendations earlier in the year is that we increase your sidewalk and curb cleaning from \$5,000 a year to the full \$11,000. That was the quote that we got to do all pressure washing once and the cleaning 6 months later. The major changes that you will note are under the reserve section of your budget projected for Fiscal Year 2017. Because of some of the expenses the Board incurred this year, we are having to use some of fund balance that we generally keep for our 1st quarter operating. You will see under the projected budget in reserves that we have done some negative transfers there in your reserve funds. That was done to get your 1st quarter operating reserve back up to a level that we feel like is appropriate. For the purposes of the Board and the residents, that 1st quarter operating reserve is critical because your assessment revenues don't come in until about December. So, we have to have funds in place to operate through October, November, and part of December until those funds come in. For Fiscal Year 2018, the only changes again are right there in that Reserve Fund. Based on the Engineer's recommendation in 2015 we started increasing your Roadway Paving Fund by 8% a year. Both Baytree and the Isles of Baytree has increase. We are up over \$81,000 allocated into your Roadway Paving Fund for next year. We have kept the community beautification fund at its level which is \$100 per home. The remainder goes into your Capital Reserve Fund and you'll note that we are only putting about \$9,200 in Capital Reserves for next year. You have \$165,000 to start Fiscal Year 2018 and the Capital Reserve and beautification. When you go to page 11 you will see what we have proposed for you Capital Reserve Fund projects. We have very minimal capital projects selection next year and that was part of your schedule. We've done a lot of projects over the last couple of years and major renovations like the pool. Even with that minimal program, you're looking at about \$44,000 in that fund at the end of Fiscal Year 2018 if these projections hold. On page 12 is a couple year program outlook. Page 13 allocates your Payment Management Fund, and we have projected \$126,000 which is for the project this year.

Mr. Mills: What roads are planned for next year?

Ms. Witcher: It's Old Tramway, from Baytree Drive to National, I don't recall any others. There was some discussion whether we needed to move Ashwell into that or leave it in the 2020 year.

Mr. Showe: Although we may not need to have an assessment increase this year, I think it's a good time to start looking at the long-term plans of the District. We are at a point where those Capital Reserves are starting to get down a little bit. Page 14 is your community beautification fund and an O&M calculation on page 15. As part of our requirements with the Isles of Baytree we do have a proposed invoice for them on page 16. With that, I'll open the discussion up for any questions from the Board.

Ms. Witcher: The paving on the Isles of Baytree, do they pay the 8%?

Mr. Showe: Yes.

Mr. Mills: You're keeping the Lake Bank restoration at \$15,000?

Mr. Showe: Yes, and I talked to the Engineer and we're not sure that there are any lakes that need to be done right away. Our thought was that you could possibly use that \$15,000 to accomplish the lake bank evaluation and with the results of that you can go into the following year and really program out the next 5 or 6 years worth of expenses. Based on her evaluation at the last meeting she wasn't sure there was anything that was really high priority.

Mr. Mills: If we have a major storm this year it may affect that though.

Mr. Showe: My recommendation would be that you authorize the October 1st out of that fund, instead of allocation the \$15,000 for repair we allocate funds that accomplish that evaluation and that will give us enough to use that tool in Fiscal Year 2019.

Mr. Mills: I personally would be in favor of going ahead.

Ms. Witcher: Where are we going to pull the money out of?

Mr. Mills: We have some in the reserves that we could pull money out of so we could go ahead and do it. If worse comes to worst, I could give up some of my beautification fund.

On MOTION by Mr. Mills, seconded by Ms. Witcher, with all in favor, the Work Order from Atkins for lank bank evaluation work was approved.

Mr. Showe: What I will do as part of your Capital Project Budget is, in Fiscal Year 2017 I'll add in that Lake Bank evaluation to your capital. I'll leave the \$15,000 in 2018 for now. Obviously that is going to reduce your bottom line at the end of Fiscal Year 2018 on your capital projects. Are there any other questions on the budget? We will make a couple changes based on

the Board direction and we will present that to you at your next meeting for review and additional comments prior to your August meeting.

C. Consideration of Resolution 2017-04 Approving the Proposed Fiscal Year 2018 Budget and Setting a Public Hearing

Mr. Showe: This will attach a proposed budget to that resolution. That will be after we've made the changes you recommended today. It sets your budget hearing here for August 2nd at 1:30 p.m. in this room. It also directs us to transmit that to the Brevard County which is required by Florida statutes 60 days in advance of your final budget hearing. It's also important to note that approval of that proposed budget does not lock you into any of those account lines. Essentially what you are doing today is setting a ceiling on your assessment rate and then any of the account lines have freedom to move. Are there any questions on that resolution?

