

RE: WESTCHASE COMMUNITY
DEVELOPMENT DISTRICT

TRANSCRIPT OF: BOARD MEETING

DATE: August 2, 2016
TIME: 4:05 p.m. - 5:35 p.m.
PLACE: Westchase Community
Association Office
10049 Parley Drive
Tampa, Florida

REPORTED BY: Kimberly Ann Roberts
Notary Public
State of Florida at Large

RICHARD LEE REPORTING
(813) 229-1588

TAMPA: email: rlr@richardleereporting.com
ST. PETERSBURG:
100 North Tampa Street, Suite 2845 535 Central Avenue
Tampa, Florida 33602 St. Petersburg, Florida 33701

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1 APPEARANCES:
2 WESTCHASE COMMUNITY DEVELOPMENT
3 DISTRICT BOARD MEMBERS:

4 Mark Ragusa, Chairman
5 Greg Chesney
6 Brian Ross
7 Bob Argus
8 Jim Mills (Telephonically)

9 ALSO PRESENT:

10 SEVERN TRENT SERVICES:

11 Andy Mendenhall
12 Alan Baldwin (Telephonically)

13 DISTRICT ATTORNEY:

14 Erin McCormick

15 DISTRICT ENGINEER:

16 Tonja Stewart

17 WESTCHASE STAFF:

18 Sonny Whyte

19 Doug Mays
20
21
22
23
24
25

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1 The transcript of Westchase Community
 2 Development District Board Meeting, on the 2nd day
 3 of August, 2016, at the Westchase Community
 4 Association Office, 10049 Parley Drive, Tampa,
 5 Florida, beginning at 4:05 p.m., reported by
 6 Kimberly Ann Roberts, Notary Public in and for the
 7 State of Florida at Large.
 8 * * * * *

9 CHAIRMAN RAGUSA: Good afternoon. I'm
 10 Mark Ragusa. I'm chair of the Westchase
 11 Community Development District. Today is the
 12 August 2, 2016 Westchase CDD meeting.
 13 The record should reflect that
 14 Supervisors Ross, Ragusa and Chesney are
 15 present. Supervisor Mills is attending on the
 16 phone, and Supervisor Argus is not present.
 17 If everybody will stand and join us in
 18 the Pledge of Allegiance.
 19 (The Pledge of Allegiance was recited.)
 20 CHAIRMAN RAGUSA: We have the consent
 21 agenda, which is approval of the July 12, 2016
 22 meeting minutes, along with the acceptance of
 23 the financial statements as of June 30, 2016.
 24 Did anybody catch any scrivener errors
 25 in the transcript, or does anyone have

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1 anything to discuss, to pull it off the
 2 consent agenda?
 3 MR. MENDENHALL: I have some edits from
 4 Erin.
 5 CHAIRMAN RAGUSA: Okay. Were they
 6 substantive or material or scrivener?
 7 MS. McCORMICK: Just on Page 24, at the
 8 bottom of that page, it was -- it should have
 9 read, I think, "An expert review would carry
 10 more weight," as opposed to saying would not
 11 -- it said, "Would probably not, you know, be
 12 something that would carry as much weight."
 13 It should be the opposite. It should be
 14 "would carry more weight."
 15 CHAIRMAN RAGUSA: With that change from
 16 counsel, do we have a motion to approve the
 17 consent agenda?
 18 MR. CHESNEY: So moved.
 19 MR. ROSS: Second.
 20 CHAIRMAN RAGUSA: Any discussion?
 21 (No response.)
 22 CHAIRMAN RAGUSA: All in favor please
 23 raise your hand.
 24 (All board members signify in the
 25 affirmative.)

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1 CHAIRMAN RAGUSA: That motion passes
 2 three to nothing.
 3 Erin, correct me if I'm wrong. Jim
 4 cannot vote or he can vote?
 5 MS. McCORMICK: No, he can vote. He
 6 can vote.
 7 CHAIRMAN RAGUSA: Okay. Jim, do you
 8 vote for or against that motion?
 9 MR. MILLS: Yes. Thank you. For.
 10 CHAIRMAN RAGUSA: Okay. Four to
 11 nothing. Thank you.
 12 (Motion passes.)
 13 CHAIRMAN RAGUSA: Engineer's report.
 14 Hello, Tonja.
 15 MS. STEWART: Good afternoon. I'm going
 16 to start out with the rezoning information.
 17 If you would pass this down, please.
 18 And, Jim, I think you've already seen
 19 this. Basically I'm going to talk a little
 20 bit about the drainage basins. Anyone in the
 21 audience want to see it?
 22 MR. NEYLAN: Can I have a copy?
 23 MS. STEWART: Oh, yeah. I brought ten.
 24 I was hoping that was going to cover it.
 25 MR. BARRETT: Do you happen to have

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1 another one of those?
 2 MS. STEWART: Yes. Just a little
 3 explanation -- I'll show everybody. this is
 4 the way that this should look. You can see
 5 the little yellow highlighter, that should be
 6 at the bottom -- bottom left, and then this
 7 one is like that with the big lake at the top
 8 of the page. Turn yours to the right, Brian.
 9 Okay. Everyone see? Okay. The point
 10 of me giving you this information is -- this
 11 sheet first, the little one -- this is from
 12 the construction plans for the community, you
 13 know, from 20 years ago. Okay?
 14 You can kind of see at the bottom right,
 15 the bottom right where our property boundary
 16 turns, this is the area where the rezoning is
 17 occurring -- okay? -- the bottom right where
 18 the little cutout is.
 19 We have a series of wetlands, wetland
 20 mitigation areas that are all interconnected,
 21 as well as drainage systems that flows through
 22 here. The little red arrow is the way that
 23 our system flows out, and then the pipe
 24 underneath Linebaugh -- Sheldon Road is the
 25 ultimate outfall for our system there.

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1 The point of me providing Jim Mills with
2 information for the zoning hearing master was
3 to be able to speak with the developer, maybe
4 their engineer, to say, as you can tell on the
5 bottom where the red arrow is, that is
6 basically a bottleneck right at the southwest
7 corner of their property. Okay?
8 They have a small wetlands system that's
9 been claimed as wetland right in that area.
10 Erin and I talked, and this really led to a
11 question that I actually believe we've never
12 asked in any district before, is what happens
13 when we flow onto somebody else's property?
14 We don't have control over that system
15 being clear and free-flowing. So what do we
16 do, you know? But this happens everywhere.
17 Every community ultimately drains downstream
18 to somebody else's property. And I'm shocked
19 we've never come up with this question
20 before.
21 But because that area is so narrow at
22 the bottom, it was worthy of mentioning it at
23 the zoning hearing master. I understand Jim
24 did mention it.
25 I actually ran into the developer's

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1 legal counsel a couple days later at another
2 meeting and asked him about it, and he said
3 that their engineer said that that is a
4 different drainage basin, that our system is
5 in a different drainage basin than their
6 system, which brings us to this page. Okay?
7 The black lines are drainage basins, is
8 basically what this is, and the area that's in
9 orange is basically the rezoning area. If you
10 follow this black --
11 MR. CHESNEY: The area that's --
12 MS. STEWART: Can you follow it?
13 MR. ROSS: Yes. Okay.
14 MR. CHESNEY: Can you point --
15 MS. STEWART: This is the area that's
16 being rezoned.
17 MR. CHESNEY: Yes. Okay.
18 MS. STEWART: Okay? If you look, there
19 is this black line that indicates the drainage
20 basin. It actually encompasses this area
21 outside of this property to meet within that
22 same drainage basin, so it's not clear to me
23 how the engineer says that we're in different
24 drainage basins.
25 So this is kind of a critical deal for

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1 us in terms of our ultimate outfall. And I
2 think at this point -- I know Jim may have a
3 report, I know we've got some deadlines, but I
4 tried to reach out to legal counsel. They
5 have not returned my phone calls, so I guess
6 at this point, Erin, I'm not sure where we go
7 from here to --
8 MS. McCORMICK: Well, I mean, depending
9 upon what the testimony was at the zoning
10 hearing master hearing -- and, Jim, maybe you
11 can react to this -- but, I mean, I would say
12 that if their engineer represented that their
13 project is in a different drainage basin than
14 ours is and we now have information that that
15 is not the case, then that's something that we
16 could file something before the board of
17 county commissioners hearing and say, you
18 know, that is not correct information, and we
19 need to be able to address that either at the
20 board of county commissioners hearing or this
21 should be sent back to the zoning hearing
22 master for additional testimony.
23 Now, whether or not that would happen,
24 we would have to see, but I guess I would ask
25 Jim what -- because I haven't reviewed the

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1 transcript. I don't know that it's available
2 yet -- what was the discussion at the ZHM
3 hearing about that?
4 MR. MILLS: Yes. Thanks, Erin. So, you
5 know, just to kind of cut through all this, in
6 case I get cut off here at some point, we
7 allowed -- I allowed Joe Odda from the WCA to
8 testify first so that our opposition and
9 support of that made sense to the zoning
10 hearing master, and then I proceeded to read
11 verbatim the letter that Erin provided to me
12 into the record, and also then the comments
13 that Tonja had provided me and identified her
14 as the district engineer.
15 Two critical points: The first one is,
16 the variance they were looking for from the
17 north wetlands, the zoning hearing master was
18 pretty zeroed into that, challenging the
19 developer even before I got up to speak, so he
20 indicated some reservation and concerns about
21 that.
22 Then when I got up and addressed the
23 concerns about them draining out to the
24 southwest and towards West Park Village, they
25 got back up in rebuttal afterwards, and that's

1 when they identified that their property
2 drains to the southeast under Linebaugh into
3 the Rocky Point drainage and not southwest
4 into the Double -- Twin Forks or Double Forks,
5 whatever it is, drainage.

6 So that is on the record. And, of
7 course, I didn't have any opportunity to speak
8 after that, so I let it sit. But that is what
9 they testified to, was that their property
10 will drain southeast under Linebaugh away from
11 Westchase, and from what I'm hearing here
12 today, that that's not accurate.

13 So I had a sense that that was going to
14 be the case, but when I talked to Tonja after
15 the meeting, that was what I asked her to
16 flush out and verify whether that was accurate
17 or not.

18 I think we have until August -- I didn't
19 bring my note with me. I think we have until
20 August 18th to file, that we would like to
21 address the county commissioners as a follow-
22 up, but the zoning hearing master may be a
23 better tactic before that.

24 MS. McCORMICK: Well, I think the land
25 use hearing officer recommendation is due by

1 CHAIRMAN RAGUSA: Mr. Ross.
2 MR. ROSS: Not to dilute our
3 conversation, but hopefully to sharpen it, I
4 would go back to what my recollection is as to
5 our experience is with the railroad tracks
6 that runs, I guess, along the southern portion
7 -- or right below the southern portion of the
8 Westchase property.

9 My memory is that we were having
10 drainage problems in West Park Village. We
11 brought the experts out. Our staff worked
12 wonderfully with the county. The county came
13 out and looked at the wet area immediately
14 adjacent to the railroad tracks, and said
15 that's contributing to the drainage problems
16 in West Park Village.

17 The county came out, again, working with
18 our staff -- or at the urging of our staff.
19 They had big machinery out there. They had
20 crews of people out there. They did a lot of
21 sludge and whatever other removal, and that
22 helped alleviate our drainage issue.

23 Assuming my recollection is right,
24 somehow that has to be just relevant in
25 resolving this dispute. Aside from what all

1 August 8th, and then we would have -- I think
2 it's ten days after that to file a request for
3 oral argument or to provide additional
4 evidence.

5 MR. MILLS: Correct. Yeah, that sounds
6 right.

7 MR. BARRETT: It --

8 CHAIRMAN RAGUSA: Hang on.

9 MR. BARRETT: -- it has been legally
10 noticed as being on the BOCC agenda for
11 August's meeting. I saw it in the legal
12 notices of the paper, this parcel.

13 CHAIRMAN RAGUSA: What meeting?

14 MR. BARRETT: Whatever -- it's like --
15 I'd have to look at the date, but I made a
16 mental note to look it up next week.

17 CHAIRMAN RAGUSA: Well, it couldn't be
18 before the 18th.

19 MS. McCORMICK: Because that seems like
20 it would be early to me, but I can check that
21 out and find out.

22 MR. BARRETT: But I know definitively
23 the legal notice was for August. It might be
24 August 18th, August 22nd, but definitely in
25 August.

1 the experts say, whether it was draining
2 southeast, southwest, whatever, we know there
3 is some connection there, because it happened,
4 and the county staff ought to be able to
5 verify, if my memory is right, that that's
6 what happened.

