

**MINUTES OF MEETING  
EAST PARK COMMUNITY DEVELOPMENT DISTRICT**

The regular meeting of the East Park Community Development District was held at 5:00 P.M. on Monday, November 29, 2010 at the YMCA, 9055 Northlake Parkway, Orlando, Florida 32801.

Present and constituting a quorum were:

Angel Colon	Chairman
Donn Rinehart	Vice Chairman
Thomas Hagood, Jr.	Assistant Secretary
Gracila Von Blon	Assistant Secretary

Also present were:

Gary L. Moyer	Manager - Moyer Management Group
Roy Van Wyk	Attorney: Hopping Green & Sams
Richard Dunn	Engineer: Engineering & Environmental Design
Brian Smith	Severn Trent Services

*The following is a summary of the minutes and actions taken at the November 29, 2010 East Park Board of Supervisors meeting.*

**FIRST ORDER OF BUSINESS**

**Roll Call**

Mr. Moyer called the meeting to order at 5:00 P.M. and stated that all Supervisors were present.

**SECOND ORDER OF BUSINESS**

**Organizational Matters**

**A. Designation of Vacancy for Seats 1 and 3 and Appointment of Supervisors**

Mr. Moyer addressed the following:

- Since no one qualified for Seats 1 and 3, there was no General Election and the Board is now required to declare a vacancy for these seats and make appointments.
- Ms. Von Blon was appointed at the last meeting to fill the unexpired term of Mr. John Gray, which is Seat 1. Seat 3 was currently filled by Mr. Michael Hagood.
- The Board can either re-appoint Ms. Von Blon or a registered voter and resident of the District who is 18 years of age or older. Both seats have the same term.

On MOTION by Mr. Tom Hagood seconded by Mr. Rinehart with all in favor, the Board declared a vacancy in Seats 1 and 3.

Mr. Moyer requested nominations from the Board for Seat 1.

- Mr. Tom Hagood nominated Ms. Gracila Von Blon.

Hearing no further nominations,

Mr. Tom Hagood nominated Ms. Gracila Von Blon to fill the vacancy in Seat 1 and Mr. Colon seconded the nomination. With no further nominations, with all in favor, Ms. Gracila Von Blon was appointed to Seat 1.

Mr. Moyer requested nominations from the Board to fill Seat 3.

- Mr. Rinehart questioned whether there were any issues with his wife filling this seat. Mr. Van Wyk indicated that it was not against the law, but did not recommend this.
- Mr. Tom Hagood did not have anyone to nominate, but offered to take on the task of finding someone to fill the seat.
- Mr. Van Wyk noted that since no one was nominated, Mr. Michael Hagood would still serve until someone was appointed as his replacement.
- Mr. Moyer pointed out that Mr. Colon, Mr. Rinehart and Mr. Thomas Hagood serve until 2012 and the next qualifying period was June of 2012.

**B. Oath of Office**

Mr. Moyer being a Notary Public of the State of Florida, administered the oath of office to Ms. Gracila Von Blon and a copy of the signed oath will be made a part of the public record.

**C. Election of Officers**

Mr. Moyer explained that any time a new Board member was appointed to the Board; there was an opportunity to reconstitute the officer structure. The current officer structure was Mr. Colon as Chairman, Mr. Tom Hagood as Vice Chairman and the remaining Board members as Assistant Secretaries, I serve as Secretary and staff at Severn Trent in the Accounting Department serves as Treasurer and Assistant Treasurer.

Mr. Tom Hagood nominated Mr. Rinehart as Vice Chairman and Mr. Colon seconded the nomination. There being no further nominations, with all in favor, Mr. Rinehart was elected Vice Chairman.

Mr. Rinehart nominated Mr. Tom Hagood as Assistant Secretary and Mr. Colon seconded the nomination. There being no further nominations, with all in favor, Mr. Tom Hagood was elected Assistant Secretary.

On MOTION by Mr. Tom Hagood seconded by Mr. Colon with all in favor, the remaining officer structure will remain as noted above with Mr. Tom Hagood as Vice Chairman, the remaining Board members as Assistant Secretaries, Mr. Gary Moyer as Secretary, Mr. Robert Koncar as Treasurer and Mr. Stephen Bloom as Assistant Treasurer as evidenced by Resolution 2011-02.

