

1 **SUMMARY OF BOARD MEETING**
2 **October 17, 2012**
3 **6:00 p.m.**
4

Cory Lakes CDD
Cory Lake Beach Club

5 **Attendees**
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7 Dr. David Burman	Chairperson
8 Vicki Castro	Vice Chairperson
9 Dr. Cyril Spiro	Supervisor
10 Bob Woodards	Supervisor

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12 Also present were:

14 John Daugirda	Manager
15 Mark Straley	Attorney
16 John Darling	Facility Manager
17 Maik Aagaard	DPFG
18 Jim Harvey	Kolter Homes
19 Numerous Residents	

20

21 Mr. Burman established a quorum of the Board was present.
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23 **Motions**
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25 Dr. Spiro MOVED to direct the L-A-F Committee to look at how the District can rent the Beach
26 Club to where it is compatible to some of the needs expressed above, and in the wishes of the
27 residents for rental; and Mr. Woodards SECONDED the motion.
28

29 On VOICE Vote, WITH
30 Dr. Spiro and Mr. Woodards Voting Aye; and
31 Dr. Burman and Ms. Castro Voting Nay;
32 The motion failed.
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34 On MOTION by Dr. Burman, SECONDED by Mr. Woodards, WITH ALL IN FAVOR, the
35 Board authorized Staff to request an extension of I-Kare Publishing contract for one month to
36 allow for community input; if approval is not granted, provide 60-day notice of termination.
37

38 On MOTION by Ms. Castro, SECONDED by Dr. Burman, WITH ALL IN FAVOR, the Board
39 approved the Consent Agenda items as listed above.
40

41 Board consensus was for staff to continue discussion with event management firms, and
42 if possible schedule presentations for November.
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2 On MOTION by Dr. Spiro, SECONDED by Mr. Woodards, WITH
3 Dr. Spiro, Mr. Woodards and Dr. Burman Voting Aye; and
4 Ms. Castro Voting Nay;
5 The Board DENIED Project #2012-277, Cross Creek Fountain Renovations.

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7 Board consensus was the [survey] letter is to be signed by the CDD Board.

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9 On MOTION by Ms. Castro, SECONDED by Dr. Burman, WITH
10 Ms. Castro, Dr. Burman and Dr. Spiro Voting Aye,
11 Mr. Woodards Voting Nay;
12 the Board approved the Kolter Proposal/Agreement, in substantial form, subject to counsel
13 review.

14

15 Board consensus was for L-A-F to continue with Beach Club Interior Upgrade project and
16 obtain additional design concepts.

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18 On MOTION by Dr. Burman, SECONDED by Ms. Castro, WITH
19 Dr. Burman, Ms. Castro and Dr. Spiro voting Aye;
20 Mr. Woodards voting Nay;
21 the Board approved Cancelling the Kolter Proposal Survey.

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23 On MOTION by Dr. Burman, SECONDED by Ms. Castro, WITH ALL IN FAVOR, the meeting
24 was adjourned at 10:20 p.m.

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FIRST ORDER OF BUSINESS - Roll Call

Supervisors introduced themselves.

Dr. David Burman	Chairperson
Vicki Castro	Vice Chairperson
Dr. Cyril Spiro	Supervisor
Bob Woodards	Supervisor

John Daugirda	Manager
Mark Straley	Attorney
John Darling	Facility Manager
Maik Aagaard	DPFG
Jim Harvey	Kolter Homes
Numerous Residents	

SECOND ORDER OF BUSINESS - Chairperson's and Manager's Opening Remarks

THIRD ORDER OF BUSINESS – Board Member Discussion on Agenda and Meeting Protocols

Dr. Burman stated I would like to move Item #6 to after the Facilities Report, and take public comments next then Item #4.

FIFTH ORDER OF BUSINESS – Public Comment

A. Renting of Beach Club – Lovely Goswami

Dr. Burman asked is Ms. Goswami here?

As she is not in attendance, my recommendation is we refer this to the L-A-F Committee as that is the group who make recommendations regarding the facilities.

Dr. Spiro stated we should ask if anyone from the audience has any comments on this subject. This issue came up when I first joined the Board, and we did a small sample size survey of which 19 people said they would be okay with renting the Beach Club once or twice a month with the other weekends for community events. Currently the Beach Club is not rented out.

Mr. Shay (Sp.) stated I am in favor of renting it out to the residents.

Ms. Zimmerman stated I am against renting it out. I live next to this facility, and when it was rented the noise level was extreme and the people were not considerate of the neighbors.

Ms. Easterly (Sp.) stated it would be nice to rent out the facility again.

Mr. Marshall (Sp.) stated we have a calendar, and all Community events are booked in advance. This is a public facility and it should be available to all residents, but it should not intrude on the neighbors' privacy so rules need to be put in place.

A resident stated I request the Board review the rental policy in place.

Mr. Burman stated we have a proposal under the L-A-F Committee to redecorate the Beach Club, and these two items seem to be in conflict with each other. The redecorating proposal may not allow us to rent out the facility, which is one reason why I suggested it go back to the L-A-F Committee to see if they can come up with a solution.

Dr. Spiro stated I have reviewed all the L-A-F Committee minutes, and I can't find where this re-design was discussed. It is in conflict with the Beach Club rental and should be looked at separately. We need to provide the committees direction as to what we would like them to do, as to the committees providing recommendations to the Board.