7 I mean, this can't be a dispute that
8 there is a connection there of some sort.

9 MS. STEWART: The only comment, Brian,
10 is they do have a drainage basin division line
11 east of West Park Village, so that canal
12 basically Doug found the main weir off of
13 Country Way. That is what controls everything
14 up to this drainage basin line. So that all
15 drains through that weir up at Countryway.

16 And then we have a high point through
17 Cavendish which drains underneath Linebaugh.
18 That's what appears in this map -- I mean
19 Sheldon. Sorry. Sheldon.

20 MR. ROSS: Okay. The point of my
21 comment is, we have experience in this, and so
22 if that jives with what you said, great, but
23 it's got to --

24 MS. STEWART: And groundwater conditions
25 are high. I mean, we know this was designed

1 during the drought, and we do have elevated
 2 groundwater conditions.
 3 MR. ROSS: Okay.
 4 CHAIRMAN RAGUSA: Mr. Mills.
 5 MR. MILLS: And if I may, I think I
 6 misstated. If I said Linebaugh, I meant
 7 under Sheldon as well into the -- behind
 8 Costco's development.
 9 CHAIRMAN RAGUSA: Mr. Barrett.
 10 MR. BARRETT: Just an informational
 11 question. I see that that drainage area
 12 covering the parcel encompasses a good amount
 13 of Vineyards, and then the commercial area on
 14 Sheldon.
 15 Do you have any idea where that -- does
 16 that water cross Sheldon and head south, or
 17 does it go through --
 18 MS. STEWART: It does. There's a
 19 culvert crossing right here underneath
 20 Sheldon, Chris, where the water -- the
 21 stormwater system up there drain into this
 22 wetland and then go underneath Sheldon, and
 23 then flood in through this wetland system
 24 where the red arrow is.
 25 MR. BARRETT: So it doesn't flow

1 southward and come across Sheldon at the same
 2 point as the yellow points that you've
 3 highlighted?
 4 MS. STEWART: It does. It goes
 5 underneath -- let me make sure -- it goes
 6 underneath Linebaugh. It goes into this
 7 wetland system and combination mitigation
 8 system and --
 9 MR. BARRETT: The one that the hearing
 10 master was concerned about that.
 11 MS. STEWART: I'm not sure about that.
 12 MR. BARRETT: It's to the north of the
 13 parcel
 14 MR. STEWART: Yes. Yes. Yes --
 15 MR. BARRETT: Okay.
 16 MS. STEWART: -- because of the
 17 buffering, and then it flows kind of
 18 southwest, and then curves and starts heading
 19 southeast, and then the wetland system that is
 20 part of this rezoning project goes into that
 21 pipe underneath Sheldon.
 22 MR. BARRETT: Okay. Thank you.
 23 MS. STEWART: Uh-huh.
 24 CHAIRMAN RAGUSA: Mr. Mills, do you have
 25 a recommendation or a thought on if we should

1 take action?
 2 MR. MILLS: I think that we ought to,
 3 once the transcript is available, confirm that
 4 the testimony is as I presented it, and if
 5 that is an absolute contradiction to what
 6 Tonja is now reporting, then whatever the
 7 county mechanisms therein are to rebut that, I
 8 recommend that's what we ought to do.
 9 Whether it influences the zoning hearing
 10 master or the commissioners or not, we
 11 certainly ought to be on record with accurate
 12 drainage information.
 13 MS. McCORMICK: Yes. I mean --
 14 MR. MILLS: If it impacts the decisions
 15 that are about to be made, but potentially
 16 also later in the event there are problems, as
 17 Mr. Ross and others are addressing, we
 18 potentially have some recourse to go back and
 19 say, "This is exactly what we told you would
 20 happen. Now here it is again."
 21 So I'm not sure what the mechanisms are
 22 or the triggers are for that, but we ought to
 23 certainly have accurate reflection in the
 24 record before it gets to the county
 25 commissioners.

1 MS. McCORMICK: Tonja, one thing I would
 2 think to do, have you had any discussions with
 3 the county engineering staff about this
 4 issue?
 5 MS. STEWART: No. I didn't know how far
 6 to take it.
 7 MS. McCORMICK: Right. And I think that
 8 that may be a good avenue to explore
 9 regardless of what we do about the upcoming
 10 board of county commissioners hearing, because
 11 if the county staff is not aware of the fact
 12 that we have a lot of drainage that is flowing
 13 onto this property, and they could -- they
 14 possibly are not aware of that, that might
 15 influence their analysis and review of this.
 16 And so I think that it definitely would
 17 be worthwhile to have that discussion with
 18 them, because whereas it might be difficult
 19 for us to say, "Here, we have additional
 20 information that we didn't have ability to
 21 obtain prior to the land use hearing officer
 22 hearing," if the county staff looks at this and
 23 says, "Wait, you know, this is something we
 24 have not fully considered," then they may have
 25 the ability, you know, to review it further at

Page 21

1 this point.

2 MS. STEWART: And let me clarify the --

3 the ultimate concern -- okay -- this project

4 gets approved and moves forward and goes under

5 engineering design. They have to design

6 everything in accordance with SWFWMD and

7 county regulations.

8 What gets complicated is that in

9 maintaining these wetlands -- and we've seen

10 it here -- we have some problems with wetlands

11 as they age, the shape changes over time. It

12 has been blocking outfalls for us, and that's

13 off our property, and that's the ultimate

14 outfall for us, you know, between their

15 southwest property corner and that pipe.

16 What -- what -- I mean, I guess the

17 county would have to ultimately be responsible

18 for being called to go and clean it out.

19 MS. McCORMICK: So there is a pipe that

20 runs through their property at that point.

21 MS. STEWART: It's a wetland.

22 MS. McCORMICK: It's a wetland.

23 MS. STEWART: It's a wetland conveyance

24 system that goes from our property to the

25 pipe. And we have seen many wetlands here on

Page 22

1 site that we've had to clean out to get them

2 to flow correctly.

3 MS. McCORMICK: So what I'm asking is,

4 when you say the wetland on our property flows

5 to the pipe, does the pipe go through their

6 property then?

7 MS. STEWART: No. No. It's in the

8 right of way, the county's right of way.

9 MS. McCORMICK: Okay. So it goes across

10 their property into the pipe that's in the

11 right of way.

12 MS. STEWART: Yeah. Yeah. It's

13 basically wetlands are considered conveyance

14 systems. Okay?

15 So basically the wetland even in our

16 property, it all conveys water south and turns

17 and goes into that pipe that's underneath

18 Sheldon.

19 CHAIRMAN RAGUSA: So the wetland runs on

20 the southern border of this proposed plan.

21 MS. STEWART: Correct. Correct.

22 MR. MILLS: Erin, to your point about

23 what's being said at the meeting, at the

24 zoning hearing master meeting, the developer

25 did have staff and the planning commission and

Page 23

1 some other group from the county all nodding

2 their head up and down and approving or

3 finding it consistent with all the

4 requirements that they analyze this for, so --

5 MS. STEWART: And that's because they

6 don't look at that --

7 MR. MILLS: -- (inaudible) based on what

8 has been presented to them by the developer.

9 Correct?

10 MS. STEWART: This isn't part of the

11 review process.

12 CHAIRMAN RAGUSA: Well, is it

13 appropriate for us to raise it at this time?

14 MS. STEWART: Yes, I think so.

15 CHAIRMAN RAGUSA: Okay. Mr. Ross and

16 then Mr. Barrett.

17 MR. ROSS: I think the hook, and I mean

18 that in a loose way, is what you said a moment

19 ago, that either we're going to have to

20 eventually deal with this or the county is

21 going to have to deal with this. And if it's

22 accurate as my memory is, they had the crews

23 out there working on that, either they're

24 going to end up spending hundreds of thousands

25 of dollars or we're going to end up spending

Page 24

1 hundreds of thousands of dollars.

2 And I think just that message to the

3 county is, this is worth your time to figure

4 it out now. Let's understand right now, if

5 there is a problem later down the road,

6 whether that's a problem you're going to be

7 inheriting or somebody else is going to be

8 inheriting.

9 I would think they would be responsive

10 to that. I would hope they would be.

11 CHAIRMAN RAGUSA: Mr. Barrett.

12 MR. BARRETT: Not that I suspect it

13 matters much, because it's all going to end up

14 going to that same pipe, but did they -- did

15 they offer any plans themselves that show the

16 direction of the outflow of their water?

17 Does it flow south so it doesn't touch

18 the wetlands that are part of the CDD, or does

19 it --

20 MS. STEWART: Their plan was just the

21 site plan. It did not show any details about

22 grading, but I did note in the emails to Jim

23 that part of their property does drain into

24 our wetland system; therefore, they do have

25 the ability to have a drainage pond, have a

1 weir can flow into our system.
 2 And as a matter of fact, from an
 3 environmental perspective, you kind of want
 4 that, because you want this (inaudible) post
 5 development -- it's a pre-development, so it's
 6 not in our best interest to try to get them
 7 not to drain into our system, but then again,
 8 that's something that could happen or could not
 9 happen, depending on how the county wants to
 10 dictate it to them.
 11 CHAIRMAN RAGUSA: Mr. Ross.
 12 MR. ROSS: And just to be clear, Chris
 13 -- and I know you know this -- but my
 14 recollection, the only issue now is they're
 15 looking to upgrade -- or change the zoning
 16 from 60-something units to 200-something
 17 units.
 18 Well, to me, that clicks in more
 19 asphalt, more concrete, more manufactured flat
 20 surface, which I think intuitively we know
 21 adds to drainage problems. So I would be
 22 doubtful they got into the details of --
 23 MS. STEWART: They wouldn't want to
 24 spend the money with that kind of design work
 25 at this point.

1 MR. ROSS: Yeah. Yeah. But that would
 2 be unknown, and it could be bad news or it
 3 could be good news.
 4 CHAIRMAN RAGUSA: Okay. Well, I'm
 5 looking for recommendations from counsel and
 6 the district engineer on -- it sounds like we
 7 need to at least have Tonja initiate
 8 discussions with county staff.
 9 I'm looking for approval for that, but I
 10 also need to make sure that we're prepared to
 11 go before the next county commission meeting,
 12 if we need to be, because we won't have a
 13 meeting before that time.
 14 So it almost needs to be a two-step
 15 motion or instruction to professional staff.
 16 MS. McCORMICK: Well -- and as to the
 17 board of county commissioners hearing, I think
 18 there is a good chance that it may be limited
 19 so that the only people that would be able to
 20 address the board would be Mr. Mills and Joe
 21 Odda, who was there on behalf of the WCA, so
 22 that would mean that --
 23 MR. CHESNEY: Why is that? Why do --
 24 MS. McCORMICK: Because you have to
 25 appear at the land use hearing officer

1 hearing --
 2 MR. CHESNEY: Oh.
 3 MS. McCORMICK: -- in order to be
 4 allowed to testify at the board of county
 5 commissions hearing.
 6 So, I mean, I can try to, you know, work
 7 on filing a request for oral argument and
 8 additional evidence and talk to the county
 9 attorney and say, "Look, this is new
 10 information or information that was not clear
 11 in the record at the land use hearing officer
 12 hearing," but there's a good chance that they
 13 may say, "No, you know, you didn't make those
 14 arguments at the original hearing, so you
 15 can't have new people introducing evidence,"
 16 which would mean that Tonja wouldn't be able
 17 to testify, I wouldn't be able to present
 18 argument at the hearing, so that would mean,
 19 Jim, you're going --
 20 CHAIRMAN RAGUSA: What if their engineer
 21 misrepresented something --
 22 MR. CHESNEY: Well, yeah, can't we take
 23 it off of their agenda? Why don't we contact
 24 a county commissioner or something and take it
 25 off of the agenda? Would that help?