On MOTION by Ms. Hernandez, seconded by Mr. Rizzotti, with all in favor, Resolution 2017-04 Approving the Proposed Fiscal Year 2018 Budget and Setting a Public Hearing was approved.

D. Presentation of Number of Registered Voters - 951

Mr. Showe: This item is statutorily required. As of April 14th you have 951 registered voters in the CDD. Just as a note, last year you had 925 so it has increased by about 25 people.

FIFTH ORDER OF BUSINESS

CDD Action Item/Staff Reports

A. CDD Action Items

Mr. Showe: At this stage, we are working on the benches. They have been delivered as of today. As soon as the pads go in, which we have coordinated with the concrete vendor, they should go in shortly after.

Mr. Mills: Did they come from Alaska?

Mr. Scheerer: Canada I think.

Mr. Mills: It took them long enough to get here.

Mr. Scheerer: Well we don't have the pads so it doesn't really matter.

Mr. Showe: That's all I had for the action items list and we are moving through those and we will get those in as quickly as we possibly can.

B. Additional Staff Reports

i. Attorney

Mr. Pawelczyk: You should be receiving your Form 1 statement of financial interest by the end of this month before the next meeting. It is due July 1st and there are penalties if those are late. Jason and I will remind you.

Mr. Showe: I will remind you because we have to fill them out as well.

Mr. Pawelczyk: This Board is very good about getting stuff turned in, I have Boards that wait until the last minute. I think it's because all of you have spent a lot of time running large businesses or being responsible for a lot of people and money. When you get something like this you fill it out as soon as possible. That's just a reminder.

ii. Engineer

Ms. DeFrancesco: The paving was finished last week and all of the streets are done. I have those invoices for you, Jason. You mentioned that there were some spots that they might need to come back and touch up. We will have them take a look at that. I had a request to take a look at Ashwell Court and the cracking, which we have talked about several times. I know it is in the paving program and was brought up last month as well for 2020. We could look at moving that up if we need to. There were some concerned residents that were talking about tree roots. It's now my understanding that those roots were just debris, they were not from live trees.

Mr. Mills: We had that same thing on Old Tramway.

Ms. DeFrancesco: It's not uncommon for contractors to leave material and cover it up. We did talk about preventative measures like getting some crack sealing at some point. I can check with Goodson on the pricing for that.

Mr. Showe: Is the Board amendable with going ahead and having some of the potholes repaired per the engineer's recommendation? There are a few potholes throughout the community. We tend to find 3 or 4 potholes and get them repaired, then the next week we find 3 or 4 more somewhere else. So, if you see any or know of any over the next week or so just send them to Melissa or myself. We want to have Goodson come out and hit everything we need at once.

Ms. Hernandez: Please check the area where you live or around the community and let us know before they come out.

Ms. DeFrancesco: That's all I had for action items, but I did want to let the Board know that I gave my resignation. I will be leaving.

Ms. Hernandez: We are sorry to hear that, we enjoyed working with you.

Ms. DeFrancesco: I'm glad to hear that. I appreciate working with all of you and I enjoyed it very much. Chris will be taking over.

Mr. Mills: You have been a ray of sunshine.

iii. District Manager's Report

1. Field Manager's Report

Mr. Sheerer: The field report was emailed to the Board in advance of the meeting. I just have a couple things. The pool is working properly, even though we had a fecal matter discharge incident over the weekend. We contacted our pool provider and they were out pretty quickly and it was opened shortly after.

Mr. Showe: For the record, I called them at 7:00 and they called me back in about 30 minutes and said they would be out first thing in the morning. That's about as good as it gets on the weekend for response time.

Mr. Scheerer: We really appreciated that. We are still installing transponders in vehicles and we are still working on the lakes. Landscaping and turfs continue to be mowed. We meet with the contractor every other week. We also did a detailed inspection, and we did photo document several areas that needed to be taken care of by the contractor under warranty. We'll hopefully get those straightened out in the next few weeks. As you know, the fountain is still not working. We did get some quotes, which I believe Jason is going to talk about here in a minute. We did authorize the motor to be replaced and we are just waiting on that work to be done. The lights from the streetlight review were tagged and the appropriate entity was notified for repairs. There is a streetlight at the main entrance that is broken at the base. We contacted our electrician and they came out and taped it off. Now we're working on getting some folks out to repair that. We added two additional signs at the rear gate that say please pick up after your pets. We do have a couple extra signs that we will keep in storage, and if there are any other areas that you folks would like to have a sign we have some. As Jason alluded to earlier, on my way over here

