

**SOUTH FORK EAST  
COMMUNITY DEVELOPMENT DISTRICT**

**April 26, 2018 Minutes of Regular Meeting**

**Minutes of the Regular Meeting**

The Regular Meeting of the Board of Supervisors of the South Fork East Community Development District was held on **Thursday, April 26, 2018 at 6:00 p.m.** at the Christ the King Lutheran Church, located at 11421 Big Bend Road, Riverview, Florida 33579.

**1. PLEDGE OF ALLEGIANCE**

Supervisor Bounds led The Pledge of Allegiance.

**2. CALL TO ORDER**

Supervisor Bounds called the Regular Meeting of the Board of Supervisors of the South Fork East Community Development District to order on **Thursday, April 26, 2018 at 6:05 p.m.** and identified the Board Members present.

Board Members Present and Constituting a Quorum at the onset of the meeting:

Harry Bounds	Chairman
Carole Schaller	Vice Chairman
Karen Gagliardi	Supervisor
Hope Brisette	Supervisor

Staff Members Present:

Debby Nussel	Meritus
Vivek Babbar	District Counsel
Travis Chatman	Onsite Staff
Josh McGarry	Aquatic Systems

There were approximately 28 residents in attendance, including 1 resident via speakerphone.

**3. AUDIENCE QUESTIONS AND COMMENTS**

A resident asked the Board what the difference is between the CDD and the HOA.

Another resident addressed about the Board about doing an encroachment agreement for her property on Drifting Leaf in the Reserve at South Fork. The Board discussed entering into the agreement. Mrs. Nussel showed the Board location of the home. Mr. Babbar went over what the agreement would entail and his recommendations.

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MOTION TO:	Allow the agreement with the homeowner, subject to the District Engineer’s approval, amended to also include that the same standard fee policy will be in place for filing the agreement as used with other homeowners.
MADE BY:	Supervisor Brisette
SECONDED BY:	Supervisor Gagliardi
DISCUSSION:	The Board discussed the cost for filing the agreement.
RESULT:	Called to Vote: Motion PASSED 4/0 – Motion Passed Unanimously

Residents continued to make comments. A resident brought up the trash in and around Pond 12 and the midge flies. Mr. McGarry from Aquatic Systems stated that he will talk with his staff about focusing in on the trash.

Another resident commented on the playground at the pool. The Board said they are working on it.

A resident went over when she reserved the pool for a birthday party on March 10th. Right after the party, the resident was told to leave the pool area even though no one was at pool and the pool was still open. The Board discussed amending the pool party policies to address this concern. Mr. Babbar went over possible options and his recommendations.

Another resident mentioned a rumor that South Fork Reserve residents could use the South Fork Lakes pool. The Board stated no. The Board let the resident know what amenities they can use in South Fork East.

Residents then commented that a light near 13742 Artesa Bell is out, asked about the County dig site off of Clement Pride, and wanted to know more information about the CDD and other CDDs in the area.

A resident said that she has a 17-year-old who told that he needs an adult to play basketball. The Board said yes, 18 is the age for amenity access without an adult. Residents asked for more communication with residents on rule changes. The Board stated that the minutes and policies are posted on the website.

There were comments about the great turnout at meeting based on previous turnout and that posting signs helped get the word out. Residents also asked for the address of the meeting venue to be posted on the signs. Supervisor Schaller welcomed all the newcomers and the repeat attendees to the meeting.

Another resident brought up that that at the dog park, the water fountain has large holes around it. He was worried that it might be a leak. Staff will look into the holes in the park.

90 **4. VENDOR AND STAFF REPORTS**

91 **A. Discussion with Aquatics Systems – Josh McGarry**

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93 Mr. McGarry introduced himself to the community. He stated that there are a lot of algae blooms at  
94 this time of year, and they are being addressed when needed. Mr. McGarry then went over the midge  
95 fly treatments and the life span of a midge fly. He also provided some tips for residents to do to help  
96 prevent midge flies. The worst time for midge flies is spring and fall, but they are still present in the  
97 summer. Aquatics Systems is continuously looking at different ways to treat for midge flies. Mr.  
98 McGarry went over the best management practices for pond health with residents.