1 MS. McCORMICK: Well, take it off the --
 2 you can't --
 3 MR. CHESNEY: I mean, your concern is,
 4 we need to do all of this by -- before the
 5 county commissioners review it.
 6 MS. McCORMICK: Right. Right.
 7 MR. CHESNEY: Well, do they have to
 8 review it on that date? I mean --
 9 MS. McCORMICK: Well, it's been noticed
 10 at the hearing that the developer has
 11 requested -- so the public hearing is
 12 scheduled for that day, so they are going to
 13 hear on whatever date it is that it's
 14 scheduled to go before the board of county
 15 commissioners.
 16 Now, the board of county commissioners
 17 could say, you know, "Based on the information
 18 that's in front of us, we think this needs to
 19 go back to the land use hearing officer for
 20 additional evidence," but I'm just kind of --
 21 MR. CHESNEY: Okay. Okay. Then I
 22 guess my point is, as part of our strategy,
 23 then, should it be to make the county
 24 commissioners aware that we have some
 25 potential issues for this, and it wouldn't be

1 in their best interest to pass it through
 2 right away?
 3 MS. McCORMICK: Right. The people that
 4 can make that argument will likely be limited
 5 to Joe and to Jim.
 6 MR. CHESNEY: Well, what I'm saying is,
 7 that's at the meeting.
 8 MS. McCORMICK: Right.
 9 MR. CHESNEY: But I'm saying we can
 10 contact them.
 11 MS. McCORMICK: No, you can't -- you
 12 can't contact them --
 13 MR. CHESNEY: You can't contact them
 14 prior -- I can't call our county commissioner
 15 and say, "Hey, you know, this is coming up.
 16 You know, we have some additional
 17 information. This needs to go back."
 18 MS. McCORMICK: Well, what I would say
 19 is that the county commissioners are advised
 20 by their legal staff that they should not talk
 21 to people outside of a public hearing about
 22 rezoning matters that are to come before them
 23 because of case law that's out there that says
 24 that that's inappropriate for the board
 25 members to do that, so that governs what

1 they're supposed to do.
 2 MR. MILLS: My question would be --
 3 depending on the date of the hearing will
 4 dictate whether I'm obviously in town or not,
 5 but certainly, you know, I know that the night
 6 that we went -- Joe and I went, the first 15
 7 items on their agenda were continued until
 8 next month.
 9 So this is a constant process -- right?
 10 -- where issues get pushed off for a variety
 11 of reasons, I suspect. I'm wondering if we
 12 couldn't just file something with the zoning
 13 hearing master to continue this case if the
 14 dates or the timing --
 15 MS. McCORMICK: Yeah. No. That's
 16 different, because often before you have the
 17 land use hearing officer hearing if there's
 18 continued negotiations and discussions that
 19 are going on with the applicant, or the staff
 20 will request that the item be continued, but
 21 at this point, we've already had the land use
 22 hearing officer hearing.
 23 So the only ones that could continue it
 24 at this point would be the board of county
 25 commissioners, if they didn't want to make a

1 decision at the -- on the hearing date when
 2 it's scheduled.
 3 MR. CHESNEY: Well, I mean, let's break
 4 this down. So what is the date then?
 5 MS. McCORMICK: I don't have it. Do you
 6 have it?
 7 MS. STEWART: I don't. Yeah, I don't.
 8 MS. McCORMICK: I mean, I can --
 9 MS. STEWART: From listening to you all
 10 talk, I kind of realize the dynamic of what
 11 I'm saying and what you guys are trying to
 12 accomplish may be two different things.
 13 I was seeing this more as identifying
 14 that this is an area that needs to be
 15 addressed as they go through the permitting
 16 process if they get through the rezoning, not
 17 necessarily that this is a problem for them
 18 approving the rezoning. And so I just want to
 19 make sure that --
 20 MR. CHESNEY: I didn't say that.
 21 MS. STEWART: Okay. All right. I was
 22 -- I just -- because I was going -- I was
 23 looking at it more in terms of Hillsborough
 24 County staff, if this thing gets approved from
 25 a rezoning perspective, if the community is

1 opposed to it, it will go through that
 2 standard political process.
 3 But I was going to say, if they do get
 4 approved, they're told they can do 100 units
 5 instead of 217, whatever it was, when they get
 6 down to the nitty gritty of the design, this
 7 is an area that they need to target to make
 8 sure we're protected.
 9 MR. ROSS: Yeah. And I see that as the
 10 second bite of the apple.
 11 MS. STEWART: Okay.
 12 MR. ROSS: I don't know if that's a
 13 realistic approach, but that's the way I view
 14 it.
 15 MS. STEWART: Okay.
 16 CHAIRMAN RAGUSA: Erin, I'm looking for
 17 a recommendation.
 18 MS. McCORMICK: So this -- the hearing
 19 notice, was it originally on August 15th?
 20 CHAIRMAN RAGUSA: No. It hasn't
 21 occurred.
 22 MS. McCORMICK: Oh, wait. No. It was
 23 July 18th.
 24 MR. MILLS: It was July 18th.
 25 MR. BARRETT: It was originally

1 scheduled (inaudible).
 2 MS. McCORMICK: Yeah. According to
 3 this, the board of county commissioners
 4 meeting is September 13th, and the land use
 5 hearing officer recommendation --
 6 MR. CHESNEY: September or August?
 7 MS. McCORMICK: September.
 8 MR. BARRETT: Really.
 9 MS. McCORMICK: -- the land use hearing
 10 officer recommendation will be filed on August
 11 8th, and then the oral argument deadline is
 12 August 18th, and the BOCC land use meeting is
 13 September 13th.
 14 So my recommendation would be that we
 15 review the transcript and the recommendation
 16 by the land use hearing officer, and, you
 17 know, I'll get with Tonja.
 18 And then I think the first thing that
 19 we need to do is talk to county staff
 20 specifically about this drainage issue and
 21 then, if appropriate, you know, file a request
 22 for oral argument and potentially a request to
 23 submit additional evidence.
 24 But I would say that, Jim, if there is
 25 any way that you could be available for that

1 meeting on September 13th -- and it will be a
 2 morning meeting starting at 9:00 a.m. -- that
 3 it would be very helpful to have you there
 4 because you may be the only one, other than
 5 the WCA representative, that would be allowed
 6 to speak at the meeting.
 7 MR. MILLS: Well, if it's a morning
 8 meeting, then we're in luck, because I'm
 9 flying to Houston that day. So that's good
 10 news. I thought it was going to be a night
 11 meeting.
 12 But, yeah, I would recommend that that's
 13 how we proceed and see what it looks like,
 14 then we can determine whether there's a need
 15 between now and the 18th to request oral
 16 argument.
 17 MR. ROSS: If that's a motion, I'll
 18 second that.
 19 MR. CHESNEY: Yes.
 20 CHAIRMAN RAGUSA: Well, maybe I'm
 21 confused. I'm trying to make sure everybody
 22 is on the same page on this motion.
 23 Is it your suggestion that we not take
 24 any -- I don't know that we can take any
 25 action until the report comes out or the

1 recommendation comes out on the 8th.
 2 MR. CHESNEY: No, that's not what she
 3 said. She said that she may need to file
 4 additional information based upon what's in
 5 that report that's comes out on the 8th --
 6 MS. McCORMICK: Right.
 7 CHAIRMAN RAGUSA: Right.
 8 MR. CHESNEY: -- request for additional
 9 argument.
 10 CHAIRMAN RAGUSA: But we would not be
 11 able to do anything until the report comes
 12 out.
 13 MR. CHESNEY: Correct.
 14 MS. McCORMICK: Well, I think that Tonja
 15 could talk to the county staff before that
 16 about these issues.
 17 MR. CHESNEY: Okay. So we add that,
 18 too.
 19 MR. ROSS: And I don't want to speak for
 20 Jim, the movant, but what I was envisioning,
 21 the breadth of the motion was to authorize
 22 our counsel and our engineer to review the
 23 report, make sure it's accurate; if it's not
 24 accurate, convey the accurate information,
 25 whether that's through oral conversations with

1 staff or filing the appropriate written
 2 clarification; and then follow up with the
 3 attendance at the hearing.
 4 So kind of almost whatever it takes to
 5 get this cleared up, let's authorize them to
 6 do that.
 7 CHAIRMAN RAGUSA: Okay. Do we need
 8 authorization to file a request for oral
 9 argument?
 10 MS. McCORMICK: I mean, I think that
 11 that's all contemplated in the motion.
 12 So my understanding from the motion is
 13 that you want us to pursue whatever we can do
 14 to, you know, get as much information on this
 15 before the county staff and the board of
 16 county commissioners as we can.
 17 MR. CHESNEY: This still gives us
 18 another meeting before the actual --
 19 MS. McCORMICK: Right.
 20 MR. CHESNEY: -- county commissioners --
 21 MS. McCORMICK: Right.
 22 MR. CHESNEY: -- so we can take
 23 additional action, if necessary.
 24 CHAIRMAN RAGUSA: Are we -- the day
 25 after Labor Day?

1 MR. MENDENHALL: We have -- your next
 2 meeting is on the 13th.
 3 CHAIRMAN RAGUSA: Yeah.
 4 MR. MENDENHALL: So if the meeting is in
 5 the morning with the county commissioners --
 6 MR. CHESNEY: It will be after.
 7 MR. MILLS: I may be calling back into
 8 this meeting, again, on that afternoon --
 9 MR. CHESNEY: Maybe we should continue
 10 this meeting for a week before, just in case
 11 we need to meet. You know, let's continue
 12 this one until some point prior to the 13th in
 13 case we need to meet as a group.
 14 MS. McCORMICK: Why did we move it from
 15 the 6th to the 13th?
 16 MR. MENDENHALL: Because of the holiday.
 17 CHAIRMAN RAGUSA: Because of Labor Day.
 18 MS. McCORMICK: Oh, Labor Day. Okay.
 19 MS. STEWART: Because it's late.
 20 MR. BARRETT: Sorry for messing up that
 21 legal notice. I still am sitting here
 22 thinking I'm sure --
 23 CHAIRMAN RAGUSA: Well, it's the liberal
 24 media that's still (inaudible).
 25 MR. CHESNEY: That would be my

1 suggestion there because --
 2 CHAIRMAN RAGUSA: Does that change the
 3 movant's thoughts?
 4 MR. ROSS: That doesn't change the
 5 second's thoughts, but it's up to Jim.
 6 MR. CHESNEY: Yeah, I don't think it
 7 changes strategy.
 8 CHAIRMAN RAGUSA: Okay. Yes, sir.
 9 MR. NEYLAN: Just under the question,
 10 does --
 11 CHAIRMAN RAGUSA: Name and address.
 12 MR. NEYLAN: Patrick Neylan, 9858
 13 Bridgeton Drive.
 14 Does Joe Odda have this information, or
 15 if he doesn't, should be brought into it so
 16 if at least Jim can't make that meeting, he
 17 has the proper information so he can relay it?
 18 Because he can speak, supposedly, from what
 19 I've heard.
 20 MR. CHESNEY: He'll have all the
 21 information, because all the information will
 22 be available after this meeting.
 23 MR. NEYLAN: Well, this information,
 24 Tonja, does he have that information? I don't
 25 know.

1 CHAIRMAN RAGUSA: Probably not at the
 2 level of detail, but we can brief --
 3 MS. STEWART: I can give him a copy of
 4 that, too, and --
 5 MR. NEYLAN: I don't know who he is,
 6 so --
 7 MR. CHESNEY: We'll make sure he has it.
 8 MS. McCORMICK: Yeah, I talked to Joe
 9 today, so --
 10 CHAIRMAN RAGUSA: Mr. Ross knows who he
 11 is. All right.
 12 Any further discussion on the motion?
 13 (No response.)
 14 I'm going to do a voice vote here. All
 15 in favor of the motion please say aye or aye.
 16 (All board members signify in the
 17 affirmative.)
 18 CHAIRMAN RAGUSA: That motion passes
 19 four to nothing.
 20 (Motion passes.)
 21 CHAIRMAN RAGUSA: The next item, Tonja.
 22 MS. STEWART: Okay. The next item, I
 23 did a little report, but evidently it was an
 24 enigma code, so it --
 25 CHAIRMAN RAGUSA: We have it.

1 MS. WHYTE: I sent the original.
 2 MS. STEWART: Oh, did you. Okay. Sonny
 3 and Doug and I have met. We've talked about
 4 these ponds. We had a conversation two
 5 meetings ago about, you know, the four-to-one
 6 safe slope, blah, blah, blah.
 7 And I think the bottom line in dealing
 8 with these ponds in letting them sit and stew
 9 for a couple of months is that this four-to-
 10 one safe slope issue gets really complicated
 11 because a lot of times we don't even get
 12 slopes that are constructed at four to one.
 13 So we're not going to be fixing all the
 14 slopes that may not be four to one. So in
 15 these cases where we have the little drop-off
 16 at the grass line, maybe we should concentrate
 17 more on education programs, just about the
 18 purposes of stormwater management ponds and
 19 the incident in Orlando, and maybe spin it
 20 that way, instead of trying to fix the four-
 21 to-one slopes, because what I'm fixing to tell
 22 you is going to wind up being a more
 23 complicated discussion, and that's in regard
 24 to our erosion problems.
 25 We have inspected some of the original

1 erosion repairs that we did a few years ago
2 when we were doing the soft armoring. If
3 you'll recall, the soft armoring was
4 backfilling and putting a coconut jute on it
5 and then putting some sod on it.

6 The goal was, when we got done with that
7 path, is to come in and put aquatic plants at
8 the bottom of it to try and help support the
9 repair. Well, the aquatic plants have not
10 taken, and the erosion repairs that we did
11 pretty much failed.