Dr. Spiro MOVED to direct the L-A-F Committee to look at how the District can rent the Beach Club to where it is compatible to some of the needs expressed above, and in the wishes of the residents for rental; and Mr. Woodards SECONDED the motion.

A resident stated if this is done, the cost structure needs to be reviewed as well.

Dr. Burman asked were the Beach Club renovations discussed at the L-A-F Committee?

1 Ms. Castro responded it is in the October 9, 2012 L-A-F minutes. It is also in our fiscal
2 year budget of \$45,000 to renovate the Beach Club.

3 Dr. Spiro stated it is in the budget, but I understand it is to be used for multiple purposes.

4 Ms. Castro stated the gym has a separate line item.

5 Dr. Spiro stated it has a \$1,000 line item, but when I requested items for the gym the L-A-
6 F Committee said it would come from the Beach Club budget.

7 Ms. Butler stated I am part of the L-A-F Committee, and I put the proposal together for
8 the renovation of the Beach Club. Regardless of whether we rent it out or have it for the
9 community, it needs to be refresh, renew and restore the elegance of the Beach Club, and the
10 current proposal will bring back the look. The residents want a warm, inviting and cozy
11 community Beach Club when they walk through these doors.

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13 On VOICE Vote, WITH
14 Dr. Spiro and Mr. Woodards Voting Aye; and
15 Dr. Burman and Ms. Castro Voting Nay;
16 The motion failed.

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18 **FOURTH ORDER OF BUSINESS – Special Guest Presentation:**
19 **Cindi Matter, YCN Publishing for CLI Newsletter**

20 Ms. Matter stated currently, some of the newsletters YCN does is for Tampa Palms, West
21 Meadows, Grand Hampton and Meadow Pointe. The newsletters generate resident participation.
22 We have a cover photo contest. Any information such as community events, garage sales, etc.
23 are included in the newsletter, and we pull the residents eye with the graphics. We work with
24 CDD HOA Managers to gather information. Once it is compiled, we will send out a proof, and it
25 is reviewed two to three times prior to printing. The newsletter layout is professional and
26 consistent. We contact the local schools for point persons for the PTA and any school news to
27 get information on activities. If you have any organizations the kids belong to such as Girl
28 Scouts or Boy Scouts, we will need that contact information. We include all important
29 community numbers, i.e., fire, police, poison control. Residents can send in birth
30 announcements, wedding announcements, and pictures. Newsletters are mailed to all residents,
31 we leave a stack at the clubhouse. Right now, your newsletter is every two month. If you feel
32 the content will fill up 15 pages, we can go to every month. Editorial are never less than 50%.
33 Other communities have their newsletters distributed at the local Publix. It is your choice to

1 either have it just in Cory Lakes or distributed to a broader base. YCN has a website with all our
2 newsletters. You can place it on our or we can send it to your website or both.

3 Ms. Castro stated in the past I understand you use bulk mailing.

4 Ms. Matter stated we do and hopefully if there are only five houses out of the CDD, that
5 will be okay. I'll check the rates for you. If it is not that much of a difference, I am okay with it.
6 If it is a huge difference, I will get back to you.

7 Ms. Beck stated when I bulk mail, I have Route 136 & 137 and it is 1,000; therefore
8 anything over the 800+ is going to outside residents or business.

9 Ms. Wiggins stated the publication is more professional and is of a better quality, and
10 represents the community.

11 Mr. Darling stated we are at that juncture again, where our current publisher requires a 60
12 day notice which expires November 1.

13 Ms. Beck asked are your advertising rates competitive or higher?

14 Ms. Matter responded our rates are fair given it is a higher quality paper.

15 A resident stated I think the marketing on the first page cheapens the community, and
16 overall there is too much ad space.

17 A discussion was held regard the different type of layouts, font sizes; cancellation notice
18 to I-Kare as of 12/31/2012 to coincide with 60 day notice; extension of I-Kare publishing for one
19 month to get community input on comparison if they agree; major problem being lack of
20 communication between Board and residents; willingness potential of I-Kare to provide same
21 services; and contract scope of services for newsletter.

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23 On MOTION by Dr. Burman, SECONDED by Mr. Woodards, WITH ALL IN FAVOR, the
24 Board authorized Staff to request an extension of I-Kare Publishing contract for one month to
25 allow for community input; if approval is not granted, provide 60-day notice of termination.

26
27 A resident commented that the meetings start too early, and with the agenda being
28 changed Item 5A was already discussed, not allowing the residents to participate in the
29 discussion.

30 Dr. Burman stated the original recommendation to not rent the Beach Club came up
31 through the L-A-F Committee. Anyone who want to have this reconsidered should go to the L-
32 A-F Committee meeting and voice their opinions. The L-A-F Committee will provide a

1 recommendation to the Board based on your input, the plans for the building, and redesigns. Mr.
2 Carpenter, will you entertain a special evening meeting regarding the plans and rental of the
3 Beach Club?

4 Mr. Carpenter responded yes.

5 A discussion was held regarding the differences of a CDD and POA, the CDD being a
6 elective representative body, and start time of the meetings.

