

**MINUTES OF MEETING
HEMINGWAY POINT
COMMUNITY DEVELOPMENT DISTRICT**

The regular meeting of the Board of Supervisors of the Hemingway Point Community Development District was held on Wednesday, November 25, 2020 at 2:00 p.m. at Waterstone Bay Clubhouse, 1355 Waterstone Way, Homestead, Florida 33033.

Present and constituting a quorum were:

Anthony Pellicano
Russell Brick
Cheryll Angell
Carlos Suarez

Chairman
Vice Chairman
Assistant Secretary
Assistant Secretary (by phone)

Also present were:

Paul Winkeljohn
Scott Cochran
Roy Spallone
Ben Quesada

District Manager
District Counsel (by phone)
Resident (by phone)
Waterstone Clubhouse Director

FIRST ORDER OF BUSINESS

**Oath of Office for Supervisor Elected
at the General Election – Seat #1**

Mr. Winkeljohn: The first order of business is the oath of office for Cheryll on her re-election and she is here today, so congratulations Cheryll. So, Cheryll I'll say "I", and then you state your name and I will read the oath and you would just say "I do" at the end, it's very simple, so "I".

Ms. Angell: Cheryll Angell.

Mr. Winkeljohn: A resident of the State of Florida and citizen of the United States of America, being a Supervisor of the Hemingway Point Community Development District and recipient of public funds on behalf of the District, do hereby solemnly swear or affirm that I will support the Constitution of the United States and of the State of Florida, and will faithfully, honestly, and impartially discharge the duties devolving upon

me in the office of Supervisor of the Hemingway Point Community Development District, Miami-Dade County, Florida.

Ms. Angell: I do.

Mr. Winkeljohn: Great, I will notarize this and enter it into the District's records.

Ms. Angell: Thank you.

SECOND ORDER OF BUSINESS Roll Call

Mr. Winkeljohn called the meeting to order and called roll.

THIRD ORDER OF BUSINESS Organizational Matters

A. Consideration of Resolution #2021-01 Confirming the General Election Results

Mr. Winkeljohn: The next item is resolution #2021-01 which is the general elections results. Basically, we are the body that accepts those results as reported, and resolution #2021-01 does that, I just need a motion approving that.

On MOTION by Mr. Brick seconded by Ms. Angell with all in favor, Resolution #2021-01 confirming the general election results was approved.

B. Consideration of Resolution #2021-02 Declaring Vacancies

Mr. Winkeljohn: Resolution #2021-02 declares a vacancy, there were seats that no one ran for, and as a result your resolution will open that seat up for the Board to appoint later on in today's agenda, if you so choose. So, a motion to declare a vacancy in resolution #2021-02 is appropriate.

On MOTION by Mr. Brick seconded by Ms. Angell with all in favor, Resolution #2021-02 declaring vacancies was approved.

C. Consideration of Appointment of Supervisor to Seat #2

Mr. Winkeljohn: Like I said, that opens up seat #2 which is a 4 year term and that seat can be appointed by anyone who is a registered electorate, meaning a registered voter in the District, is there a motion to appoint?

Ms. Angell: I'll make a motion to appoint Roy Spallone.

Mr. Winkeljohn: Alright, and Roy has joined us today on our call, so I'll mark him down as present. I already talked to Roy, but since he's not here today in person he can't be sworn in, but he can participate in discussions, but he just can't vote until I swear him in person.

On MOTION by Ms. Angell seconded by Mr. Brick with all in favor, appointing Roy Spallone to fill the unexpired term of office, seat #2 was approved.

D. Oath of Office for Newly Appointed Supervisor

E. Consideration of Resolution #2021-03 Electing Officers

Mr. Winkeljohn: As I said, item D will be tabled. We can confirm the officers even with him not being sworn in. The District's current officers, our chairman is Tony Pellicano, vice chairman is Russ Brick, and Cheryl Angell and Carlos Suarez of course are assistant secretaries. My firm provides you by contract myself as an assistant secretary, and a treasurer in the name of Patti Powers, and a secretary in the name of Rich Hans. A motion from you all, if you want to keep the officers the same would be, a motion to add Roy Spallone as an assistant secretary, and keep all others the same. If you want to change that, and somebody else wants to be the chairman and sign the documents, you can do that as well, it's up to you all.