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100 Resident asked about the weeds near the pond behind Drifting Leaf. Mr. McGarry said he will check  
101 the area to see if it should be addressed by the landscapers or aquatics. Mr. McGarry then went over  
102 the proposal for additional pond plantings with the Board. He said they could do different sections of  
103 plantings or do them evenly, and it would be up to the Board. Mr. McGarry stated that now through  
104 June is the best time for plantings. The plantings would be about 4 feet of the shoreline. Ponds 13,  
105 19-24, and 28 were the ponds being proposed for the plantings. The Board discussed the proposals.

MOTION TO:	Approve the proposal for \$12,749.00.
MADE BY:	Supervisor Gagliardi
SECONDED BY:	Supervisor Brisette
DISCUSSION:	None further
RESULT:	Called to Vote: Motion PASSED 4/0 – Motion Passed Unanimously

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114 *Mr. McGarry left the meeting.*

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116 **B. District Engineer**

117 **C. District Counsel**

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119 Mr. Babbar provided an update about the fence encroachment. He stated that the cost was \$100 per  
120 fence encroachment. Mr. Babbar then went over his updated findings regarding the Callaway Pond  
121 street lighting district and also explained the history of the street lighting district. Mr. Babbar stated  
122 that effective in the new fiscal year, the 93 homes won't be paying into the street lighting district  
123 and will just be paying into the CDD like everyone else. Mr. Babbar investigated the feasibility of  
124 refunding or crediting the homeowners per a resident request at the previous meeting, and he  
125 reported that he has not found any case law, advisory opinions, or law review articles that discuss  
126 the feasibility of issuing a refund or credit without a court order. The CDD only has powers as given  
127 to them by Chapter 190 of the Florida Statutes. Mr. Babbar can continue reaching out to other  
128 attorneys if the Board wishes for him to keep pursuing the matter.

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130 Mr. Babbar also went over the potential conflict of interests for the two supervisors who were part  
131 of the street lighting district, and he found that it would not be a conflict of interest because the  
132 Commission of Ethics is of that opinion that a conflict of interest is a matter of percentage of class.  
133 Each Supervisor would only have 1.1% stake, which would be under the 2% threshold that the  
134 Commission of Ethics identified.

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136 Supervisor Gagliardi asked for clarification about getting a court order, and Mr. Babbar clarified  
137 that the burden would be high to get a court order to have the CDD to refund the residents in the  
138 street lighting district. Mr. Babbar also said that there would be a statute of limitations.  
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140 A resident expressed his frustration with paying into the street lighting district as well as the CDD.  
141 Mr. Babbar, the Board, and residents continued to discuss the lighting district.  
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143 *The full discussion is available on audio.*  
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## 146 **5. BUSINESS ITEMS**