12 Okay. The new method of erosion repair
13 we have done for about two years, I think.

14 MR. MAYS: Uh-huh.

15 MS. STEWART: Okay. And we did it over
16 by the canal. They seem to be doing --
17 they're better and they're more expensive,
18 unfortunately.

19 Basically, what I'm finding in the
20 erosion world -- and probably Andy can confirm
21 this -- is that ten years ago when we started
22 dealings with this, we had one method, and the
23 methods are kind of just evolving over time.

24 I'm consistently finding that ponds that
25 were built 30 years ago don't have as many

1 it. So, unfortunately, we're back at, all
2 right, what are we going to do?

3 So the option we have is the ponds that
4 are not abutting residents, let's do some club
5 rush planting. Let's try and experiment and
6 see if we can get that to take off and get
7 some of these slopes stabilized.

8 In the areas where the ponds are next to
9 the houses, we are going to have to start
10 doing the typical mechanical erosion repairs
11 like we did over at the canal and over at
12 Kingsbridge. Was that the last one we did?

13 MS. WHYTE: Uh-huh.

14 MS. STEWART: Thank you. And what that
15 means is it's going to affect your budget. We
16 need to have a serious discussion about the
17 \$60,000 that you have allocated for erosion
18 repair is really not enough to get us to move
19 this forward, and another benefit to doing the
20 mechanical means of erosion repair, we correct
21 the four-to-one slope problem.

22 We correct the drop-off so there's
23 somewhat of a benefit to it, but,
24 unfortunately, it's going to cost you more
25 money. So with that being said, I know your

1 erosion problems. It's, you know, during the
2 boom, they were over-excavating ponds, the
3 construction methods were horrendous, and now
4 we have erosion as a result of this.

5 So ponds that have been constructed
6 decades ago don't seem to have the same
7 erosion potential as the ones that have been
8 built in the past ten years.

9 In talking to Sonny and Doug in trying to
10 strategize in terms of aquatic plants that
11 would be reasonable, there is one particular
12 plant that we found success with called club
13 rush, and it's -- one other aspect of it being
14 successful is it's not susceptible to the
15 apple snail.

16 The apple snail tends to come into the
17 systems, and then it eats all of the
18 vegetation, and then we're back at square one
19 again. So we have been experimenting with
20 this club rush, and it doesn't seem to be
21 susceptible to the apple snail, so that was
22 another benefit of it.

23 The only problem is, is your residents
24 and probably you will hate it. I think Doug
25 can probably tell you what they think about

1 budget is already done for this year, so I'm
2 assuming that means we really don't have an
3 option for this year, but developing maybe a
4 long-term plan.

5 I can do some cost estimating on what it
6 would be for a complete, you know, redo of all
7 of your slopes and come back to you and figure
8 out what we need, maybe a ten-year program, a
9 15-year program. You know, what do we think
10 you need?

11 But I don't think we have any other
12 choice based on the kind of feedback that I'm
13 getting from Doug and Sonny.

14 CHAIRMAN RAGUSA: Mr. Chesney.

15 MR. CHESNEY: So how much is the
16 plantings? What are you looking at for -- do
17 you have an idea on the budget for that?

18 MS. STEWART: I would say five grand. I
19 don't think we need very much, because we want
20 to experiment with it first.

21 MR. CHESNEY: Okay.

22 MS. STEWART: And I know that we've got
23 a handful of ponds that we've kind of talked
24 about that are along the road to try to use it
25 and see if that's going to take off. And also

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1 that we'll maybe do a little education to the
 2 residents, too, and we may be able to find
 3 pocket ponds that we can actually do this that
 4 won't upset some of the residents. Some of
 5 them might embrace it and appreciate it.
 6 So it might take a couple of years to do
 7 that and let people buy into it a little bit.
 8 MR. CHESNEY: Okay. So, I mean, you're
 9 going to come up with kind of an overall like
 10 large plan with a long time -- and then we can
 11 review that.
 12 MS. STEWART: Correct.
 13 MR. CHESNEY: Okay? And then, I mean,
 14 \$5,000 for the other ones, so I say we go
 15 ahead and do that.
 16 MS. STEWART: Have you had any
 17 conversations with Aaron about the -- do you
 18 have any other spin on it besides --
 19 MR. MAYS: Meet with him tomorrow, so --
 20 MS. STEWART: So we can include that in
 21 the conversation. Okay. All right.
 22 CHAIRMAN RAGUSA: Are those the only two
 23 methods we can utilize for the pond erosion?
 24 MS. STEWART: There are -- people will
 25 ask for seawalls, that's another option. The

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1 problem with retaining walls is you really
 2 need -- they need to be designed by a
 3 structural engineer particularly because the
 4 water levels fluctuate, and when you start
 5 getting into designing something that is as
 6 significant as the length of the ponds that we
 7 have, walls get to be cost prohibitive --
 8 okay? -- because they have to be probably five
 9 feet high.
 10 We have to make sure the water level
 11 doesn't go down below it, so we have to be
 12 safe in estimating what the height is going to
 13 be, so that tends to be cost prohibitive.
 14 Geoweb was one of the methods that we used
 15 early on. We used it in other communities.
 16 It's just ugly. You know, it's basically a
 17 hole with rock in it, so, you know --
 18 MR. CHESNEY: Is that the riprap?
 19 MS. STEWART: Yes. Yes. The riprap is
 20 more like concrete rubble, or riprap bags, and
 21 those are both equally ugly and --
 22 MR. CHESNEY: Well, what is it --
 23 Waterchase uses stone. What is that?
 24 MS. STEWART: That would be kind of
 25 rubble. That would be rubble.

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1 MR. CHESNEY: I don't think that's ugly
 2 in there. I mean, it probably depends on
 3 where you have it, or even over here in West
 4 Park Village where --
 5 MS. STEWART: Doug used it over here in
 6 the canal, too. And I'm not saying that that
 7 can't be used in some cases. But in areas
 8 where the top of the bank has -- you know,
 9 needs to be reconstructed, I'm not sure that
 10 that's the best solution for it.
 11 And I don't think you're going to want
 12 to see 100 percent of your ponds slopes with
 13 that. I think maybe we can mix and match. We
 14 could probably -- I'm not opposed to doing
 15 that, a little bit here and a little bit
 16 there.
 17 MR. CHESNEY: Why do we have to rebuild
 18 -- refresh my memory. Why do we have to
 19 rebuild the slopes?
 20 MS. STEWART: What happened in Orlando
 21 -- two things happened. There was a child who
 22 drowned in a stormwater pond over the past
 23 three months or so, so it's something that's
 24 kind of been dumped into the industry, and
 25 then the incident in Orlando with the child

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1 who drowned with the alligator.
 2 It generated conversation about people
 3 falling in the ponds. And when we design
 4 ponds, the maximum slope of a safe pond slope
 5 is considered four to one, and if you have
 6 anything steeper than four to one, it's
 7 supposed to be fenced.
 8 And what happens is just the nature of
 9 the functioning of a stormwater pond, the
 10 grass line is about where the seasonal high
 11 groundwater is, and that's where the original
 12 natural grade of the ground was, so that's why
 13 we typically see nice, clean slopes below the
 14 water level, because it's the original ground,
 15 versus above the water level because dirt was
 16 placed on it to fill it to get it to the
 17 finished floor elevation, and that is the
 18 weakest part of the connection between dirt
 19 and natural ground.
 20 So with the fluctuation of the water
 21 level, it tends to pull that sand that was
 22 placed on top of the dirt out, as well as
 23 we've had elevated groundwater condition which
 24 has ruined and killed the grass right at that
 25 same location that you have that it's -- it

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1 starts to just drop off. It just starts to
 2 wash out, and you have, for lack of a better
 3 word, a little cliff right there for a hazard
 4 for someone walking around it who could fall
 5 in and not get back out.
 6 MR. CHESNEY: Well, from my perspective,
 7 I don't think we need to re-engineer every
 8 canal just for hazards. If so, we would be
 9 going around the community all the time. I
 10 mean --
 11 MS. STEWART: I agree with that.
 12 MR. CHESNEY: -- we can't risk
 13 management proof, I mean --
 14 MS. STEWART: That's why I said
 15 "education." I wrestled with it for a few
 16 months. And I'm like I don't think there is a
 17 way to economically address that.
 18 The erosion situation is a little
 19 different because you're losing land. You
 20 have to put the land back. And it just
 21 happens to be a double whammy because when you
 22 do that, then you fix that area that you have
 23 a problem with, and so it's just kind of a
 24 double benefit.
 25 CHAIRMAN RAGUSA: Well, I get the sense

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1 that we're look for an evaluation of the
 2 lakes, the most cost-effective solutions, and
 3 prioritize them --
 4 MS. STEWART: Okay.
 5 CHAIRMAN RAGUSA: -- and put a time
 6 stream on them, a recommended rehab program.
 7 MR. CHESNEY: Because we might not fund
 8 them.
 9 MS. STEWART: Yeah, that's kind of -- I
 10 wanted to make you aware because I do think
 11 there's going to be some budget issues --
 12 CHAIRMAN RAGUSA: Sure.
 13 MS. STEWART: -- but I think that you're
 14 going to have to do some of this, and we're
 15 going to have to budget for it.
 16 MR. CHESNEY: I mean, the way we've
 17 addressed it in the past has always been like,
 18 you know, something happened on the bank, and
 19 it starts impairing someone's property.
 20 So, I mean, that, to me, makes more
 21 sense than just going around and starting to
 22 rebuild the banks, because that seems like
 23 that would get very expensive.
 24 CHAIRMAN RAGUSA: We tackled the canal,
 25 and that was a pretty costly project.

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1 MS. STEWART: I think they're all
 2 beginning to do that, Greg. That's what I'm
 3 seeing when we go out and walk around. I'm
 4 beginning to see --
 5 MR. CHESNEY: Really?
 6 MS. STEWART: -- yeah -- because we're
 7 beginning to see -- your pond, I mean, I
 8 walked a little bit when I was there, and I'm
 9 like, look over there, it's happening all over
 10 the place.
 11 And I think it's just basically because
 12 of, you know, that sand coming out over time
 13 and also the fact that our water levels have
 14 been high, and now we don't have the grass and
 15 the stabilization in that area where we need
 16 it.
 17 MR. CHESNEY: Well, I mean, I like the
 18 idea of having the report with some type of
 19 maybe give us an idea that will help from a
 20 budget standpoint.
 21 I don't think that would take you that
 22 many hours. Right? And I like the idea of
 23 planting the plants. I mean, we have a
 24 planting budget.
 25 MS. STEWART: Yeah, we do. Okay.

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1 CHAIRMAN RAGUSA: Pictures and maps are
 2 helpful.
 3 MS. STEWART: Very good.
 4 CHAIRMAN RAGUSA: They're cheap and
 5 helpful.
 6 MS. STEWART: Very good.
 7 CHAIRMAN RAGUSA: Anything else?
 8 MS. STEWART: No, that's it.
 9 CHAIRMAN RAGUSA: All right.
 10 MS. STEWART: I'm sure you want me to
 11 go.
 12 CHAIRMAN RAGUSA: Yes, we'll kick you
 13 out of here. You've been kicked out of better
 14 places, I bet.
 15 MS. STEWART: Thank you all.
 16 CHAIRMAN RAGUSA: Manager's report.
 17 MR. CHESNEY: Just so that I'm clear,
 18 it's only 5,000. We don't need to direct any
 19 more than --
 20 CHAIRMAN RAGUSA: No.
 21 MR. CHESNEY: Okay.
 22 CHAIRMAN RAGUSA: Andy.
 23 MR. MENDENHALL: Yes. Just a few
 24 items. The first one is review and discussion
 25 of the fiscal year 2017 budget. I have Alan

1 on the line in case there is any questions
 2 related to the budget.
 3 We obviously are one month away from
 4 your adoption of it, so, of course, if there's
 5 any changes at this time, we can make them, or
 6 any questions, and next month we'll look to
 7 approve it with any final adjustments or
 8 changes.
 9 CHAIRMAN RAGUSA: Mr. Ross.
 10 MR. ROSS: I just have a question.
 11 MR. MENDENHALL: Sure.
 12 MR. ROSS: Tonja just referred to our
 13 \$60,000 budgeted for --
 14 MR. MENDENHALL: Pond restoration.
 15 MR. ROSS: -- thank you. I thought we
 16 actually zeroed that out in order to get the
 17 budget to work out correctly or efficiently.
 18 Isn't it actually at zero for this
 19 year's budget?
 20 MR. MENDENHALL: Let me double-check.
 21 And plus you have -- you have -- and I think,
 22 if I remember correctly, the reason why is
 23 because we had reserve dollars set aside for
 24 that bank restoration, so you may be right
 25 about that.