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8 **SEVENTH ORDER OF BUSINESS – Consent Agenda Items:**

- 9 ■ Approval of September 19, 2012 **Board Workshop Meeting Minutes**
10 ■ Approval of September 19, 2012 **Board Meeting Minutes**
11 ■ Approval of October 3, 2012 **Board Meeting Minutes**
12 ■ Acceptance of October 9, 2012 **Landscape-Aquascape-Facilities Committee Meeting**
13 **Minutes**
14 ■ Acceptance of August 6, 2012 **Finance Committee Meeting Minutes**
15 ■ Acceptance of **Financial Statements** as of September 2012
16 Following discussion,

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18 On MOTION by Ms. Castro, SECONDED by Dr. Burman, WITH ALL IN FAVOR, the Board
19 approved the Consent Agenda items as listed above.
20

21 **EIGHTH ORDER OF BUSINESS – Facilities Manager Report and District Projects**

22 **A. Facilities Manager Report**

23 **A.1. Activities Report**

24 A copy of the Facilities Manager Report, and a copy of which is attached hereto and made
25 a part of the permanent record.

26 Mr. Darling stated with Mr. Carpenter's help we did an assessment of the condition of all
27 the assets in the community as a supplement to the reserve study, and to help us prioritized the
28 projects for this budget year, and the budgets in the future.

29 Dr. Spiro stated when the information is available, please provide a copy to me for the
30 Finance Committee.

31 Mr. Darling stated at a Finance Committee meeting we may want to consider facilitating
32 a discussion on the reserve study relative to next year's budget.

33
34 ■ **Discussion on Lake Vegetation**

35 Mr. Woodards asked is there enough money in the budget to keep the vegetation out of
36 the lake?

1 Mr. Darling responded that is a loaded question, no. Truthfully, we have an adequate
2 budget for the obnoxious weeds in the lake. We have a contractor who services the lake and all
3 the retention ponds once a month. He was here Monday, and I think he does a good job.

4 Mr. Woodards stated my concern is the pond water lilies, and they seem to take over.

5 Mr. Darling stated the Cross Creek pond is maintained by the CDD, but it also receives
6 off site drainage other than Cory Lakes CDD. It picks up the drainage from Cross Creek
7 Boulevard, in addition to the complex. Every year the pond goes almost dry, and we end up
8 mowing it. I will speak with our contractor about the excess water lilies in the lake and ask him
9 to focus on that. Last year we did extra spraying, and it seemed to work.

10
11 **A.2. Office Administration**

12 There not being any, the next item followed.

13
14 **A.3. Events Management**

15 ➤ **Consideration of Proposal for Newsletter Publication**

16 This item was discussion under Item 4.

17
18 ➤ **Proposal from Lifestyle Management Firms**

19 Mr. Darling stated we talked for several meetings about trying to get a contractor in to
20 manage activities for us. We looked at companies that perform this service, and received two
21 proposals. We still need to review their scope of work, and potential fees. Before I continue and
22 in light of the discussion that took place, what is the Board's desire to have someone come in?

23 Dr. Burman asked can we wait on this until after the L-A-F Committee meeting, and their
24 recommendation?

25 Mr. Darling responded sure.

26 Dr. Spiro stated I understand that the residents like the events, but not all the events, and
27 we need to determine which ones they like, and in coordination be able to rent out the facility. I
28 am sure there are a group of residents who would be interested in this subject and figure out what
29 worked and what didn't work. That would be a good first step.

30 Ms. Castro stated I think we need to move forward with this. The Strategic Planning
31 survey clearly shows that the residents wanted more community activities in this facility. 11

1 the residents and determine the events. This is a replacement of Ms. Wiggins who has been
2 doing this for over a year.

3 Dr. Burman asked are the two companies local?

4 Mr. Darling responded yes, they operate at other local CDDs.

5 Ms. Castro stated we can have them come to a meeting a make a presentation.

6 Mr. Darling responded part of their scope of work is to survey the community to see what
7 events will work. The biggest problem we had in soliciting proposals is we didn't have a golf
8 course, the large fitness center, and the 40 tennis courts. Both said they will have to tailor the
9 events to Cory Lake CDD.

10 Dr. Burman stated I would schedule it for December/January as the new Board will be
11 seated.

12 Board consensus was for staff to continue discussion with event management firms, and
13 if possible schedule presentations for November.
14

15 **B. Project Approvals/Ratifications:**

16 **B.1. Project #2012-277 – Cross Creek Fountain Rehabilitation**

17 Mr. Darling stated in the package is a work order request for the renovation of the Cross
18 Creek Fountain at the gatehouse. The fountain was abandoned, turned into a planter, and now it
19 wants to be turned back into a fountain. Original thought being it would be an inexpensive
20 undertaking, and it is turning out to be more expensive due to all the plumbing, electrical and
21 fixtures needing to be replaced. I have two proposals: one for \$16,233 and one for \$17,875.
22 The lowest bid was from Architectural Fountains who removed the previous fountain at the
23 Board's request and current maintains all our current pond fountains.

24 Dr. Burman asked are the funds in the budget?

25 Mr. Darling responded yes.

26 Dr. Burman stated if I remember, one of the main reason for turning off the fountain is
27 because we were in a drought and SWFWMD restricted us from using it. The water collecting in
28 the base was creating a hazard.