### 147 **A. Discussion on Resumes for Open Board Seat** 148

149 Supervisor Bounds went over the history of the open Board seat. The remainder of the term is 2 and  
150 half years. He also reviewed that Supervisor Brisette, Supervisor Gagliardi, and Supervisor  
151 Schaller's terms end this year. Elections for those three seats will be held in November of this year.  
152 Mr. Babbar went over the dates for the qualifying period, which are Monday, June 18, 2018 at noon  
153 through Friday, June 22, 2018 at noon.  
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155 Supervisor Bounds stated that they received three resumes for the open Board seat. Laura Green  
156 was present at the meeting as an audience member, and Perry Strimpel was attending the meeting  
157 via conference call. Supervisor Gagliardi said that she spoke with both Ms. Green and Mr. Strimpel  
158 and does not have any questions at this time. Supervisor Schaller said that both candidates very  
159 qualified, and it will be a difficult decision between the two. Supervisor Brisette Hope agreed that  
160 they are two amazing candidates. She has interviewed both, and she highlighted each candidate's  
161 strong points. Supervisor Bounds agreed with the other Supervisors. He then asked the candidates to  
162 speak briefly.  
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164 Laura Green introduced herself to residents and provided her history and background. Perry  
165 Strimpel also introduced himself to residents and went over his history and background.  
166 Residents shared their thoughts on each candidate.  
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168 A resident expressed his concerns about the election process. Supervisor Bounds stated that each  
169 supervisor had the time to talk with each candidate. Mr. Babbar stated that the Board is following  
170 procedures and went over how the Board can vote for the open Board seat.  
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172 Supervisor Gagliardi stated that she wanted to appoint Ms. Green. Supervisor Brisette and  
173 Supervisor Schaller also wanted to appoint Ms. Green. The Board said they appreciated that Mr.  
174 Strimpel put in his name and resume for the open Board seat.  
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176	MOTION TO:	Appoint Laura Green to the vacant seat.
177	MADE BY:	Supervisor Brisette
178	SECONDED BY:	Supervisor Schaller
179	DISCUSSION:	None further
180	RESULT:	Called to Vote: Motion PASSED
181		4/0 – Motion Passed Unanimously

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183 Laura Green confirmed that she is a resident of the District and a registered voter. Mr. Babbar swore  
184 in Supervisor Green to the Board. Mr. Babbar highlighted the Sunshine Laws and rules of the  
185 District. Mr. Babbar will also review the Sunshine Laws in detail with Supervisor Green after the  
186 meeting.

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188 **B. Discussion on New Entrance Monuments**  
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190 Mrs. Nussel stated she gave the Board two different options for the Board to be discussed.  
191 Supervisor Bounds went over the history of the Board looking at the different monument. The  
192 Board took resident comments. The Board discussed different ways to communicate with the  
193 community. Mr. Babbar went over public record requests and how it works with emails. The Board  
194 discussed if new monuments are needed or not. The Board and residents discussed possible sign  
195 options and locations. The residents did not believe that new monuments were necessary. The  
196 Board wanted to order one more sign and one big sign no taller than 3 ft., approximately 2x4, not to  
197 exceed \$500. The bigger sign will have the name and location of the meeting, as well as the time  
198 and address.

MOTION TO:	Proceed with the two signs as discussed within the discretionary amount.
MADE BY:	Supervisor Green
SECONDED BY:	Supervisor Brisette
DISCUSSION:	None further
RESULT:	Called to Vote: Motion PASSED 5/0 – Motion Passed Unanimously

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208 **C. Discussion on On-Site Work Schedule**  
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210 The Board and Mr. Chatman discussed his duties and getting the summer part-time help. The Board  
211 would like to post the help for the summer at the pool and on the website. The District is looking for  
212 part-time summer help at \$8.50 an hour, 10 hours a week, for cleaning and picking up trash.  
213 Supervisor Bounds wanted to make sure that onsite staff is adhering to the schedule. Mr. Chatman  
214 will be on a 90-day probation, retroactive 30 days, and the Board will look at a pay increase for Mr.  
215 Chatman for the additional responsibilities.

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217 The Board then discussed the cost for replacement cards for residents who are not at fault because  
218 their cards were stolen. Mr. Babbar recommended doing a motion for a change in policy.  
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MOTION TO:	Waive fees for a replacement pool card if at no fault of the resident, as presented to the Board or in writing, the resident's pool card has been stolen, amended to include that Mr. Chatman would bring the evidence to Supervisor Schaller to make the determination.
MADE BY:	Supervisor Gagliardi
SECONDED BY:	Supervisor Green
DISCUSSION:	Supervisor Brisette wanted to know who would make the determination if the card should be replaced at no cost. Supervisor Babbar said that it should be brought to the Board or a designated Supervisor.
RESULT:	Called to Vote: Motion PASSED 5/0 – Motion Passed Unanimously

**D. General Matters of the District**

**6. CONSENT AGENDA**

**A. Consideration of Board of Supervisors Meeting Minutes February 22, 2018**

The Board reviewed the minutes and noted some corrections. Line 116 should be changed to Supervisor Bounds instead of Supervisor Brisette. Supervisor Gagliardi requested adding to line 248 that she said that Supervisor Brisette would be biased, which would also need to be investigated.