1 Alan, do you have the budget up in front
 2 of you, by any chance?
 3 MR. BALDWIN: Yes, I do.
 4 MR. MENDENHALL: The 60,000, is that the
 5 one that we had zeroed out as the first cut at
 6 the budget?
 7 MR. BALDWIN: (Inaudible.)
 8 MR. MILLS: I believe, while you're
 9 looking for that, the correction was that we
 10 took 60,000 out of unassigned cash, dedicated
 11 it to that account.
 12 MR. BALDWIN: Basically also on your
 13 financials on the balance sheet for general
 14 fund 001, down below in the assigned area,
 15 there is \$60,000 from the motion that was made
 16 back in June and --
 17 CHAIRMAN RAGUSA: General fund 001 is
 18 right here.
 19 MR. CHESNEY: Yeah. I just haven't
 20 updated my apps, so I can't look at anything.
 21 MR. MENDENHALL: So the funds are
 22 available is the long and short of it.
 23 MR. ROSS: So there's sixty -- it is
 24 budgeted at 60,000.
 25 MR. BALDWIN: Yes.

1 MR. ROSS: Okay.
 2 MR. BALDWIN: And also on Exhibit A also
 3 shows that \$60,000 is unassigned (inaudible).
 4 THE REPORTER: I can't hear --
 5 MR. MENDENHALL: Hey, Alan, can you
 6 speak up just a little bit so we can get it
 7 transcribed?
 8 MR. BALDWIN: Yes. And at the same time
 9 as Exhibit A, it also shows that the \$60,000
 10 is reserve for the erosion, and I took out the
 11 words "fiscal year 2017" because it was done
 12 through a motion.
 13 I'm trying to find my notes that I
 14 believe became another line item and -- but
 15 the answer to the question is lake erosion was
 16 -- has been zeroed out and -- because it was
 17 assigned through a motion in June.
 18 CHAIRMAN RAGUSA: It's there.
 19 MR. CHESNEY: Okay. Help me out. So
 20 what page was it?
 21 CHAIRMAN RAGUSA: Page Five, Exhibit A,
 22 it's right here.
 23 MR. CHESNEY: Okay. I've got it now.
 24 Sorry. I had to update my app.
 25 MR. BARRETT: Is the other line that

1 Alan is looking for associated with
 2 (inaudible) repairs?
 3 CHAIRMAN RAGUSA: (Moves head from side
 4 to side.)
 5 MR. MENDENHALL: I don't think so
 6 specifically.
 7 MR. BARRETT: Okay.
 8 CHAIRMAN RAGUSA: So the answer is, yes,
 9 the 60,000 on the line, it's been allocated
 10 from reserve.
 11 MR. MENDENHALL: Correct.
 12 MR. CHESNEY: Okay. Seems funny.
 13 THE REPORTER: From reserve?
 14 MR. MENDENHALL: Yes.
 15 CHAIRMAN RAGUSA: Yes. Any other issues
 16 or questions about the budget, the fiscal year
 17 2017 budget?
 18 MR. MILLS: Yes, I have one more.
 19 CHAIRMAN RAGUSA: Go ahead, Jim.
 20 MR. MILLS: We still have a one dollar
 21 discrepancy with expenses exceeding revenue.
 22 MR. BALDWIN: That's due to a placeholder
 23 for that piece of land that was purchased a
 24 year or two ago, and that dollar amount is not
 25 linked to an assessment, because we can't

1 assess -- because we don't know what the use is
2 for, that's why until the board decides what
3 they're going to do with that piece of land,
4 then it will be linked so that whatever amount
5 of money is going to be in the future budgeted
6 for that particular project, then we can
7 designate that dollar amount to the appropriate
8 people based upon methodology, because right
9 now, it's off by one dollar because it's a
10 placeholder for that piece of land that was
11 purchased.

12 MR. MENDENHALL: So, Alan, assuming that
13 the board, at least in this budget season,
14 doesn't decide to allocate any dollars towards
15 that particular piece of property, at the next
16 meeting, that one dollar goes away, and the
17 budget is basically even with the revenues and
18 expenses. Correct?

19 MR. BALDWIN: Well, usually it's just
20 kept there because -- so that next year we'll
21 know that this is a topic of discussion that
22 -- then, you know, based upon the decision on
23 how they're going to use that land, that we
24 could then apply the methodology properly.

25 MR. MENDENHALL: Okay.

1 CHAIRMAN RAGUSA: Well, this --

2 MR. BALDWIN: (Inaudible.)

3 THE REPORTER: I can't hear him.

4 MR. MENDENHALL: Hey, Alan, speak up a
5 little bit again.

6 CHAIRMAN RAGUSA: Well, from a policy
7 perspective, this supervisor would rather pass
8 a balanced budget as opposed to a budget that
9 has expenses exceeding revenue even if it's by
10 one dollar.

11 MR. MENDENHALL: And that's what I was
12 kind of alluding to. Alan, if you zeroed it
13 out, it will still show up on next year's
14 budget. It will just -- you can put a dollar
15 next year as well. Right?

16 MR. BALDWIN: As long as you remember to
17 put a dollar out there, yes.

18 MR. MENDENHALL: Yes. So we can just
19 zero it out.

20 MR. CHESNEY: Yes.

21 CHAIRMAN RAGUSA: I prefer the other. I
22 don't know about you guys.

23 MR. MILLS: That was the only point I
24 was trying to make.

25 MR. MENDENHALL: Okay. Duly noted.

1 MR. CHESNEY: Okay. I think the budget
2 looks great.

3 CHAIRMAN RAGUSA: Jim, any other
4 comments on the budget?

5 MR. MILLS: No. I appreciate the other
6 corrections, and I'm sure Erin does as well.

7 CHAIRMAN RAGUSA: I don't think we need
8 to take any action now with respect to the
9 budget. Am I right?

10 MR. MENDENHALL: No, nothing special.
11 We just got direction, obviously.

12 CHAIRMAN RAGUSA: The next meeting.

13 MR. MENDENHALL: Yes. Okay. So the
14 next item I have is consideration of
15 Resolution 2016-4, and that is -- if you had a
16 chance to look at the resolution -- it's for
17 changing the registered agent.

18 Currently, with most of our districts,
19 we have Bob Koncar, who is the general
20 manager of Severn Trent, as your registered
21 agent. It's probably more appropriate to have
22 your attorney as your registered agent so that
23 obviously if any legal documents get sent in,
24 she's the first to see, saves one step and one
25 chance in something getting dropped, to be

1 honest with you.

2 MR. MILLS: Motion to approve.

3 CHAIRMAN RAGUSA: Okay. We have a
4 motion to approve Resolution 2016-4, which
5 reads, "A resolution of the board of
6 supervisors of the Westchase Community
7 Development District authorizing and approving
8 change of designated registered agent and
9 registered office." And that, in effect,
10 changes the registered agent from Bob Koncar
11 to Erin McCormick at her law firm.

12 Do we have a second?

13 MR. CHESNEY: Can I ask a question
14 first?

15 CHAIRMAN RAGUSA: Yes.

16 MR. CHESNEY: So, Erin, why would we do
17 this? I mean, would you want to do it?
18 Because they have an office that's open all
19 the time. There, all they have to do is
20 receive the document and send it to insurance
21 company or you or wherever.

22 MS. McCORMICK: Yes. I'm not averse to
23 it. I mean, I don't have strong feelings
24 about it one way or another. It was just
25 something that Andy said --

1 MR. MENDENHALL: Yeah.
 2 MS. McCORMICK: -- that his company was
 3 trying to do and --
 4 MR. MENDENHALL: Yeah, we're doing it --
 5 and that's typically how most districts have
 6 it, and the reason why --
 7 MR. CHESNEY: To their attorney?
 8 MR. MENDENHALL: Correct.
 9 MR. CHESNEY: Really?
 10 MR. MENDENHALL: Yeah. The -- well,
 11 keep in mind, most of the stuff that you're
 12 receiving to the registered agent are going to
 13 be insurance claims, lawsuits and that sort of
 14 thing.
 15 So, really, it just takes that one step
 16 out of it, like I said, where something could
 17 potentially get dropped or, you know, just
 18 goes directly --
 19 MR. CHESNEY: Yes. To me, most of them
 20 would be insurance things, and you guys handle
 21 our insurance claim filing.
 22 MR. MENDENHALL: Right.
 23 MR. CHESNEY: I'm not trying to be --
 24 MR. MENDENHALL: No. I mean --
 25 MR. CHESNEY: -- I'm just trying to

1 bring -- trying to make --
 2 MR. MENDENHALL: We can do --
 3 MR. CHESNEY: -- what if Erin goes on a
 4 three-week vacation, you know?
 5 MR. MENDENHALL: Yeah, we can do it
 6 either way. I get your point. I think,
 7 personally, if I look at it, I see it as being
 8 more efficient, but whatever -- whatever way
 9 you guys wants to go.
 10 CHAIRMAN RAGUSA: We have a motion that
 11 has not been seconded. We seem to be having
 12 some discussion on it.
 13 Do we have a second on the motion for
 14 Resolution 2016-4?
 15 (No response.)
 16 CHAIRMAN RAGUSA: Okay. Hearing none, I
 17 guess that motion fails.
 18 MR. MENDENHALL: Okay.
 19 CHAIRMAN RAGUSA: Severn Trent and Bob
 20 Koncar will remain --
 21 MR. MENDENHALL: I'll let Bob know he's
 22 on the hook.
 23 CHAIRMAN RAGUSA: -- on the hook, so
 24 hopefully nothing will fall through the
 25 cracks.

1 MR. CHESNEY: No, I'm not trying to be
 2 difficult about it. I just --
 3 MR. MENDENHALL: No. I mean, once
 4 again, nothing has fallen through the cracks,
 5 so it's not -- you know, you're in a low risk
 6 there, but --
 7 MR. CHESNEY: I just think that you guys
 8 do the insurance, which is the bulk of it.
 9 MR. MENDENHALL: Yeah, I understand.
 10 MR. CHESNEY: And like I said, Erin is
 11 our attorney, and she might, like I said, take
 12 off one month. She already went to Canada for
 13 a couple of weeks.
 14 MS. McCORMICK: I wish.
 15 CHAIRMAN RAGUSA: Bob Koncar is free.
 16 Erin has an hourly rate.
 17 MR. MENDENHALL: No problem.
 18 MR. CHESNEY: Yeah, that's another --
 19 yeah, there's another one.
 20 CHAIRMAN RAGUSA: All right. Anything
 21 else, Andy?
 22 MR. MENDENHALL: The only other thing I
 23 had, we're in the review time period, so Doug
 24 has gotten me the reviews of all the staff,
 25 besides himself, of course. I then get to sit

1 down with Doug and give him his review.
 2 So this is my plea I make to the board
 3 every year. If you have any comments or
 4 thoughts, that you can certainly pass them
 5 along to me, and I'll use that -- I'll kind of
 6 aggregate that and use that as part of my
 7 review.
 8 CHAIRMAN RAGUSA: Okay.
 9 MR. CHESNEY: Could you send -- I know
 10 you've updated our employee data sheet.
 11 MR. MENDENHALL: Sure.
 12 MR. CHESNEY: I don't know if you've
 13 sent it to everyone.
 14 MR. MENDENHALL: I haven't sent it out
 15 this year, so --
 16 MR. CHESNEY: You can just send it out
 17 to everyone.
 18 MR. MENDENHALL: -- I can send it out to
 19 everybody. I'll forward that on.
 20 MR. CHESNEY: With a reminder to provide
 21 input, if they want to, with employees --
 22 MR. MENDENHALL: Yes.
 23 CHAIRMAN RAGUSA: Jim, you were going to
 24 say something.
 25 MR. MILLS: Yes. Thank you. Being the

1 new guy, I guess, Andy, is there a formal form
2 that you complete for these reviews?

3 MR. MENDENHALL: There is a form that I
4 use that I complete for the reviews, and Doug
5 uses as well. I can forward that on, and
6 certainly, if that's an easier method, you
7 guys are welcome to use that, or if you just
8 want to free-form submit comments, thoughts,
9 input as well, whatever is most convenient.

10 MR. MILLS: I would just like to see the
11 format, so it helps formulate whatever
12 feedback I might provide.

13 MR. MENDENHALL: Okay. Easy enough.

14 MR. MILLS: Thanks.

15 CHAIRMAN RAGUSA: Mr. Ross.

16 MR. ROSS: Just to make comment for the
17 record. Over the past few months, there's
18 been some remarks about the beds and the size
19 of the beds. As I'm driving through the
20 community today, Doug Mays is out there
21 working hard on the size of the beds, talking
22 to somebody from Davey.

