

**MINUTES OF MEETING
HARMONY WEST
COMMUNITY DEVELOPMENT DISTRICT**

The Board of Supervisors of the Harmony West Community Development District held a Regular Meeting on November 17, 2022, immediately following the adjournment of the Landowner's Meeting, scheduled to commence at 10:30 a.m., at Johnston's Surveying, Inc., 900 Cross Prairie Parkway, Kissimmee, Florida 34744.

Present were:

William Fife	Vice Chair
Roger Van Auker	Assistant Secretary
John Wiggins	Assistant Secretary

Also present were:

Daniel Rom	District Manager
Jere Earlywine (via telephone)	District Counsel
Mark Hills	Field Operations Manager
Miguel Lugo	Resident

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Mr. Rom called the meeting to order at 10:36 a.m. Supervisor Wiggins was elected at the Landowners' Election held just prior to this meeting and the Oath of Office was administered to Mr. Wiggins prior to this meeting. Supervisors Fife, Wiggins and Van Auker were present. Supervisors Tyree and Bronson were not present.

SECOND ORDER OF BUSINESS

Public Comments

Resident Miguel Lugo stated he attended the HOA meeting and feels there is confusion about the CDD and HOA responsibilities and a communication to residents might help.

Discussion ensued regarding providing a map depicting the areas of responsibility to residents via e-blast or a newsletter. Mr. Hills stated he would address the issue.

THIRD ORDER OF BUSINESS

Administration of Oath of Office to Newly Elected Supervisors *(the following will be provided in a separate package)*

Mr. Rom reiterated that the Oath of Office was administered to Mr. Wiggins before the meeting and it will be administered to Mr. Tyree and Mr. Bronson at a future meeting.

- A. Guide to Sunshine Amendment and Code of Ethics for Public Officers and Employees**
- B. Membership, Obligations and Responsibilities**
- C. Financial Disclosure Forms**
 - I. Form 1: Statement of Financial Interests**
 - II. Form 1X: Amendment to Form 1, Statement of Financial Interests**
 - III. Form 1F: Final Statement of Financial Interests**
- D. Form 8B: Memorandum of Voting Conflict**

FOURTH ORDER OF BUSINESS

Consideration of Resolution 2023-01, Canvassing and Certifying the Results of the Landowners’ Election of Supervisors Held Pursuant to Section 190.006(2), Florida Statutes, and Providing for an Effective Date

Mr. Rom presented Resolution 2023-01 and recapped the Landowners’ Election results:

Seat 1	Robyn Bronson	366 votes	4-Year Term
Seat 2	Chris Tyree	366 votes	4-Year Term
Seat 4	John Wiggins	365 votes	2-Year Term

On MOTION by Mr. Van Auker and seconded by Mr. Wiggins, with all in favor, Resolution 2023-01, Canvassing and Certifying the Results of the Landowners’ Election of Supervisors Held Pursuant to Section 190.006(2), Florida Statutes, and Providing for an Effective Date, was adopted.

FIFTH ORDER OF BUSINESS

Consideration of Resolution 2023-02, Designating Certain Officers of the District, and Providing for an Effective Date

Mr. Rom presented Resolution 2023-02. Mr. Van Auker nominated the following slate:

Chair	Chris Tyree
Vice Chair	William Fife
Secretary	Craig Wrathell
Assistant Secretary	John Wiggins

Assistant Secretary	Robyn Bronson
Assistant Secretary	Roger Van Auker
Assistant Secretary	Cindy Cerbone
Assistant Secretary	Daniel Rom

No other nominations were made. Prior appointments by the Board for Treasurer and Assistant Treasurer remain unaffected by this Resolution.

On MOTION by Mr. Fife and seconded by Mr. Van Auker, with all in favor, Resolution 2022-02, Designating Certain Officers of the District, as nominated, and Providing for an Effective Date, was adopted.

SIXTH ORDER OF BUSINESS

Consideration of Fiscal Year 2022/2023 Deficit Funding Agreement

Mr. Rom presented the Fiscal Year 2022/2023 Deficit Funding Agreement. Fiscal Year 2022 ended on September 30, 2022 and, as anticipated, total expenditures exceeded budget due to landscaping changes, necessitating a Budget Amendment. A Deficit Funding Agreement is required to address Landowner contributions. Mr. Earlywine stated any amounts funded under the Agreement can be included in the Fiscal Year 2023 budget and repaid to the Landowner, as described in Section 1.