the benches were delivered to my office in Osceola County. We will assemble, deliver, and install them as soon as the pads are ready. I also understand that Mr. Bosseler has spoken with Jason about some water issues in the ladies' restroom. There is a system that we purchased for another community and I think we should go ahead and pick up one of those mat systems. That way if there is water in there at least people will have something to step on. We will get with our janitorial guy to make sure he is cleaning that out as fast as possible. Other than that, I don't have anything else to report. I can answer any questions that the Board may have.

Ms. Witcher: When you put the mat in, is it still ADA accessible?

Mr. Scheerer: Yes, it is beveled on all four corners.

Mr. Showe: It's kind of raised up, it's similar to what you see if you go to a water park. It's designed to keep you safe and raise you up above any ponded water.

Ms. Witcher: So, no one would slip on it.

Mr. Mills: When are the pads going to be poured?

Mr. Scheerer: We remarked them for the vendor on Monday, and we're hoping in the next few weeks we will get the pads in.

Mr. Showe: We are on them, Alan and I have been calling them every day.

Mr. Scheerer: They are ready to go, they just wanted us to identify the locations again.

Mr. Rizzotti: We had a lady fall in the restroom. She didn't get hurt but she did slip. The water is funneling to the low point and that's not where the drain is. That's the problem.

Mr. Scheerer: Maybe we can reevaluate the slope of the tile. We could have it releveled so it is flowing to the drain if that is the case. That's another option.

Mr. Rizzotti: The tile that is in front of the bathrooms, it raises and lowers when you walk over it. That means it is release from the thin-set and it has a bubble underneath. It might be minor at this point, but at some point it is going to break up and we will have to replace it all. It still holds, so you don't have to do anything yet.

Mr. Scheerer: It may be a good opportunity for us to get some evaluations done on that and start getting some pricing. It might be something we could facilitate under the current budget for the swimming pool, that way we don't impact assessments for 2018. We don't want to let it become problematic though.

Mr. Showe: To follow up on what Alan noted, we did get some pricing for fountains after talking to two different vendors. Based on what they recommended, we have prices from \$7,700 all the way up to \$11,000 for a brand-new fountain with LED lights.

Mr. Scheerer: The difference in those is also a 3 horsepower versus a 5. What we currently have not working is a 5 horsepower.

Ms. Hernandez: Is 5 horsepower enough?

Mr. Scheerer: Yes. We probably want to stay with that. So, if that's something you guys want to consider we can bring back a little more information and some diagrams of fountains.

Mr. Rizzotti: Maybe at the next meeting that would be a good idea.

Mr. Mills: What's a new motor going to cost us?

Mr. Showe: It was about \$1,800 to replace it. I know you guys want to get it up and running now but we couldn't.

Mr. Mills: Has the motor come in?

Mr. Showe: It is on its way. We will prepare some documents and show you some pictures at the next meeting. Obviously, if you want to add that to your budget there is capital funding there that you could use. Any other questions under the Field Manager's Report?

SIXTH ORDER OF BUSINESS

Treasurer's Report

A. Consideration of Check Register

Mr. Showe: In your General Fund, you have checks 52880-52903 for \$22,708.96. From the Capital Projects Fund you have check 63 for \$81.90. The Community Beautification Check 1 totals \$3,900.00. The April payroll was \$922.67. The overall total is \$35,721.63. Alan and I can answer any questions about those invoices.

Mr. Mills: For the beautification, that was for the crotons going out the front gate. The grasses were dying, so they planted crotons along the side there. There were some other areas where it was planted as well. There was a magnolia planted in the back by the pool. What else did we have done?

Mr. Showe: There were some other projects we approved, the driftwood in the pool and a couple other little things that are coming. We did factor those into the budget already.

Mr. Mills: There is a backflow meter that comes up and it looked terrible, so we got a price on a boulder and it was ridiculous.

Mr. Showe: Not only does it look terrible, the challenge we had is that some folks do not see it. It has been hit 3 or 4 times since we've been out here, so we are putting some driftwood on it.

On MOTION by Mr. Mills, seconded by Mr. Rizzotti, with all in favor, the Check Register was approved.