23 So I think that's only appropriate that
24 that be noted.

25 MR. MENDENHALL: Sure. Absolutely.

1 further north from this particular property
2 owner that has already extended across the
3 district's property, 20 feet of property, and
4 hooked into the fence, and I don't think that
5 was done based on any requests to the
6 district.

7 So I know this particular lot owner is
8 talking about putting in a gate there so that
9 the CDD would have the ability to go through
10 it.

11 And, you know, what I talked to Sonny
12 about as a possibility would be that if the
13 district board wanted to do this, that we
14 could do a license agreement with the lot
15 owner that would basically say, you know,
16 we're allowing them to put this gate and fence
17 in there, but the district will continue to
18 own the property and has the right to remove
19 it at any time.

20 MR. CHESNEY: I thought the way we've
21 done it previously is they literally paid us
22 for the cost of the gate and we -- it was our
23 gate.

24 MS. McCORMICK: Installed it.

25 MR. CHESNEY: Installed it, had the key,

1 MR. ROSS: That's a compliment to him.

2 MR. MENDENHALL: All right. That's all
3 I had for today.

4 CHAIRMAN RAGUSA: Okay. Attorney's
5 report.

6 MS. McCORMICK: A couple of things. At
7 last month's meeting, the board had asked me
8 to take a look at the property -- that is,
9 10203 Woodford Bridge -- because there was a
10 request that the property -- the lot owner had
11 made to extend the fence, to hook up from her
12 property to the fence that goes through some
13 oleander trees along Montague Street.

14 And I've looked at the plat and talked
15 to Sonny about it a little bit. The plat
16 shows that that property is a 20-foot strip
17 between the lots and the -- I think I have the
18 plat here, too -- but it's a 20-foot strip
19 between the lot and Montague Street that the
20 district owns.

21 Anyway, Sonny advised me that there are
22 several other lot owners that have done this.
23 Is that right?

24 MS. WHYTE: Three.

25 MS. McCORMICK: Three other lot owners

1 did everything.

2 MS. McCORMICK: Right. I don't know
3 that that was done in this area.

4 CHAIRMAN RAGUSA: I think we did that on
5 one occasion.

6 MS. McCORMICK: I know that it was done
7 in another --

8 MS. WHYTE: Only once.

9 CHAIRMAN RAGUSA: Out on the lake over
10 here.

11 MS. WHYTE: Only once.

12 CHAIRMAN RAGUSA: Let me just -- the 20
13 feet runs from the curb of Montague into the
14 backyard, or is it 20 feet from the fence line
15 towards the house?

16 MS. McCORMICK: Okay. Here -- I'm
17 showing you the plat, and then we can pass it
18 around. This is this particular lot.

19 CHAIRMAN RAGUSA: Okay.

20 MS. McCORMICK: So here is Montague
21 Street, and there's 20 feet of property here,
22 and it just runs all the way down along
23 Montague Street. Actually it's this 20 feet
24 right there, between the lot line and the
25 right of way.

1 CHAIRMAN RAGUSA: Where does the fence
2 -- where does the aluminum fence fall within
3 that 20-foot setback?
4 MR. MAYS: You mean that they're talking
5 to about --
6 CHAIRMAN RAGUSA: Our fence.
7 MR. MAYS: Our fence.
8 CHAIRMAN RAGUSA: Our fence that runs
9 parallel to Montague.
10 MR. MAYS: Probably about the 14-foot
11 mark, so there's about six feet that goes to
12 the property line on the other side of the
13 fence.
14 CHAIRMAN RAGUSA: So our easement would
15 be about six feet from the fence towards the
16 back of the house.
17 MR. MAYS: Right.
18 MS. WHYTE: The back of his property.
19 CHAIRMAN RAGUSA: Back of his home, yes.
20 MR. MAYS: The back of the property
21 line.
22 MS. McCORMICK: Yeah, and it's not an
23 easement. It's actually a parcel of property,
24 Parcel A that we own.
25 CHAIRMAN RAGUSA: Oh. It's fee simple

1 ownership.
2 MS. McCORMICK: Right. Right.
3 CHAIRMAN RAGUSA: Okay. Well, I guess
4 we need to take some action or not.
5 Mr. Ross.
6 MR. ROSS: I remember the incident that
7 you're talking about, and I do think that was
8 a slightly different circumstance, at least
9 on my memory.
10 In this particular instance, if we were
11 to proceed, would we want it to have a locked
12 gate, or are we better off to have it an
13 unlocked gate?
14 MS. McCORMICK: I'll defer to Sonny and
15 Doug on that issue. I mean, I think that the
16 reason for this is because, you know,
17 people --
18 MR. CHESNEY: Dogs.
19 MS. McCORMICK: -- are letting dogs just
20 run along that area and so that they're in
21 between the individual lots, and that's
22 probably why the other residents have already
23 put in fences.
24 Now, the problem is that the fences that
25 the other residents had put in don't have

1 gates, so they're just blocking it.
2 MR. MAYS: No gates and it's wooden
3 fence, too.
4 CHAIRMAN RAGUSA: Now, did I read from
5 the materials submitted by this applicant that
6 they paved some of the area?
7 MR. MAYS: Paved?
8 CHAIRMAN RAGUSA: Yes. They used that
9 word "paved," and the dog is still going to
10 the bathroom. They're apparently hanging out
11 on the pavement now?
12 MR. MAYS: Not in our area, I mean, not
13 that I know about. It's not pavement back
14 there. It's all oleanders.
15 MR. CHESNEY: Where is this?
16 MS. WHYTE: Hold on.
17 CHAIRMAN RAGUSA: She circled the
18 property.
19 MR. CHESNEY: I know, but what is --
20 MS. WHYTE: I think he meant pavers --
21 CHAIRMAN RAGUSA: Oh.
22 MS. WHYTE: -- possibly in his backyard
23 did brick pavers, because he's going to do the
24 side between the two houses, because he was
25 telling us that he was going to do some

1 pavement, like brick pavers, along his
2 property line, so it's less muddy.
3 CHAIRMAN RAGUSA: Did he put pavers on
4 our six-foot as well?
5 MS. WHYTE: No. No. That's between the
6 two houses on the property line.
7 MR. CHESNEY: Somebody is letting their
8 dog roam?
9 MS. WHYTE: Exactly.
10 MR. MAYS: That's what he said.
11 MS. WHYTE: Yeah.
12 MR. CHESNEY: I mean, he didn't take a
13 picture of the dogs, send it in to the HOA?
14 That seems like the easiest way to fix it.
15 MS. WHYTE: (Inaudible.)
16 CHAIRMAN RAGUSA: Okay. Do we have a
17 motion?
18 (Mr. Argus enters the room.)
19 CHAIRMAN RAGUSA: And the record should
20 reflect that Supervisor Argus is now in
21 attendance at approximately 5:10.
22 MR. ARGUS: Thanks for waiting for me.
23 CHAIRMAN RAGUSA: All right. Do we have
24 a motion with respect to this particular
25 homeowner application?

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1 (No response.)
 2 CHAIRMAN RAGUSA: okay. Hearing none,
 3 we're not going to take any action with
 4 respect to the request.
 5 Does the board have a desire to address
 6 the adjacent homeowners who apparently have
 7 constructed fences without seeking
 8 authorization from the Community Development
 9 District?
 10 MR. CHESNEY: Why did you have to say it
 11 like that?
 12 CHAIRMAN RAGUSA: Mr. Ross.
 13 MR. ROSS: With regard to your inquiry,
 14 would our -- asking a loaded question -- would
 15 our legal position with regard to claiming
 16 ownership of our land be adversely affected if
 17 we don't take action.
 18 CHAIRMAN RAGUSA: That's a question for
 19 counsel.
 20 MS. McCORMICK: Potentially, I mean,
 21 there is always the issue of somebody claiming
 22 prescriptive rights because they're
 23 exercising, you know, authority and apparent
 24 ownership over that property, so, I mean, I --
 25 MR. ROSS: That's right. That was a

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1 loaded question. That's what I believe to be
 2 the law, that our position will be potentially
 3 in jeopardy if we don't take action.
 4 MS. McCORMICK: Right. And that's why I
 5 would say, you know, if you were going to
 6 allow these fences to be maintained within
 7 that area you would want to do it subject to
 8 some kind of easement or license agreement.
 9 If you're not going to entertain that,
 10 then to preserve your rights over that
 11 property, then it would be best to go ahead
 12 and take some action to require them to be
 13 removed or to remove them ourselves.
 14 MR. CHESNEY: Or to ask for a license
 15 agreement or --
 16 MS. McCORMICK: Right.
 17 MR. CHESNEY: Can it be as simple as a
 18 notice and -- "You understand this is our
 19 property"?
 20 MS. McCORMICK: No. I would say we
 21 would want something that would be executed
 22 between the parties and possibly even recorded
 23 so that if there is a sale of the property,
 24 the subsequent owner would have notice.
 25 MR. CHESNEY: Okay.

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1 CHAIRMAN RAGUSA: Mr. Mills, do you have
 2 any comments?
 3 MR. MILLS: Yeah, I have a question. So
 4 if I understood the conversation correctly,
 5 the board cannot take an action on this
 6 resident's request, but has brought to our
 7 attention neighbors who have done so, if we
 8 protect our property rights with those other
 9 neighbors via an easement or agreement or
 10 whatever the terminology is, does that not
 11 then extend this resident's request to do the
 12 same?
 13 How can we -- how can we go back to the
 14 other residents that have actually without
 15 approval and secure agreements from them but
 16 then tell this resident they can't do anything
 17 or we won't do anything?
 18 CHAIRMAN RAGUSA: Mr. Ross.
 19 MR. ROSS: Jim, I see where you're
 20 going. I happen to agree with you, that if we
 21 were to resolve it with these other homeowners
 22 through a result in which, we, the parties,
 23 homeowners and the CDD, agreed upon some sort
 24 of license agreement, I think it would be
 25 logical that we would go ahead and grant the

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1 same to this homeowner who's caused the whole
 2 issue to come about, but in my judgment,
 3 that's sort of the cart before the horse, that
 4 we may end up there, but we're not there yet.
 5 MR. MILLS: And I don't disagree with
 6 that. I just wanted to make sure we were not
 7 leaving a piece of this out now or later that
 8 would make, to me, perfect sense to do just
 9 from a consistency standpoint.
 10 CHAIRMAN RAGUSA: Mr. Ross.
 11 MR. ROSS: I move that we authorize
 12 counsel to send a letter to any homeowners in
 13 that area who have, for whatever reason,
 14 installed a fence that encumbers or intrudes
 15 upon our property in which the substance of
 16 the letter is notifying the owners of the
 17 events, because they may not be aware what's
 18 occurred, notifying them of the facts and
 19 inviting a resolution by which the district
 20 grants a license to these owners in which
 21 they'll have to bear the cost of legal fees to
 22 draft and finalize any such license
 23 arrangement.
 24 CHAIRMAN RAGUSA: Is there a second to
 25 that motion?

1 MR. CHESNEY: Can I --
 2 CHAIRMAN RAGUSA: Hold on. Is there a
 3 second to that motion?
 4 MR. MILLS: I'll second that.
 5 CHAIRMAN RAGUSA: Okay. Mr. Chesney.
 6 MR. CHESNEY: Okay. Well, could we try
 7 to simplify a little bit, like maybe make a
 8 specific dollar amount for the licensing
 9 agreement to keep your fence where it is and
 10 have Erin come up with a reasonable number?
 11 MR. ROSS: That's probably a better
 12 idea.
 13 MR. CHESNEY: Yeah, that would be my
 14 suggestion.
 15 CHAIRMAN RAGUSA: I'm going to speak out
 16 against the motion. We, as a board, have
 17 never granted a license to allow someone to
 18 invade our property.
 19 We have historically either taken no
 20 action or we have -- with one exception where
 21 we put a fence up on a lake that was impacting
 22 the access through a resident's property.
 23 That's not preventing the migration of animals
 24 along the fence line in the back of somebody's
 25 house.