**THIRD ORDER OF BUSINESS**

**Approval of the Minutes of the October 6, 2010 Meeting**

Mr. Moyer stated that each Board member received a copy of the minutes of the October 6, 2010 meeting and requested any corrections, additions or deletions.

Mr. Van Wyk provided the following corrections:

- On Page 8, the word “*infrastructure*” should be added after the word “*whatever*” in the statement “*Mr. Van Wyk confirmed that whatever was given to the District without payment by the District would be considered a developer contribution*”.
- On Page 9 in the middle of the page, “*the final coat*” should be “*the final lift*”.

On MOTION by Mr. Colon seconded by Mr. Rinehart with all in favor the minutes of the October 6, 2010 meeting were approved as amended.

**FOURTH ORDER OF BUSINESS**

**Action Items**

The following was addressed:

- Mr. Van Wyk reported seeing broken pickets on the black aluminum rail as he was driving through the District today on the road going from Village Center II into the District running parallel to Moss Park Road.
- Mr. Dunn noted that he saw some bent ones, but not broken ones.
- Mr. Moyer confirmed that there was some vandalism.

- Mr. Dunn will have them repaired.

**FIFTH ORDER OF BUSINESS**

**District Managers Report**

**A. Financial Statements**

Mr. Moyer reviewed the financial statements through the end of October, which were included in the agenda package, which will be made a part of the minutes of this meeting.

- The District does not anticipate receiving their ad-valorem assessments until December. Therefore, no revenues have come into the CDD.
- The period between October 1 and December is funded by the Fund Balance and the District is continuing to pay its operating and maintenance expenses.
- The administrative and field expenditures are well under budget through the first month of the new fiscal year.
- Mr. Van Wyk received a letter from the City of Orlando regarding funding for the completion of the connection of Easterfield Drive. As part of the budget process, some surplus funds were encumbered for reserves.
- According to Page 1 of the financials, there is \$365,000 in the Fund Balance. Approximately \$250,000 is undesignated and would be available to undertake certain projects.
- Mr. Tom Hagood pointed out that there was \$45,000 under *Miscellaneous Revenues*. Mr. Moyer confirmed that this amount should be \$36,000 and there should be a budget amendment to effect this change.
- Mr. Colon questioned whether this would affect the 2010 or 2011 budget. Mr. Moyer confirmed that it would affect the 2011 budget.

**B. Check Register**

Mr. Moyer reviewed the check register, which was included in the agenda package, which will be made a part of the minutes of this meeting.

There not being any questions or comments,

On MOTION by Mr. Thomas Hagood seconded by Mr. Colon with all in favor the financial statements for October 31, 2010 and check registers for the period of September 1, 2010 to October 31, 2010 in the amount of \$154,742.92 were approved.

### C. Discussion of Meeting Schedule

Mr. Moyer provided a revised meeting schedule to the Board and explained the following:

- Due to a conflict with the Country Greens CDD meeting schedule, the Board needs to revisit their meeting schedule.
- He recommended that the Board change the day of their meeting or meet on different months.
- If the Board does not wish to change their meeting schedule, he will discuss this matter with the Country Greens CDD Board.
  - *Discussion ensued by the Board and there was consensus to change the day of the meeting from the fourth Wednesday to the fourth Monday.*

On MOTION by Mr. Colon seconded by Mr. Rinehart with all in favor the meeting schedule for 2011 will be changed from the fourth Wednesday to the fourth Monday on January 24, March 21, May 23, July 25 and September 26, 2011.

- Mr. Moyer will circulate a revised meeting schedule to the Board.