B. Balance Sheet and Income Statement

Mr. Showe: This doesn't require any action by the Board, again I think most of those account lines are falling in as we've discussed in the past. I will note as far as assessments go you are in terrific shape. You are over 98% collected at this point, so there maybe 1 or 2 homes out there that we will hit with the tax certificate sale. Other than that, you are in terrific shape on your assessments.

Mr. Mills: I have a question in regards to the expense of Kingswood. I've come up with \$31,300 for just our side of Kingswood. I'm figuring in attorney fees and planting. Would that be about right?

Mr. Showe: I think it is considerably higher than that. The landscape project itself was \$52,000. If there are no other questions, that is all we have.

SEVENTH ORDER OF BUSINESS

Supervisor's Request

Ms. Witcher: I'll start us off, let's keep our budget in mind when we do any expenditures. We've done a lot trying to keep the community to the standards that we like it, but we have to be able to afford it. We don't want to up the assessment unless we absolutely have to. That's all I have.

Ms. Hernandez: The sheriff's officers continue to stop speeders in Baytree. I want you to know they got one in my cul-de-sac. The chased her off of Baytree Drive and went into the cul-de-sac, and because he had to chase her he gave her a ticket. So, that is helping to slow down the traffic but some people just never learn. I think it is a deterrent to most. Hopefully we are making some impact. We still have a problem with residents breaking gate arms. They have to pay when they break that?

Mr. Showe: Yes, they do. The last one we had was a golfer. As soon as we get the invoice, he will be receiving a bill.

Ms. Hernandez: Most of it is just people rushing. They could just wait until the gate goes down. Also, I had a question on the flowers outside. Mel, the flowers outside used to always be the same as the ones on the circle. Did we change flower providers or anything?

Mr. Showe: I'm not sure who the provider is, Tropicare coordinates all of that and I think they are pretty consistent throughout the community.

Mr. Mills: All the providers are the same.

Ms. Witcher: Some have not bloomed yet.

Mr. Showe: Alan and I identified the ones that are having some trouble. We discussed that with the landscaper on Monday.

Mr. Rizzotti: We covered most of what I was going to talk about, but the only other thing I had was the tennis courts. We are replacing the nets?

Mr. Showe: Yes, we have the nets. They are trickier to put in than you would imagine. They should be in Monday though.

Mr. Rizzotti: There are some signs that are just hanging, we need to remove them.

Mr. Scheerer: We will take care of that.

Mr. Bosseler: The only thing I have is the bocce court. It has been working well with us but the problem is that we have things growing around the perimeter.

Mr. Showe: We will take a look at that.

Mr. Mills: The only thing I have, and I'm not sure if any of you know, there was a kid who was severely injured in a golf cart accident on Baytree Drive. We keep talking about the fact that kids should not be driving golf carts. The kid is apparently in an induced coma, he is paralyzed on one side of his body. So, here's another situation where people just don't think.

Mr. Showe: Because we have a golf course in the community, the sheriffs designate this as a golf course community so they tend to lighten up on the restrictions. The law is you have to be over 16 and licensed.

Ms. Hernandez: No, it's 14.

Mr. Showe: Okay, 14, and that is essentially it. There is no ability for us as a District to regulate what happens on the streets or the roads. I know the Board has looked at the issue several times, but we are at a disadvantage.

Mr. Mills: I would like to thank all of you that come month after month, and meeting after meeting, and give us your input. It really helps us out.

EIGHTH ORDER OF BUSINESS Public Comment Period

Resident: Is there any way the BCA could have access to the new back sign? I know there has been some recent discussion between the BCA and the new management. We want to let people know about events coming up on the signs. I think the BCA would be willing to take the responsibility for that sign over if we could get a key to the sign and the letters.

Mr. Showe: It is up to the Board. Right now, we only have 2 keys the to the sign so we will need to get some more keys made. It would probably be best to order another set of letters.

Ms. Hernandez: I think that would be good as long as you get some letters.

Mr. Showe: I will get you the information to get letters for that sign.

Resident: I want to thank the Board for the new sidewalks. The residents have noticed it, and we thank you for your support in continuing that project. Thank you very much for responding to our requests.

Resident: Several months ago, a lamppost went down just outside the rear gate and it was recently replaced. Did we have anything to do with that?

Mr. Showe: No, it was an FPL post; we reported it as soon as it went down.

Resident: I would like to also thank the Board for their service, it is very appreciated.

NINTH ORDER OF BUSINESS Adjournment

On MOTION by Ms. Witcher, seconded by Mr. Rizzotti, with all in favor, the meeting was adjourned at 3:04 p.m.


Secretary / Assistant Secretary


Chairman / Vice Chairman