1 MR. CHESNEY: Oh, into our property, not
 2 our easement. That's the difference --
 3 CHAIRMAN RAGUSA: This is our property.
 4 We own this dirt.
 5 MR. CHESNEY: All right.
 6 CHAIRMAN RAGUSA: This isn't an
 7 easement. This is our property.
 8 MR. CHESNEY: I'm not trying to get you
 9 fired up. I'm just trying to understand your
 10 distinction because we --
 11 CHAIRMAN RAGUSA: We have never allowed
 12 a homeowner or a property owner in this
 13 community to put something on our property
 14 that would adversely impact our ownership
 15 rights.
 16 And I'm not going to start with a whole
 17 neighborhood where you could have 200 fences
 18 go up the next day with a licensing
 19 agreement. That's -- that's -- that's
 20 absolutely unacceptable to have all the fences
 21 that run perpendicular to Montague to go up
 22 overnight.
 23 If we give one resident a license
 24 agreement, how do you arguably not give every
 25 one of them who asks? That's a terrible

1 precedent.
 2 MR. CHESNEY: I agree.
 3 MR. ROSS: And you know what. You've
 4 actually persuaded me. You're right, if
 5 that's going to create an issue of fairness
 6 and other people are going to say, "Why did
 7 they get that right and I didn't get that
 8 right?" And it may not just be in this
 9 instance, but in instances of someone like
 10 myself hasn't contemplated.
 11 So you've persuaded me. I'm going to
 12 withdraw the motion.
 13 CHAIRMAN RAGUSA: The other concern --
 14 and, again, I'm not trying to pile on here --
 15 the other concern is, we hear the same
 16 argument when someone wants to build a pool
 17 into our property --
 18 MR. ROSS: That's a good example.
 19 CHAIRMAN RAGUSA: -- or their cage or
 20 their deck or their swing set, it's the same
 21 argument that they make.
 22 I just think it gets really dangerous
 23 when we start giving license agreements to
 24 invade our property.
 25 MR. ROSS: I withdraw my motion.

1 (Motion withdrawn.)
 2 CHAIRMAN RAGUSA: Now, do we have a
 3 different tethered motion with respect to
 4 giving counsel instruction on how to handle
 5 the now known violative fences? Mr. Ross.
 6 MR. ROSS: Yeah, I'll make the motion
 7 that we kindly notify those homeowners that
 8 they, for whatever reason, built a fence upon
 9 our property, and we respectfully request that
 10 they remove their fences.
 11 CHAIRMAN RAGUSA: To the extent it
 12 encroaches on our property.
 13 MR. ROSS: Oh, yes. Yes. Yes. Yes.
 14 Yes.
 15 CHAIRMAN RAGUSA: We can't force them to
 16 take the whole fence down.
 17 MR. ROSS: No. No. Exactly right.
 18 MS. McCORMICK: Is that the extent of
 19 what you want to do at this point? Do you
 20 want me to tell me if it's not removed, then
 21 the district is going to take action to remove
 22 it?
 23 MR. ROSS: I personally feel a first
 24 notification would come across a little bit
 25 harsh in this instance. Again, I don't know

1 the circumstances that caused these fences to
 2 be constructed, what conversations,
 3 communications, et cetera. And I would think
 4 that would be appropriate.
 5 MS. McCORMICK: Okay.
 6 CHAIRMAN RAGUSA: Do we have a second to
 7 that motion?
 8 MR. MILLS: I'll second that one.
 9 CHAIRMAN RAGUSA: Okay. Discussion.
 10 MR. CHESNEY: How many homeowners are we
 11 talking about?
 12 MS. WHYTE: Three.
 13 MR. MAYS: I think we've got three.
 14 CHAIRMAN RAGUSA: No further
 15 discussion?
 16 MR. CHESNEY: That was the question.
 17 CHAIRMAN RAGUSA: All right. Mr. Mills,
 18 hang on. I'm going to do a hand count here,
 19 but I'm going to ask for a voice count with
 20 you.
 21 All in favor of the motion please raise
 22 your hand.
 23 (Board members signify in the
 24 affirmative.)
 25 CHAIRMAN RAGUSA: Okay. That passes

1 three to one here.
 2 Mr. Mills, do you vote for or against
 3 the motion?
 4 MR. MILLS: I vote for the motion.
 5 CHAIRMAN RAGUSA: That motion passes
 6 four to one.
 7 MR. ARGUS: Technically I'm abstaining
 8 because I missed most of the discussion.
 9 MS. McCORMICK: Yeah, you have to vote.
 10 MR. ARGUS: Then I vote for it.
 11 CHAIRMAN RAGUSA: That motion passes
 12 five to nothing. Thank you.
 13 (Motion passes.)
 14 CHAIRMAN RAGUSA: Anything else, Erin?
 15 You said you had a few things.
 16 MS. McCORMICK: Yeah. I just wanted to
 17 let you know that I haven't gotten any further
 18 information from the county about the road
 19 repaving project that I had submitted some
 20 additional -- a letter to them requesting
 21 additional information.
 22 I did talk to Joe Odda today from the
 23 WCA and, you know, told him that I had called
 24 Christine back today and have not heard back
 25 from her.

1 So I had originally sent this letter to
 2 them on June 29th and haven't gotten any
 3 response back, but I'll keep following up on
 4 it.
 5 CHAIRMAN RAGUSA: Any other follow-up
 6 issues on that?
 7 MS. McCORMICK: No, not at this time.
 8 CHAIRMAN RAGUSA: That's it for you?
 9 MS. McCORMICK: That's it.
 10 CHAIRMAN RAGUSA: Field manager's
 11 report.
 12 MR. MAYS: The park renovations have
 13 kind of been going through some legal and some
 14 permitting issues and slowed down a little
 15 bit, but I think we're back on track again.
 16 And Erin got some things approved for us
 17 the other day, and we had Dynamo, the company,
 18 in Glenclyff Park in the office today, so I
 19 think we'll be able to push along in a couple
 20 of weeks on that.
 21 Baybridge Park is now complete, except
 22 for our cameras being hooked up -- I mean,
 23 they're hooked up, but we have to go over
 24 there and physically hook them to a monitor.
 25 Right now, we haven't gotten them hooked into

1 Bright House yet. So that's where we are with
 2 Baybridge.
 3 The same thing at Glenclyff -- I mean,
 4 at West Park Village, that park, too, kind of
 5 on a little bit of a hold, but it looks like
 6 things are starting to go through on those
 7 permits also.
 8 MR. CHESNEY: Because it looks terrible
 9 right now.
 10 MR. MAYS: Yes, splash pad. He said the
 11 equipment should be coming within a couple of
 12 weeks.
 13 MS. WHYTE: Next week.
 14 MR. MAYS: So we -- yeah -- so we should
 15 be -- going back on that, that's what they
 16 were waiting on, is really the electronics and
 17 the components that go with it.
 18 The pad is almost done, you know, except
 19 for the brick pavers, but as for the
 20 equipment, that's really the hold-up on that.
 21 CHAIRMAN RAGUSA: Do we have wi-fi in
 22 Glenclyff Park yet?
 23 MR. MAYS: No.
 24 CHAIRMAN RAGUSA: I thought that was
 25 following the cameras.

1 MR. MAYS: That part of the internet, we
 2 don't have the internet yet.
 3 CHAIRMAN RAGUSA: Okay. Mr. Argus.
 4 MR. ARGUS: The Dynamo park, does that
 5 still look like it's going to be done by the
 6 end of August as we were promised last week?
 7 MR. MAYS: The middle of September. The
 8 middle of September. It looks like it got
 9 pushed back about two more weeks.
 10 MR. ARGUS: Thank you.
 11 MR. MAYS: And I do have a question
 12 about the brick paver -- I mean, the brick
 13 wall that was supposed to be constructed at
 14 Glenfield. That community over there, we met
 15 with the residents. We got a permit for the
 16 tree removal.
 17 Again, we're still working on a contract
 18 with the company that's going to be doing the
 19 repair for us. And so my question was really
 20 -- I'm sorry. I can't remember for sure if
 21 you budgeted for next year or if it was
 22 something we were going to start as soon as we
 23 got the contracts and everything finalized.
 24 So if someone can refresh my memory on
 25 that, I --

1 MR. CHESNEY: I thought we had
 2 authorized it in this current year.
 3 MR. MAYS: That's what I thought. I
 4 wanted to make sure.
 5 MR. CHESNEY: I mean, I -- because,
 6 remember, I asked you if you had started on
 7 the work.
 8 MR. MAYS: I wanted to make sure.
 9 Again, we're just -- you know, contracts and
 10 legality stuff. We're getting closer on that,
 11 I believe, too. But I know Sonny's got some
 12 things she's probably got, you know, to add to
 13 that, but that's pretty much all we've got
 14 going right now, other than, you know,
 15 Mr. Ross mentioned the beds and working on
 16 that, increasing those, so hopefully that will
 17 make a few people happy, at least two anyway
 18 that I know of.
 19 CHAIRMAN RAGUSA: Mr. Barrett.
 20 MR. BARRETT: Are we talking full, queen
 21 or king?
 22 CHAIRMAN RAGUSA: Mr. Barrett, is that
 23 your question?
 24 MR. BARRETT: No. My question is --
 25 this is going to sound really ridiculous. But

1 they're having complaints in the St. Pete area
 2 about Pokemon Go in parks and -- anything
 3 going on with that?
 4 MS. WHYTE: Oh, yeah.
 5 MR. MAYS: Baybridge Park is on the list
 6 apparently, and the guys, just about on a
 7 typical night, will have about 20 people in
 8 the park and --
 9 MR. CHESNEY: I feel for Soto. But you
 10 know what? I think it's great. You can put
 11 me on the record because I -- it brings all
 12 these people out together. I have never seen
 13 so may people enjoying our parks and doing
 14 together the great outdoors. It's awesome.
 15 MR. MAYS: Even after hours, it can be
 16 kind of a problem for the guys because it's
 17 after hours, and they try to get people to
 18 move their cars, and we haven't had to tase
 19 anybody yet.
 20 CHAIRMAN RAGUSA: Are we moving in that
 21 direction?
 22 MR. MAYS: We're getting there.
 23 MR. CHESNEY: It wasn't -- it wasn't --
 24 I've seen him twice. When he gets there, he
 25 immediately yells --

1 MR. MAYS: Yeah.
 2 MR. CHESNEY: -- "I'm closing the park.
 3 Get your cars out." It wouldn't be so bad if
 4 they -- I mean, the parking lot is full, and
 5 he shows up, so --
 6 MR. MAYS: They usually see the white
 7 truck, and that's the indication get your cars
 8 out of the park.
 9 CHAIRMAN RAGUSA: And they go -- a Star
 10 Trek episode --
 11 MR. MAYS: They pull outside and they
 12 sit -- they pull outside and they come right
 13 back in.
 14 MR. CHESNEY: I think it's awesome,
 15 though. I mean, there are so many people in
 16 the park just enjoying the park as it should
 17 be, as a neighborhood park. It's beautiful.
 18 MS. WHYTE: Catching gold coins.
 19 MR. CHESNEY: Yeah, catching --
 20 MR. MAYS: We're not getting very many
 21 -- we're not really getting any complaints
 22 really any longer of the, you know, heat in
 23 the park, but there's a few people saying
 24 something when you go up there, "What is the
 25 plan?" The plan is to leave it like it is.

1 MR. BARRETT: I don't play Pokemon Go.
2 So I don't know -- can you request with the
3 company that they set time limits, or is it an
4 all-or-nothing-type deal for certain areas?

5 MR. MAYS: I don't think you can put
6 time limits on it. I actually talked to one
7 of the deputies that was on duty the other
8 day, that we talked about the Ballast Point
9 situation, and they actually had to call the
10 developer to take Ballast Point off the
11 Pokemon Go list.

12 He said you might want to do the same
13 thing for Baybridge if it's as bad. There
14 were over a hundred people in that park. We
15 haven't had nothing like that. I mean, from
16 what I'm hearing, it's maybe 20.

17 CHAIRMAN RAGUSA: We're a posted
18 construction zone, aren't we?

19 MR. MAYS: Well, not at Glenclyff --
20 yes, we are posted at Glenclyff. Baybridge --
21 Baybridge is where they're at.

22 MR. CHESNEY: Baybridge is a Poke stop.
23 I don't know what that is, but --

24 MR. BARRETT: My daughter tells me it's
25 a Poke Gym, which I guess is really high.

1 City of Orlando, they removed the lightning
2 stuff because it was done by copper wiring,
3 and they were --

4 MR. MAYS: Yeah, and people were
5 stealing all the copper wire -- all the
6 copper.

7 MS. WHYTE: No, he doesn't know -- they
8 actually removed it because of that.

9 What extent do you -- does the board
10 want to see this grounding, electrical? Do
11 you want lightning protection?

12 MR. MAYS: We're getting mixed feedback
13 on that to --

14 MS. WHYTE: How far do you want us to
15 take it?

16 MR. CHESNEY: I mean, if you're still
17 holding onto it and you get struck by
18 lightning, even if it's grounded, doesn't it
19 -- it seems like we would still --

20 MR. MAYS: Some electricians are saying
21 it's a waste of money, and some are saying you
22 never know what lightning is going to hit.

23 CHAIRMAN RAGUSA: I forgot to ask Tonja
24 about that.

25 MR. MAYS: Yeah.

1 MR. CHESNEY: Oh, okay. Whatever.

2 CHAIRMAN RAGUSA: Next subject.

3 MS. WHYTE: At last month's discussion
4 -- at last month's meeting, there was a
5 discussion about possibly grounding the
6 equipment at Glenclyff.