29 Mr. Darling stated in addition to the cost of operating the fountain at \$4,000 a year.

30 Ms. Castro asked what is wrong with the plantings? Can't we get things to grow?

1 Mr. Darling stated it is a bathtub, and a lot of the residents were shocked that it was
2 turned into a planter, and it came back to the L-A-F committee. A lot of the expense is plumbing
3 and equipment.

4 Dr. Spiro stated I am looking to reduce the budget by \$200,000, and I don't think it is
5 worth spending \$16,000 to replace the fountain.

6 Mr. Woodards stated we spend the money to take it out, and I don't see it being worth it
7 to put it back in.

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9 On MOTION by Dr. Spiro, SECONDED by Mr. Woodards, WITH
10 Dr. Spiro, Mr. Woodards and Dr. Burman Voting Aye; and
11 Ms. Castro Voting Nay;
12 The Board DENIED Project #2012-277, Cross Creek Fountain Renovations.
13

14 **SIXTH ORDER OF BUSINESS – Phase 7 Development Project**

15 **A. Kolter Proposal Update**

16 **B. Survey Committee Update and Revised Timeline**

17 Dr. Burman stated I believe the survey is ready to be mailed out on Monday with a return
18 date of November 7. Is it premature to vote on this proposal?

19 Mr. Straley responded it is up to the Board. Under Robert's Rule, the Board was
20 deadlocked, and since that time, additional discussions and changes have been made to the Kolter
21 Agreement. If the Board wants to reconsider the Kolter proposal that has been modified,
22 someone opposed to the proposal can motion to have it reconsidered. The motion was
23 deadlocked two to two, and it does not make sense to reconsider the vote if it is going to be two
24 to two. The changes is justification for the opposed supervisors to open it up for reconsideration
25 for a vote.

26 Ms. Castro stated the sticking point was the O&M assessment, which has been addressed.
27 I don't know why we would not want to bring it back up. I didn't vote for the survey and the
28 motion should have been let's continue negotiations, which is what happened anyway.

29 Dr. Spiro stated this was Dr. Burman's survey, and I don't feel it is my place for me to
30 reopen the discussion due to the survey.

31 Dr. Burman stated I understand what you are saying, but if the Board wants to discuss or
32 revote on the proposal, the survey can be cancelled. If the Board wants the results of the survey,
33 then we should not discuss the proposal and get the results back, and make our final decision on
34 November 14.

1 Ms. Castro stated the survey committee was working under the understanding that it may
2 or may not go out depending on what is decided today. They wanted to be ready to proceed
3 depended on tonight's meeting.

4 Ms. Ross stated the committee was aware that negotiations were still taking place, and we
5 would know tonight if we were to move forward.

6 Ms. Ross reported on the committee structure, the game plan regarding mailing of survey,
7 the summary letter and the one question survey, and response timeline. [A copy of the draft
8 summary letter is attached hereto and made a part of the permanent record].

9 Ms. Ross stated the group put together an unbiased and fact based, high quality survey in
10 my opinion. The question that has come up is that once the survey is out, there will be an effort
11 by various groups to send out different information and influence homeowners. This is
12 something to consider.

13 Ms. Beck asked whose name would the survey go out under?

14 Ms. Ross responded it is a CDD survey, in my opinion the Board should approve it, sign
15 it and send it out.

16 Board consensus was the letter is to be signed by the CDD Board.

17 A resident stated I would like to hear the changes. The survey is one thing, but for me to
18 make a decision, I need to know what those changes are. I thank the Board and Kolter for their
19 efforts in these negotiations which seem to be better and better for us.

20 Mr. Straley stated major changes were to the O&M Assessment has been modified to
21 where the CDD will in its fiscal stewardship lower the assessment to ALL owners to \$1,925
22 which is \$240 less, and Kolter agrees to pay up to \$1,925 so everyone is the same. If the Board
23 cannot lower the assessments to \$1,925, there is still the concept of a credit for the difference
24 because that is the high is they will go.

25 Mr. Burman asked will that be in the survey?

26 Mr. Straley responded the latest version of this agreement will be given to Ms. Ross to
27 incorporate into the documents for the homeowners research to answer the survey.

28 A resident asked is the decrease feasible?

29 Ms. Castro stated we arrived at that amount by dividing the current budget by the total
30 number of homes including the addition of Kolter's.

31 Dr. Spiro stated additionally the amount we are paying is the same from when Mr.
32 Thomason was just leaving, and now we have our reserves being built up.

1 Mr. Reimer stated I understood that no final decision was going to be made until after the
2 survey results, and I was concerned that a vote would be taken without the residents being aware
3 this was up for consideration. Out of the fairness to us, we need an indication if the Board is
4 going to stick to the decision made last month to postpone its discussion, or if it is going to
5 contemplate the proposal.

6 A resident stated the survey is a nice idea, but the process is already corrupt and will not
7 be able to produce what you may be looking for. If it was done this way first, then it would have
8 a lot more value.

9 Mr. Northington stated ultimately this is a Board decision; you represent us. The only
10 thing I am interested in is if you will rely on the survey, or if you will use your own research and
11 individual community based feelings to make your decision.