On MOTION by Mr. Fife and seconded by Mr. Van Auker, with all in favor, the Fiscal Year 2022/2023 Deficit Funding Agreement, was approved.

SEVENTH ORDER OF BUSINESS

Consideration of Resolution 2023-03, Relating to the Amendment of the General Fund Portion of the Budget for the Fiscal Year Beginning October 1, 2021 and Ending September 30, 2022; and Providing for an Effective Date

Mr. Rom presented Resolution 2023-03. He reviewed the Amended Fiscal Year 2022 budget noting items that caused expenditures to exceed budget. The \$15,000 "Engineering-stormwater analysis" expenditure was not budgeted as the requirement was enacted after the Fiscal Year 2022 budget was adopted. "Legal advertising" was over budget due to Public Hearing advertisements. The "Plants, shrubs & mulch" and "Irrigation" line items exceeded

budget due to new construction phases. "Fountain electricity" was another unbudgeted expense. Mr. Van Auker stated that line item might be revisited due to the projected cost.

On MOTION by Mr. Wiggins and seconded by Mr. Fife, with all in favor, Resolution 2023-03, Relating to the Amendment of the General Fund Portion of the Budget for the Fiscal Year Beginning October 1, 2021 and Ending September 30, 2022; and Providing for an Effective Date, was adopted.

EIGHTH ORDER OF BUSINESS

**Consideration of Service Agreements/
Proposals**

A. United Land Services, Services Agreement Addendum [Phase II Ponds A&B]

Mr. Rom presented the Land Services, Services Agreement Addendum.

On MOTION by Mr. Fife and seconded by Mr. Van Auker, with all in favor, the Land Services, Services Agreement Addendum for Phase II Ponds A & B, in the annual amount of \$6,660, in substantial form and authorizing Staff to prepare an Addendum to the existing Agreement and for the Chair or Vice Chair to execute, was approved.

Mr. Fife stated he will work with United Land to obtain pricing for landscape maintenance for all Phase II ponds. Mr. Earlywine will draft an Addendum to the contract.

B. Lake Pros, LLC, Maintenance Agreement [Ponds 1-6]

Mr. Rom presented the Lake Pros, LLC, Maintenance Agreement for Ponds 1 through 6.

Mr. Earlywine noted minor revisions were necessary, including the addition of E-Verify.

On MOTION by Mr. Wiggins and seconded by Mr. Van Auker, with all in favor, the Lake Pros, LLC, Maintenance Agreement for Ponds 1 through 6, in the annual amount of \$7,140, substantial form, and authorizing Staff to prepare an Addendum to the existing Agreement and for the Chair or Vice Chair to execute, was approved.

C. Bio-Tech Consulting Inc., Proposal for Environmental Services [The Villages at Harmony Phases 2A, 2B - M&M]

Mr. Rom presented the Bio-Tech Consulting Inc., Proposal for Environmental Services for monitoring and maintenance. Because Buck Lake serves the canals and vice versa and because of the Permit, engaging the same vendor servicing Buck Lake was recommended.

Discussion ensued regarding the proposal, whether to perform a cleanout first and the need to meet the conditions of the Permit Requirements to avoid a noncompliance letter.

On MOTION by Mr. Wiggins and seconded by Mr. Van Auker, with all in favor, the Bio-Tech Consulting Inc., Proposal for Environmental Services for monitoring and maintenance of Phase 2A and 2B canals, in substantial form, authorizing Staff to prepare an Addendum to the existing Agreement and authorizing the Chair or Vice Chair to execute, was approved.

Mr. Rom stated proposals for the initial cleanout will be presented at the next meeting and a decision will be needed quickly, this is a noncompliance item.

Discussion ensued regarding construction and roadways in the vicinity of the gas pipeline, canal access and a possible encroachment agreement.

NINTH ORDER OF BUSINESS

Ratification Items

A. SOLitude Lake Management, LLC, Annual Renewal Services Extension for October and November 2022

Mr. Rom presented the SOLitude Lake Management, LLC, Annual Renewal Services Extension for October and November 2022, previously executed by the Vice Chair.