7 After talking with Tonja and her
8 electrical people, that she agreed that that
9 may be something. So I contacted an
10 electrical company who is going to give us a
11 quote.

12 I sent him all the paperwork. He
13 communicated back and forth by email this
14 afternoon, but he's only going to be able to
15 get me the quote by maybe tomorrow, because
16 Tonja only got back to me this morning, so if
17 you guys want to, I will forward that on to
18 you.

19 I do not have an idea. It depends on
20 what extent you want it. Do you want it
21 grounded? And then there's lightning
22 detections and equipment that he can put on.

23 In talking with the contractor, Dynamo,
24 who is putting in Glenclyff, he used to work
25 for the City of Orlando, he actually -- in the

1 MS. WHYTE: She's the one who sent me an
2 email. She said, you know, you can do it. To
3 what extent, it's up to the board. I mean,
4 you can go, you know, all out and have
5 monitors and lightning things, and it'll make
6 announcements and --

7 CHAIRMAN RAGUSA: Well, I think the
8 issue can be solved through signage.

9 MS. WHYTE: Uh-huh.

10 MR. CHESNEY: That's a good idea.

11 MR. ARGUS: The canopy over it, doesn't
12 that essentially create a Faraday cage for
13 anything underneath that canopy?

14 CHAIRMAN RAGUSA: Wow, you're talking
15 language I don't understand. What's a Faraday
16 cage?

17 MR. ARGUS: It's like getting into your
18 car in a lightning storm. The lightning is
19 not going to hit you because you're inside
20 this metal container.

21 It doesn't have to be a solid metal
22 container. It could be screening or something
23 like that, but you may be okay --

24 MS. WHYTE: It's canvas.

25 MR. ARGUS: No, but something is holding

1 the canvas up, all that pipe --
 2 MS. WHYTE: I don't know, but I do --
 3 CHAIRMAN RAGUSA: If you've ever seen
 4 lightning hit something, it -- I'm sorry, it
 5 goes through anything.
 6 MS. WHYTE: It went through a car. They
 7 reported on the news a couple of weeks ago
 8 that you're not even safe in your own car.
 9 MR. CHESNEY: I agree with you, we can
 10 handle the signage.
 11 MS. WHYTE: So you just want to stick
 12 with the signage, letting them know that
 13 during lightning, please keep in mind to seek
 14 other cover?
 15 CHAIRMAN RAGUSA: Correct.
 16 MR. ARGUS: Just a little cross with a
 17 lightning bolt.
 18 MS. WHYTE: I can do that. So we're
 19 just going to use that lightning -- the
 20 signage? We're not going to go with any
 21 kind --
 22 CHAIRMAN RAGUSA: (Moves head from side
 23 to side.)
 24 MS. WHYTE: Okay. Perfect.
 25 MR. MAYS: Do you want to see what Tonja

1 says first?
 2 CHAIRMAN RAGUSA: Well, if she thinks
 3 otherwise, I'd like to know what she says.
 4 MS. WHYTE: Okay. I'll send out an
 5 email after I've spoken to her.
 6 CHAIRMAN RAGUSA: Jim, do you have any
 7 comments on that?
 8 MR. MILLS: No, I would like to hear
 9 what she has to say also.
 10 MS. WHYTE: Okay. I do have a request
 11 -- a couple of requests from -- the HOA sent
 12 me -- Debbie sent a request. And the voting
 13 members apparently had quite a lengthy
 14 discussion last board meeting of the HOA about
 15 dog stations, especially in West Park
 16 Village.
 17 They would like to know whether or not
 18 the CDD would like to consider a combined
 19 project with the HOA to put doggie stations
 20 throughout the community, but especially
 21 through the West Park Village area.
 22 MR. CHESNEY: There already are dog
 23 stations in West Park Village.
 24 MS. WHYTE: There are some in the
 25 apartment complex. I would presume they'd

1 like to see -- those are not ours, because the
 2 board had taken a stand many years ago that
 3 they did not want dog stations.
 4 So they would like to see them
 5 throughout -- I did indicate we don't have a
 6 lot of common area in West Park Village, so
 7 depending on where they wanted it or whether
 8 or not the board wants to explore that option.
 9 CHAIRMAN RAGUSA: Mr. Chesney.
 10 MR. CHESNEY: I have found personally
 11 that your liberal use of trash cans throughout
 12 the neighborhood has worked just fine and --
 13 yeah. So I personally wouldn't be -- I think
 14 the trash cans, if we need some additional
 15 trash cans along areas, but you guys seem to
 16 add trash cans at very appropriate places, and
 17 people should have their own bags.
 18 CHAIRMAN RAGUSA: Any further comment on
 19 that issue?
 20 (No response.)
 21 CHAIRMAN RAGUSA: Okay.
 22 MS. WHYTE: Thank you. Any other
 23 questions in regards to --
 24 CHAIRMAN RAGUSA: Did I see OLM on
 25 the --

1 MS. WHYTE: The OLM, you -- that was
 2 last month's --
 3 CHAIRMAN RAGUSA: Right.
 4 MS. WHYTE: You already approved it.
 5 CHAIRMAN RAGUSA: My being asked to
 6 sign --
 7 MS. WHYTE: Yeah, that was just -- you
 8 -- keep that in mind, you approved it for
 9 budgeting purposes, but you will have to have
 10 a discussion on it at the next month's meeting
 11 or whenever you choose to.
 12 CHAIRMAN RAGUSA: I guess, in terms of
 13 the dog -- I'm trying to prevent the issue --
 14 not prevent it, but shortcut it coming back --
 15 I guess if the HOA wants to do something and
 16 put doggie station on their property, they're
 17 free to do to.
 18 MS. WHYTE: Okay.
 19 MR. CHESNEY: I'm saying, then we have
 20 to make sure to make sure the bags are in
 21 there and all that. I mean, I think you guys
 22 were brilliant with the garbage cans. I mean,
 23 it's cleaned up a lot.
 24 MS. WHYTE: Just to tell you, yesterday
 25 when Davey was cleaning the trash cans, and he

1 came to the office and he emptied his truck,
 2 it was completely empty and hosed down,
 3 disinfected and -- and -- because all you
 4 smelled was feces out of the garbage cans, so
 5 the garbage cans are working.
 6 MR. BARRETT: It's also not clear to me
 7 if the voting members kind of got this
 8 expectation that the CDD can put doggie
 9 stations in the right of way, which are
 10 technically in West Park Village and owned by
 11 the county, so there may be some
 12 misinformation about what you guys can even do
 13 that the voting members think you can but you
 14 probably can't, so --
 15 CHAIRMAN RAGUSA: That, too.
 16 MR. CHESNEY: I just think you put out
 17 ten things of bags, you've got to make sure
 18 it's filled up, and then you get complaints.
 19 But the garbage cans, it works out, because,
 20 Davey's --
 21 MR. MAYS: Twice a week.
 22 CHAIRMAN RAGUSA: Where are we at on the
 23 manual removal of the vegetation in the
 24 lakes?
 25 MR. MAYS: They're on it, I believe,

1 right now. I think yesterday I saw them in
 2 Pond 72, which is Greenhedges today, and they
 3 made their way to the medical pond, which I
 4 believe is Pond 35, so they're making their
 5 way around.
 6 CHAIRMAN RAGUSA: And I did not see a
 7 request for an increase in the contract price.
 8 MR. MAYS: I didn't either. That's why
 9 I've got a meeting with him tomorrow. I guess
 10 he's not in a big hurry.
 11 CHAIRMAN RAGUSA: Okay. All right.
 12 Supervisor requests or comments. Mr. Argus.
 13 MR. ARGUS: On the drive over here, on
 14 the radio they were mentioning Tropical Storm
 15 Earl was heading towards Belize. It's that
 16 time of year.
 17 Do we need to be concerned about
 18 anything? Do you need anything from us for
 19 handling storms?
 20 MR. MAYS: No. We try to stay on top of
 21 a lot of clean-out in the canal. We actually
 22 did a pretty big clean-out with the big canal
 23 that goes through Twin Branch Acres, even made
 24 it all the way to the property line, which
 25 hopefully will help -- that's one of the main


1 flows.
 2 It's like Tonja mentioned that weir on
 3 Countryway. There is a wall there that was
 4 built up out of concrete years -- when the
 5 community was built.
 6 They believe it's too high. That's one
 7 the things that holds things back. That's the
 8 county, so I don't know what we can do to it.
 9 I don't know if we can go in there, you know,
 10 with chisels and jack hammers and bust that
 11 thing out, but that's what Tonja feels holds
 12 things up. It's too -- it's a little bit of a
 13 high level.
 14 If it was six inches lower, it probably
 15 would be perfect for some of the drainage.
 16 No. We've been going around steady checking
 17 on areas --
 18 CHAIRMAN RAGUSA: Tell the Pokemon
 19 people there's something buried in the wall.
 20 MR. NEYLAN: Six inches deep.
 21 MS. WHYTE: And we're up to date on all
 22 of our equipment, and we have extra equipment
 23 on site at all times.
 24 CHAIRMAN RAGUSA: Mr. Argus.
 25 MR. ARGUS: Was a discussion made of the

1 -- I forget what it was now.
 2 CHAIRMAN RAGUSA: Yes.
 3 MR. ARGUS: Thank you. It will come to
 4 me in a moment.
 5 CHAIRMAN RAGUSA: All right.
 6 Mr. Chesney.
 7 MR. CHESNEY: Do we need to continue
 8 this meeting potentially, and if so, what
 9 would the ramifications of that be? Do we
 10 actually have to show up for it?
 11 MS. McCORMICK: Well, we can always
 12 cancel it, and we couldn't convene a meeting
 13 without a quorum, but if you want to --
 14 MR. CHESNEY: I mean, do you think
 15 that's a good idea?
 16 CHAIRMAN RAGUSA: For what purpose?
 17 MR. CHESNEY: I don't know. You're the
 18 lawyer. Maybe we need to write a letter or
 19 something and get politically involved. I
 20 don't know. Like I said, you're the lawyer.
 21 CHAIRMAN RAGUSA: Well, I got the
 22 impression of the motion that we approved was
 23 basically give the professional staff a great
 24 deal of latitude in working with Mr. Odda and
 25 the WCA and with Jim Mills to --

1 MR. CHESNEY: Okay.
 2 CHAIRMAN RAGUSA: -- take action with
 3 respect to the county and its processes.
 4 MR. CHESNEY: Okay.
 5 MS. McCORMICK: I mean, I think what you
 6 could do maybe is to -- and I don't think
 7 there is going to be an opportunity for this
 8 -- but if there is any opportunity for
 9 additional input from the board, like signed
 10 by the chair in the form of a letter, or
 11 somebody else appearing at the hearing, you
 12 could just authorize that to take place also,
 13 if needed.
 14 MR. CHESNEY: Okay.
 15 MS. McCORMICK: And I can always update
 16 the board members individually, too, prior to
 17 -- you know, as we progress --
 18 MR. CHESNEY: Okay. I say we authorize
 19 Mark.
 20 CHAIRMAN RAGUSA: Well, I'm happy to do
 21 it.
 22 MR. CHESNEY: I don't think we really
 23 need any additional authorization for the
 24 chair to do that, so --
 25 CHAIRMAN RAGUSA: Okay.

1 say aye.
 2 (All board members signify in the
 3 affirmative.)
 4 CHAIRMAN RAGUSA: Motion passes. Thank
 5 you.
 6 (At 5:35 p.m., the meeting adjourns.)
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1 MS. McCORMICK: I think it's clear based
 2 on our discussion previously.
 3 MR. CHESNEY: There was no dissention.
 4 MS. McCORMICK: But I agree, I'm not
 5 sure what we could do in a further meeting
 6 other than, you know, have brainstorming as a
 7 group on this issue, but I think, you know, we
 8 can -- Tonja or I can certainly provide any
 9 updates that board members need about it.
 10 MR. CHESNEY: Okay.
 11 MR. ARGUS: And that answered the
 12 question that I couldn't think of.
 13 CHAIRMAN RAGUSA: Okay. Great. Any
 14 other supervisor comments or questions?
 15 (No response.)
 16 CHAIRMAN RAGUSA: Audience comments or
 17 questions?
 18 (No response.)
 19 MR. CHESNEY: Motion to adjourn.
 20 CHAIRMAN RAGUSA: Hearing a motion to
 21 adjourn would be appropriate.
 22 MR. CHESNEY: So moved.
 23 CHAIRMAN RAGUSA: Do we have a second?
 24 MR. ROSS: Second.
 25 CHAIRMAN RAGUSA: All in favor please



 Mark Ragusa, Chairman