MOTION TO:	Approve the March 22, 2018 minutes as amended.
MADE BY:	Supervisor Gagliardi
SECONDED BY:	Supervisor Schaller
DISCUSSION:	None further
RESULT:	Called to Vote: Motion PASSED 5/0 – Motion Passed Unanimously

**B. Consideration of Operations and Maintenance Expenditures March 2018**

The Board went over the O&Ms and asked questions about mailing fees, Supervisor payroll, TECO, Verizon, taxes on a receipt, and District Counsel fees.

MOTION TO:	Approve the March 2018 O&Ms.
MADE BY:	Supervisor Brisette
SECONDED BY:	Supervisor Schaller
DISCUSSION:	None further
RESULT:	Called to Vote: Motion PASSED 5/0 – Motion Passed Unanimously

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**C. Review of Financial Statements Month Ending March 31, 2018**

The Board reviewed and accepted the financials. Supervisor Brisette recommended for Supervisor Green to review with the Board what she would recommend to the District when she is comfortable.

**7. MANAGEMENT REPORTS**

**A. District Manager**

- 1. Staff Task List**
- 2. Field Manager's Report**
- 3. Aquatics Reports**

Mrs. Nussel went over her report. She asked the Board if they would agree to have KB Homes on the May agenda for conveyance of the common area. The Board agreed.

The Board discussed the cost for heating the pool and decided to hold off.

Mrs. Nussel then updated the Board on the park permits, the insurance claim, and the ARC applications from Home Encounter for Stillwater. The Board told Mrs. Nussel to go ahead and have the playground mulch installed. The Board would like to get the cost to resurface the basketball court. The Board would also like to have LMP send proposals for landscaping enhancements at the round-a-bouts inside The Enclave.

The Board discussed who owned the common area behind Iris Spring Court in The Enclave. Mrs. Nussel and Mr. Babbar will look into the area. The Board also discussed the new area of hog activity in the community near Pond 25. They decided to let management proceed with hiring a trapper if they get another call about hog activity.

**B. On-Site Manager's Report**

Mr. Chatman went over his report with the Board.

**8. SUPERVISOR REQUESTS**

Supervisor Gagliardi talked with residents who wanted to know who is responsible for what in the community, and she made a list to explain the responsibilities. Supervisor Gagliardi also asked for an update on different types of gates at the pool. Mrs. Nussel will have the District Engineer look into it. Supervisor Gagliardi stated that she is disappointed about the reserve study saying that the playground does not need to be replaced until 2025. She did not understand why the insurance company would not cover the claim.

Supervisor Schaller talked about the sprinkler heads that and went off on Sunday. She wanted to know how the lines were cut. Management will contact LMP about breaking a resident's sprinkler heads at his house. Supervisor Schaller also stated that she is still concerned about ants in the community. The Board discussed the ants.

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**9. ADJOURNMENT**


MOTION TO:	Adjourn.
MADE BY:	Supervisor Brisette
SECONDED BY:	Supervisor Schaller
DISCUSSION:	None further
RESULT:	Called to Vote: Motion PASSED 5/0 – Motion Passed Unanimously


*\*Please note the entire meeting is available on disc.*

*\*These minutes were done in a summary format.*

*\*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 6-26-2018.


  
\_\_\_\_\_  
Signature  
Harry Bonds  
\_\_\_\_\_  
Printed Name

  
\_\_\_\_\_  
Signature  
Debby Nussel  
\_\_\_\_\_  
Printed Name

Title:  
 Chair  
 Vice Chair

Title:  
 Secretary  
 Assistant Secretary



Recorded by Records Administrator  
  
\_\_\_\_\_  
Signature  
June 26, 2018  
\_\_\_\_\_  
Date