12 Ms. Clemings (Sp.) asked what date will this decision be made?

13 Dr. Burman responded the initial intent was to make a decision at the conclusion of the
14 survey which brings us to November. Due to further negotiations with Kolter, the Board can
15 reconsider the proposal. My interpretation is we should continue with the survey.

16 Mr. Harvey stated as respects the survey, it is a question of yes or no to our proposal. My
17 question is, "What is the alternative?" Without an alternative, I don't believe doing nothing is a
18 viable strategy. There has to be some alternative, and we have negotiated in good faith. I have
19 attempted to address the last remaining concern that benefits the entire community. In addition I
20 have to negotiate with Avatar to have them give up their rights against the District on Monday. I
21 would like you to consider the current proposal. I respect your decision if you want to wait for
22 the survey results, but the proposal is not going to change after today as I need to negotiate with
23 others and Avatar on Monday.

24 Mr. Sheldon stated I have been involved in this process extensively and have seen both
25 sides. The conclusion I have come to is this is a good deal for the community. The best
26 alternatives have been negotiated in the Kolter Agreement. We have to do something. It may not
27 be an immediate, but in three years it will be given to the state. There is talk about people buying
28 the land, that is great, but we will have pipes sticking out of the group, street drainage problems,
29 overgrowth, etc. The Board was trying to get the debt taken care of, have the property taken care
30 of so people don't see a miserable piece of property not being developed. This is high end
31 community, and when people drive by they wonder what is wrong because there is the large piece
32 undeveloped. If the Board purchases the property and holds on to it as it is sitting their right

1 now, there is \$2 million of debt, and \$2 million of liens, and everyone's assessments go up per
2 year. The deal we are getting is a pool we don't have to pay for with design input, which realtors
3 will increase property values. We get a traffic light that CDD does not have to pay for. We get
4 assessments, which in essence covers the pool maintenance, common ground maintenance and
5 money left over. You don't know if Kolter will walk away, there is no guarantee. Kolter has
6 been in business a long time, and is business to make money. Avatar screwed up the deal
7 because the way the deal was structured. It made no sense the way it was done, it was
8 complicates, has liens on it in my opinion that should not have been there, and the possibility of
9 the legality of the lien. Kolter is working with Avatar to get them to walk away from any fight
10 they may have on the liens on Phase 7. That is a big deal. If the bondholder forces us to
11 foreclose on Avatar, which they can do, the debt lien will come up and we are dealing with
12 attorney fees, and wipe out everything we could have gotten. This deal will get us out of the debt
13 and get us into finishing the development.

14 People are wondering what it is going to look like. It will be like the property we are in
15 now, if not nicer. No one is proposing a lower end product. We started with a proposal on one
16 end, and this final proposal does not cost us anything. We are paying down the bonds with
17 reserve, which we would have done. No money is coming out of our pocket.

18 The main reason the survey came out is because of the assessment concerns. That has
19 been addressed and everyone will pay \$1,925. The agreement has been reviewed by several
20 attorneys including the POA attorney, and Mr. Sykes. In my opinion, it is time for a vote.
21 Another survey will put you in the same position for the last four times and a 50/50 vote.

22 Ms. Shaw stated Mr. Sheldon's statements were fabulous. This has been going on so
23 long. What happens if you don't go with Kolter? What is the alternative? I don't want to see
24 the land just sit there. I would like to see the Board vote on this, and see it passed.

25 Mr. Pierce stated I have watched this over the last several months and I cannot add much
26 to Mr. Sheldon's statements. We have come a long way through this process. How many people
27 want to write a \$3 million check and wake up to find out it is worth \$1.5 million? I have a pool,
28 but I believe the pool will bring something to the community. We did the Strategic Planning
29 survey and had a 36% response rate. The land is producing nothing for us. We can argue if
30 Kolter is getting a good or bad deal. The point is what is right for the community. We can
31 speculate on property values. I think the Board should vote and not continue to drag this out.

1 The survey was produced in hopes of moving this forward. If the Board moves forward, the
2 survey does not need to go out.

3 A resident commented on the property values, possible potential of finding another choice
4 and not jumping into a decision, and residents not being aware of situation and waiting to make a
5 decision.

6 Dr. Burman stated we have been waiting for additional proposals, and not has been
7 forthcoming. At this point, I think we should make a motion.

8 Dr. Spiro stated I will make my decision on the convections of my beliefs. I do believe
9 the survey I conducted was accurate based on a margin of error and I have enough information to
10 make a decision. I have tried everything I could to spur competition. I evaluated the CDD
11 purchasing the land, and provided information to the buyer's group. I even went so far as to see
12 how we could list the land, and there are no avenues. The alternative is foreclosure, and is highly
13 risky. The amount of money we will get is far less than the benefits we will be getting. Once we
14 get into foreclosure proceedings, the negotiations will be adversarial with Avatar. Residents
15 want bigger homes, but the market does not support bigger homes. There are risks, and other
16 locations have been disappointed with Kolter, and Ryan Homes, and recognize that there is not
17 much we can do about it. If Kolter does not fulfill their obligations, I will be very upset.