On MOTION by Mr. Van Auker and seconded by Mr. Fife, with all in favor, the SOLitude Lake Management, LLC, Annual Renewal Services Extension for October and November 2022, in the amount of \$2,350, was ratified.

On MOTION by Mr. Van Auker and seconded by Mr. Wiggins, with all in favor, terminating the SOLitude Lake Management, LLC, contract, was approved.

B. Allsmiths Services, Estimate No. 2125 for Pressure Washing Maintenance [Osprey and Harmony West Entrance Signage, Walls and Towers]

Mr. Rom presented Allsmiths Services Estimate No. 2125, executed by Mr. Rom within the District Manager’s spending authority threshold and on basis of need and urgency.

On MOTION by Mr. Wiggins and seconded by Mr. Van Auker, with all in favor, Allsmiths Services Estimate No. 2125 for pressure washing maintenance of the Osprey and Harmony West entrance signage, walls and towers, in the amount of \$1,640, was ratified.

Mr. Hills stated the maintenance crew is maintaining the area but was out of service because of a power outage at the front entrance due to a billing issue that was since addressed. In the future, the expenditure needs to be included in the budget.

C. Allsmiths Services, Estimate No. 2135 for Painting Right Side Community Frontage Fencing

Mr. Rom presented Allsmiths Services, Estimate No. 2135, executed by Mr. Rom within the District Manager’s spending authority threshold and on basis of need and urgency.

On MOTION by Mr. Wiggins and seconded by Mr. Fife, with all in favor, Allsmiths Services Estimate No. 2135 for painting the right side of the community frontage fencing, in the amount of \$4,635, was ratified.

TENTH ORDER OF BUSINESS

Acceptance of Unaudited Financial Statements as of September 30, 2022

Mr. Rom presented the Unaudited Financial Statements as of September 30, 2022.

On MOTION by Mr. Wiggins and seconded by Mr. Fife, with all in favor, the Unaudited Financial Statements as of September 30, 2022, were accepted.

ELEVENTH ORDER OF BUSINESS

Approval of August 18, 2022 Public Hearings and Regular Meeting Minutes

Mr. Rom presented the August 18, 2022 Public Hearings and Regular Meeting Minutes.

The following change was made:

Line 21: Change “Wrathell, Hunt and Associates, LLC” to “KE Law Group, PLLC

On MOTION by Mr. Wiggins and seconded by Mr. Fife, with all in favor, the August 18, 2022 Public Hearings and Regular Meeting Minutes, as amended, were approved.

Staff Reports

- A. District Counsel: *KE Law Group, PLLC***
- B. District Engineer: *Poulos & Bennett, LLC***

There were no reports from District Counsel or the District Engineer.

- C. Field Operations Manager: *Association Solutions of Central Florida Inc.***

Mr. Hills reported the following:

- The dog refuse stations were damaged during the storm; replacements were ordered and should be received and installed next week.
- The CDD is looking much better and landscaping is vastly improved.
- A streetlight repairs request was submitted and received. Two streetlights are missing heads and one was mangled during the storm as an unsecured trampoline became a projectile. The trampoline was photographed in the yard since it is an HOA violation. If the CDD is billed for the lights, the homeowner can be held responsible for the light replacement cost.

- D. District Manager: *Wrathell, Hunt and Associates, LLC***

- **NEXT MEETING DATE: December 15, 2022 at 10:30 A.M.**
 - **QUORUM CHECK**

The next meeting will be held on December 15, 2022, unless cancelled.

THIRTEENTH ORDER OF BUSINESS

Board Members' Comments/Requests

There were no Board Members' comments or requests.

FOURTEENTH ORDER OF BUSINESS

Public Comments

Mr. Lugo stated the Buck Lake Committee March 16, 2023 meeting is scheduled at 11:00 a.m., and the Buena Lago CDD meeting normally follows. Mr. Rom stated the Buena Lago CDD meeting will follow the Harmony West CDD meeting and the Buck Lake Committee will meet after Buena Lago CDD. Per Mr. Earlywine, a January meeting regarding bonds will be necessary.

FIFTEENTH ORDER OF BUSINESS

Adjournment

On MOTION by Mr. Fife and seconded by Mr. Wiggins, with all in favor, the meeting adjourned at 11:15 a.m.



Secretary/Assistant Secretary



Chair/Vice Chair