## SIXTH ORDER OF BUSINESS

### Staff Reports

#### A. Attorney – Letter from the City of Orlando Regarding Easterfield Drive

Mr. Van Wyk discussed a letter received from the City of Orlando in response to a letter he sent to the Mayor and the Commissioner regarding the Easterfield Drive connection and highlighted the following:

- The purpose of the letter was to request the City of Orlando funding a portion of the Easterfield Drive Connection.
- Their response was to pay the CDD \$50,000 to complete the connection as long as the CDD funded the other half and built the connection.
- Mr. Dunn indicated that he looked at the roadway and may know a way to design or bid it under the estimated cost of \$100,000 since this was a small connection.
  - Mr. Rinehart believes that \$100,000 is a high estimate and noted that they would have to obtain permits from SWFWMD.
    - Mr. Van Wyk believed that the price of the permits could be included in the City's portion.

- Mr. Rinehart questioned why they were splitting the cost with the City.
  - Mr. Van Wyk explained that the CDD has the funds available, but the City owned a portion of the roadway and should therefore pay for a portion.
- Mr. Tom Hagood questioned whether the District Engineer prepared the original design.
  - Mr. Dunn confirmed that they prepared the original design and the connection could be built under this design, but they did not know what the City planned.
- Mr. Tom Hagood suggested that the CDD and the City split the cost of any overages.

Mr. Van Wyk addressed the following:

- Questioned whether any engineering work was completed.
  - Mr. Dunn explained that the connection was included in the plans for Dowden Road, but when the City re-designed Dowden Road, the connection omitted.
- Questioned where the \$100,000 estimate from the City came from.
  - Mr. Rinehart believes that the \$100,000 was a true amount as the price of materials has increased.
  - Mr. Tom Hagood believes that they could get some good prices as contractors were looking for work and suggested modifying the design to where it was acceptable for permitting.
- He recommended that the Board authorize him to inform the City that the CDD requests that they fund \$50,000 plus split a portion of any overages equally with the CDD. If the City agrees, the Board will then authorize the Chairman to enter into an Interlocal Agreement with the City and staff to go out for RFP for contractors to design and build the Easterfield Drive connection.

On MOTION by Mr. Thomas Hagood seconded by Ms. Von Blon with all in favor, the District Attorney was authorized to inform the City that the CDD requests that they pay \$50,000 plus split a portion of any overages equally with the CDD and upon their approval, the Chairman was authorized to enter into an Interlocal Agreement with the City and staff was authorized to go out for RFP for contractors to design and build the Easterfield Drive connection.

- He believes that this is the best position for the CDD to be in as they have control over the cost and design of the connection.
  - Mr. Tom Hagood questioned whether the CDD had any recommendations for construction companies.
  - Mr. Moyer recommended Junior Davis, but suggested that Mr. Dunn contact some contractors and provide a general description of the roadway. This does not have to be formally bid as the amount was well below the bid threshold.
  - Mr. Dunn will provide three estimates to the Board at the next meeting.

**B. Engineer**

There not being any, the next item followed.

**C. Field Operations – Maintenance Highlight Report**

Mr. Smith presented the Monthly Highlight Report, which was included in the agenda package and available for public review in the District Office during normal business hours.

Mr. Colon questioned the status of the lake.

Mr. Smith reported the following:

- The level of the lake has gone down due to the lack of rain; however, there was one dry spot, which will be cleaned out.
  - Mr. Hagood questioned whether this was the reason why the lake was staging up.
  - Mr. Smith did not think so as the water level was the same on the other side of the sand bar.
- He suggests cleaning the lake further out in January and February when it was extremely dry. If they still have an issue, they can call the City or DOT for assistance.
- He pointed out the following issues:

1. Drainage problems.
2. Repairs to roads and sidewalks in East Park that were owned by the City.
  - Mr. Tom Hagood confirmed that the City owns the right-of-way of the sidewalks in East Park from the outer edge of the sidewalk.
  - Mr. Van Wyk noted when he meets with the City; he will speak to Mr. Roy Payne about appointing a liaison to handle this matter.
3. Dumping from Lake District Lane to Dowden Road.
  - Mr. Colon suggested that the City put up concrete barricades on Dowden Road.
  - Mr. Smith agreed and added that there was also dumping in back of the park. He recommended that they can install a cattle fence from the white PVC fence across Lake District Lane, which he anticipated costing no more than \$1,500 and including a gate for service vehicles.
  - Mr. Tom Hagood recommended that the gate have a padlock.
  - Mr. Dunn pointed out that DR Horton owns this property and may have some responsibility.
  - Mr. Rinehart noted that he heard about some preliminary discussions from DR Horton in the past two to three weeks regarding neighborhood four. They still own neighborhood two, which is the subject property.
  - Mr. Van Wyk pointed out that DR Horton was not cooperative when they tried to deed over the pond, but he will try to speak to them about the installation of a fence or barricade on this property.
  - Mr. Rinehart suggested that Mr. Van Wyk speak to the Field Manager for DR Horton.
  - Mr. Smith will work with the City first and if there is no response, he will get Mr. Van Wyk involved.

<p>On MOTION by Mr. Colon seconded by Mr. Rinehart with all in favor, the Field Manager was authorized to spend up to \$1,500 for the installation of a cattle fence from the white PVC fence across Lake District Lane.</p>
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- The fountain was running after the motor was replaced and some wiring was connected. However, there is now a problem with the panel on the shore as the new pump may not be compatible. The contractor is going to pull the pump back to the shore and look at the panel, with the hopes of getting the fountain running as soon as possible.
  - Mr. Colon suggested documenting the model numbers of the pump and panel.
- The Christmas lights are going to be installed today.
  - Mr. Colon questioned whether they were going to have something more elaborate than last year.
  - Mr. Smith confirmed that they will have more lights since they started the installation earlier. Staff will decorate all of the neighborhoods first and then add more lights if needed.
- The spindle at the canal has been repaired.
- He spoke with the City about the turf at the City Park. There is not much they can do other than replacing it. He plans to overseed in the spring to see if the turf comes back.
  - Mr. Tom Hagood questioned whether the turf is Bahia.
  - Mr. Smith indicated that there is Bahia, but there are weeds.
  - Mr. Tom Hagood noted if the turf is mowed regularly, it has to be seeded to fill in the bare areas.
  - Mr. Smith confirmed that overseeding was not part of the landscaping contract, but he will obtain an estimate from the landscaping company for a spring overseeding.
- He recommends filling the back side of the City Lake with sod, since the water level is now receding, to protect the lake bank rather than rip rap, because the wind is blowing material into the corner of the lake.
  - Mr. Tom Hagood recommended using a coconut fiber like what is used on the side of the embankments of highways.
  - Mr. Smith can lay the sod on top of the coconut fiber.

- Mr. Moyer suggested speaking to Servello because they laid coconut fiber in a median in Vista Lake on Narcoossee that had Bahia and they had a terrible time removing it when they changed the Bahia to St. Augustine.
- They are in the process of preparing the East Park entry feature sign as the coating around the sign was wearing and the top of the column needs re-painting. This will be completed in the next couple of months.

The following was addressed:

- A resident pointed out that there were many ant piles along the lake. Mr. Smith confirmed that he saw them today and asked Girard to treat them.
- Mr. Tom Hagood suggested staying on top of Girard as they will eventually take care of any issues. He found that other companies ignore the problem.
- Mr. Rinehart pointed out that he received many complaints from Grand Isles residents, especially on one lake because the lake bank was destroyed from Girard mowing too low.
- Mr. Tom Hagood noted that a community adjacent to theirs that uses Girard looks spectacular. He found out that a resident of Grand Isle was their landscaping representative and goes on drive-throughs with Girard to point out areas of concern.
- Mr. Smith acknowledged that the front of East Park looks good and believes that the problem is that Girard performs drive-throughs every other week instead of every week. They also maintain the swale behind houses.

**SEVENTH ORDER OF BUSINESS**

**Other Business**

There not being any, the next item followed.

**EIGHTH ORDER OF BUSINESS**

**Supervisor’s Requests and Audience Comments**

There not being any, the next item followed.

**NINTH ORDER OF BUSINESS**

**Adjournment**

There being no further business,

On MOTION by Mr. Tom Hagood seconded by Mr. Colon with all in favor the meeting was adjourned.

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Gary L. Moyer  
Secretary

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Angel Colon  
Chairman