18 Mr. Harvey stated I have the utmost confidence that I will meet your expectations.

19 Dr. Spiro stated I want everyone to know I have been forthright with my intentions as I
20 can be, and very consistent. I take my surveys seriously. I will vote for the Kolter deal. For
21 those who are upset about the smaller homes, that is a POA matter. There are variables out there.
22 You need to discuss that with them. I don't know when they will approve the deal. As
23 homeowners it is our responsibility to get the information. Perhaps through the POA we may
24 have some leverage. I do want to talk about some next steps before the night ends.

25 Mr. Woodards stated when I make a promise, I stick with it, and the community expects a
26 survey.

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28 On MOTION by Ms. Castro, SECONDED by Dr. Burman, WITH
29 Ms. Castro, Dr. Burman and Dr. Spiro Voting Aye,
30 Mr. Woodards Voting Nay;
31 the Board approved the Kolter Proposal/Agreement, in substantial form, subject to counsel
32 review.
33

1 The record will reflect the Board took a 10-minute recess.

2
3 **NINTH ORDER OF BUSINESS – Staff Reports**

4 **A. Attorney**

5 There being no report, the next item followed.

6
7 **B. Manager**

8 **B.1 CDD Management Report**

9 A copy of the Management Report is attached hereto and made a part of the permanent
10 record.

11
12 **B.2. Avatar Assessments**

13 Mr. Daugirda stated with the Phase 7 development we are a step closer to getting this
14 resolved.

15
16 **B.3. State of District Finances**

17 Mr. Daugirda stated for the estimated year-end September 30, 2012 you spent less than
18 the budgeted amount and enhanced your fund balance.

19 Ms. Castro stated I believe we put a portion of the fund balance into reserves. I cannot
20 remember how much it is.

21 Mr. Daugirda stated the final close of the year end mostly likely be at the end of
22 November, and the Financial Committee will make a recommendation to the Board.

23
24 **B.4. FY 2013 Committees**

25 **▪ General Operations**

26 **▪ Committee Mission Statements**

27 **▪ Government in the Sunshine Law**

28 **▪ Committee Meeting Processes and Forms**

29 Mr. Daugirda stated in your package is the information for the FY 2013 Committees.
30 This will be most important for any new Board member liaisons, and Committee Chairpersons.
31 These have been updated for the new fiscal year that started October 1.

32 The Board has the authority to set policies throughout the year. Under major rule making
33 when you are charging a fee there is a formal approach.

1 Mr. Straley stated that is correct, and the formal rule making is a cumbersome process. It
2 makes sense for things like user fees, but to change rules in the gym nothing is particular gained
3 by going though the Florida Administrative Rule.

4 Ms. Castro stated when the resident Board came in, they wanted more resident
5 involvement and created the committees. The Board is here to make final decisions, not to do
6 everything. The Committees vet out the ideas from the residents, and come up with the best
7 proposals and solutions. It has not been going that way lately, so when the new Board comes in
8 you need to decide how you want it to run. It is a waste of time for the committees to put in all
9 this effort if we are not going to take their recommendations.

10 Mr. Daugirda stated in the past the Board delegated some authority to the committees; we
11 have the website; and Mr. Spiro has his Google group. In some communities, the Board will
12 hold workshops or you can have a Communication Committee to meet at more convenient times
13 to inform the residents what is going on, meet on a Saturday or Tuesday following the release of
14 the agenda package, and review the items and what is going on in the District.

15 Mr. Burman stated the whole idea of the committees was for them to be the sounding
16 board the residents would utilize. This Board should be setting policy. It is not our job to deal
17 with the day to day minutia; that is the Facilities Manager job and the committees.

18 Mr. Daugirda stated for the other major issues, like the Kolter proposal, those will need to
19 be vetted out in front of the Board.

20 Dr. Spiro stated there were many people who volunteered their time and effort in this
21 process. At the end of the deal, we came out with a \$1.250 million improvement on the contract.

22 Mr. Daugirda stated the committees can look at how to share more information.

23 Dr. Burman stated I remember saying this Board, as a whole, was not getting the
24 information needed to disseminate, and getting it last minute impeded our ability to communicate
25 with the community. I don't know how to solve that problem. There were negotiations, and at
26 6:00 p.m. the Board is being made aware of the changes. Getting information to us late inhibits
27 us in doing the communication the community wants.

28 Dr. Spiro stated there are three parts. Our advisors are charged with getting us
29 information in a timely fashion. Sometimes the tail is wagging the dog where the information
30 comes to us where we should be doing this, and when the residents get these packages they think
31 "this is the rule" and we haven't even discussed it. We should first introduce the concepts at a
32 meeting, and then determine when we want to evaluate these things. Lastly, we are the decision

1 makers, and sometime those in the weeds will provide us information prior to the meeting to
2 make sure we know about it.

3 Ms. Castro stated people do get confused, putting a watermark on it that says draft on
4 every page would help. Like the communication policy, that was a draft and wasn't even cleaned
5 up by anyone. It was one Board members thought on paper.

6 Mr. Daugirda stated just about everything in these packages are drafts until they are
7 approved by the Board.

8 Dr. Burman stated the agenda process is handled between DPFG and the Board. I did not
9 see this final agenda, and there are things I would not have put on here. I would like to see it on
10 the Tuesday prior to the distribution date.

11 Mr. Daugirda stated I know I receive the draft agendas, as well as Mr. Burman. However
12 the agendas are a moving target sometimes. The intent is always to have this back and forth.
13 You also put in item #3 on all agendas to modify it how you see fit.

14 Dr. Burman stated as for the renting of the Beach Club, someone contacted someone as
15 asked it be put on the agenda. I would have told her she had to go to L-A-F Committee first,
16 rather than having it brought up at this meeting.

17 Dr. Spiro stated that came from me. She came to the meeting, and wanted to make a
18 presentation.

19 Dr. Burman stated that is fine, but at the beginning of this meeting, I would have told you
20 to have the person start at the L-A-F Committee and percolate it up to the Board. We didn't need
21 to have the discussion here at this point. If you are not going to do that, eliminate the
22 committees.

23 Mr. Straley stated the one committee you need to start fairly soon is the pool committee.
24 There is plenty of opportunity for resident input, but there is a time-frame.

25 Dr. Spiro stated I would like to start a communication committee. I have the
26 technological background, and have lots of ideas. This is one thing I don't mind getting into the
27 weeds with. I don't want it to be an official committee as there is too much controversy.

28 It is important to have pool committee, and we need to pick one person to be an
29 intermediary with Kolter and it should come from the pool committee. Of the resident who
30 attend, and whoever is designate Chair should be the intermediary. That committee and
31 individual will come to us to make any decisions.

32 Mr. Straley stated it is critical that the Facilities Manager be a member on that committee.

1 Mr. Darling stated the pool is just another facility. We already have L-A-F Committee
2 that has a primary role as a sounding board for planning, design and use of facilities.

3 Dr. Spiro stated this is such a highly charged issue and there are people not on the
4 committee who want to be involved, and we want to make sure everyone is included. L-A-F
5 meets at 10:00 a.m.

6 Ms. Castro stated they used to meet at 7:00 p.m. and had zero attendance, and got more at
7 10:00 a.m. They bounced around. For the pool, they need to set up a weekly meeting so it is
8 posted. It can be a temporary assignment under L-A-F.

9 Mr. Daugirda stated you can make it a task force which is a subset of the committee.

10 A resident stated people care when it is relevant to them and attend meetings. If the
11 communication is out that the L-A-F Committee will be a part of the pool, and are welcoming
12 new members there is no need to do double duty, but strengthen what we currently have.
13 Changing times is no problem. People are bombarded with emails and mail, and they don't even
14 read things. It goes in the trash, shredder and recycle bin. We need to find a way to reach people
15 so they get interested.

16 Mr. Straley stated those who live closer to the pool can have input as far as buffering and
17 things of that nature.

18 Dr. Burman stated we are not going to please everyone. The Board does what is best for
19 the community, and hope that those who are not pleased will understand.

20 A discussion was held on the different ways to reach the residents regarding the pool task
21 force to get the most participation.

22 Dr. Burman stated Dr. Spiro can get with Mr. Carpenter to schedule the Pool Sub-
23 Committee meeting.

24 A discussion was held regarding the notices of meetings, and a request was made for the
25 draft committee minutes be circulated to the Board upon completion.

26
27 **Letter from Charles and Karen Walker**

28 Mr. Daugirda stated the letter was distributed to the Board, and the basic situation was
29 before Fiscal Year 2008, the District did not directly bill or assess the residents, it was done
30 through a maintenance account by Cory Lakes Ltd. In the summer of 2007 to cover the
31 assessment that would run from October 1, 2007 to September 30, 2008 the Board for the first
32 time put all the O&M assessments on the tax roll. Everyone was made aware of the prior

1 circumstances. There was a full process, disclosure, public hearing and resolutions. The
2 Walker's sold their home and would like to get a rebate of three months where there was an
3 overlap.

4 Mr. Straley stated Cory Lakes Ltd. contract was on an annual calendar year basis, and the
5 District runs on a Fiscal Year basis.

6 Dr. Spiro stated they were provided the documentation.

7 Mr. Daugirda stated I sent an email back to them explaining our assessment process and
8 its validity.

9 Dr. Spiro stated I suggest we send them the paperwork, it is a technical matter. They
10 were aware of the situation.

11
12 **ELEVENTH ORDER OF BUSINESS - Community Requests/Recommendations**

13 **A.2. Beach Club Makeover Proposal**

14 Mr. Carpenter stated the idea for the Beach Club was that it could be an extension of your
15 own home, so you could come to watch TV, get together with friends, help the kids with
16 homework. That is the discussion at the L-A-F meeting, and we wanted to improve the looks to
17 make it feel more comfortable. Anita was on the committee, and she is an interior decorator. It
18 is a concept, and from what I heard tonight, the concept may change or may not. Just look at the
19 presentation, and it is a huge difference.

20 Mr. Darling stated when we did the Phase 1 renovation of the carpet, flooring and wall
21 paint, there were several other committee members who participated with interior design
22 expertise.

23 Ms. Mylitta Butler overviewed her presentation to refresh, renew & restore the Beach
24 Club, [a copy of which is attached hereto and made a part of the permanent record] and
25 highlighted the following:

26 Refresh the Beach Club at an estimated cost of \$25,000 by

- 27 ○ Adding new furniture with multiple seating areas;
- 28 ○ Create a kids corner;
- 29 ○ Paint bathrooms, update décor;
- 30 ○ Add window treatments, tint windows;
- 31 ○ Spray chairs, stools, table legs, reupholster cushions; and
- 32 ○ Touch up painting.

1 Renew Beach Club at an estimated cost of \$35,400 by

- 2 ○ Replacing kitchen/bar/bath and entry tiles;
- 3 ○ Add granite counters in kitchen/ bar/ outside pass through/ new sinks/ mosaic tile
- 4 bar fronts;
- 5 ○ Replace table tops with granite;
- 6 ○ Replace ceiling fans;
- 7 ○ Crown molding;
- 8 ○ Paint ceiling, columns, expose wood beams.

9 Restore Beach Club at an estimated cost of \$37,500 by

- 10 ○ Replacing carpet with High-grade wood laminate/wood tile; and
- 11 ○ Add area rugs to ground seating areas and additional accents.

12 A discussion took place regarding plans for the pool and surrounding area, increasing
13 building to two stories for anticipated use; reserve study and budgetary amounts for renovations;
14 impact of renovations on potential rentals; obtaining additional visions from interior designers in
15 the community.

16 Board consensus was for L-A-F to continue with Beach Club Interior Upgrade project and
17 obtain additional design concepts.

18
19 **TENTH ORDER OF BUSINESS – Board Member Discussion Items:**

20 **A. Announcement of Board Vacancy for Seat #5, Expires 11/2014**

21 Dr. Burman stated we have two seats on the general election ballot on November 6. We
22 have one vacancy on the Board, and we can ask for additional resumes to be submitted, and have
23 them attend the following Board meeting. Do you want to bring in the applicants for this current
24 Board or the next Board to look at?

25 Following discussion,

26 Dr. Burman stated we will post the opening for Seat #5, and the due date of November
27 7th.

Cancellation of Kolter Proposal Survey

On MOTION by Dr. Burman, SECONDED by Ms. Castro, WITH
Dr. Burman, Ms. Castro and Dr. Spiro voting Aye;
Mr. Woodards voting Nay;
the Board approved Cancelling the Kolter Proposal Survey.

B. CDD Official Communication Policy

C. Introduction of New Supervisor Communication System Concept – C. Spiro

Dr. Spiro stated the Sunshine Laws restrict the Board members relating to communication. I design software communication. I hope to present it to the City of Tampa, and legislators in the State of Florida. I have all the relevant cases, and two people are backing it up because they think it is a good thing, and it has taken a life of its own. At some point, I will be bring this back to the Board with a presentation.

D. Survey on Guest Policy for Gym – C. Spiro

The above items were not discussed at this meeting.

**ELEVENTH ORDER OF BUSINESS - Community Requests/Recommendations
(Continued)**

A. Landscape-Aquascape-Facilities

**A.1. Amendment I to Chapter II of District Rules and Rules and Regulations for All
Amenity Facilities**

- Memorandum and Documents
- Publication Notices Setting of Public Hearing to Amend Chapter II of the District Rules

Following discussion, L-A-F will gather comments, and send out a new version.

B. Security – September Security Incident Reports

Dr. Burman stated the September security report was provided in your Advance Board Package.

Ms. Castro stated the off-duty officers at the entrance and exits giving out tickets. They really need to be in the circle of Cory Lake Drive.

Dr. Burman stated we have talked about this, and we have some hot spots in the District they need to take care of, such as Martinique, and the straightaways.

Mr. Darling stated I will change the protocol for the off-duty officers to take care of that.

TWELFTH ORDER OF BUSINESS - Supervisor Requests

Mr. Woodards stated Mr. Darling should look into a boat for the lake again.

THIRTEENTH ORDER OF BUSINESS - Public Comments

There not being any, the next item followed.

FOURTEENTH ORDER OF BUSINESS - Adjournment

There being no further business,

On MOTION by Dr. Burman, SECONDED by Ms. Castro, WITH ALL IN FAVOR, the meeting was adjourned at 10:20 p.m.

Note on Supervisor Voting: A "Yes" vote constitutes a full affirmative vote of a motion and adoption of the stated reasoning as articulated by the majority. A "No" vote constitutes full opposition to a motion and adoption of the stated reasoning as articulated by the "No" voters. A supervisor cannot stand silent. If a supervisor does not make a statement, then that action will be recorded as a "Yes" vote. If a supervisor does not fully agree with the reasoning of the affirming or negating group, then it is the duty of the supervisor to articulate and memorialize his or her concurring reasoning during their vote which will be recorded in the motion, or in a written "Supervisor Memorandum On Voting" that should be attached in an appendix to the approved minutes.]

**These minutes were prepared in summary format, and are a summary of the discussions and actions taken at this meeting; and upon the Board of Supervisors' approval are the permanent "Record of Proceedings" of such meeting.*

**Each person who decides to appeal any decision made by the Board with respect to any matter considered at the meeting is advised that person may need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence upon which such appeal is to be based.*

Meeting minutes were approved at a meeting by vote of the Board of Supervisors at a publicly noticed meeting held on NOV. 14, 2012.

Signature

JEAN M RUGG

Printed Name

Title:

☐ Secretary

☒ Assistant Secretary

Signature

DAVID BURMAN

Printed Name

Title:

☒ Chairperson

☐ Vice Chairperson