Ms. Angell: I make a motion we keep all the officers the same and add Roy to it.

On MOTION by Ms. Angell seconded by Mr. Brick with all in favor, Resolution #2021-03 electing officers, keeping the existing officers the same and adding Roy Spallone as an assistant secretary was approved.

F. Consideration of Resolution #2021-04 Ratifying Actions of the Board Taken During the COVID Virtual Meetings

Mr. Winkeljohn: The next item is resolution #2021-04 and if you have any questions you can ask Scott to elaborate, but basically, it's an insurance policy in case there's ever a dispute about whether we handled the virtual meetings properly or advertised them properly. So, what we're going to do is ratify all the decisions we made under that context today because we're in person today and there's no disputing that, so that's my summary. Is that ok Scott?

Mr. Cochran: Yes, it's basically just that we met virtually pursuant to Executive Orders from the Governor, and in case anyone brings a challenge to his authority to enter into that, those Executive Orders, it would just basically protect us, and as he said, since we're back with a quorum of the Board meeting in person now it just ratifies all the actions taken by the Board when we were conducting business that way, so it would cover us.

Mr. Winkeljohn: Very good, is there a motion for resolution #2021-04?

On MOTION by Mr. Brick seconded by Ms. Angell with all in favor, Resolution #2021-04 ratifying actions of the Board taken during the COVID virtual meetings was approved.

FOURTH ORDER OF BUSINESS

**Approval of the Minutes of the
October 28, 2020 Meeting**

Mr. Winkeljohn: Your minutes from your October 28th meeting have been circulated, if those are in order a motion to approve would be appreciated.

On MOTION by Ms. Angell seconded by Mr. Pellicano with all in favor, the Minutes of the October 28, 2020 Meeting were approved.

FIFTH ORDER OF BUSINESS

**Consideration of Proposals
from McGrath for:**

- A. Entrance Fountain Service Agreement**
- B. Replacement of Swimming Pool Mechanical Systems**
- C. Swimming Pool Service Agreement**

Mr. Winkeljohn: The next item is our discussion on the pool. I mentioned to you all that I had one more qualified contractor that I wanted to bring back. I got their proposal, the two are equal, Bright & Blue, in terms of experience and qualifications, however McGrath's price was higher, so I'm going to ask that the Board go back to Bright & Blue because of their pricing and there's a lot of experience with them that's very positive. The account manager that we had years ago is no longer with the company, and I think we're going to get excellent service and if not, we'll change our minds in the near future. So, I would ask for authorization to enter into an agreement with Bright & Blue Pools to maintain our pool and our fountain.

On MOTION by Ms. Angell seconded by Mr. Brick with all in favor, authorizing staff to enter into an agreement with Bright & Blue Pools to maintain the pool and fountain as stated on the record was approved.

Mr. Brick: So, just out of curiosity why do those people want to replace all our mechanical equipment at the pool?

Mr. Winkeljohn: Some of the mechanical equipment, the two injectors, the chlorine and the acid injectors are failing, they're not performing, they're not injecting at the right rate and because of that they want to replace them so that they are consistent and then we can meet the health requirements because we did have trouble before. We've solved many of the problems, and I miss our old pool company because I liked the way they trouble shot and solved problems, but they are asking that we replace those two injectors.

Mr. Pellicano: Is Bright & Blue asking the same?

Mr. Winkeljohn: Yes, that's from Bright & Blue.

Mr. Quesada: Exactly, it's both companies that bid it.

Mr. Winkeljohn: They both priced it, and that includes the filters as well.

Mr. Pellicano: Yes, I know the filters were included.

Mr. Spallone: Paul, I'd like to ask a question if I can?

Mr. Winkeljohn: Yes sir.

Mr. Spallone: What is the pool guy, what is their schedule, do they come weekly, monthly?

Mr. Winkeljohn: Well, we like Monday, Wednesday and Fridays, that way the weekends get the most attention on either end, so it's 3 services which is sufficient for your size pool, it's actually a little heavy, so 3 times a week.

Mr. Spallone: Perfect, thank you.

Mr. Winkeljohn: Yes sir.

Mr. Brick: Why is there such a substantial difference in the scope from Bright & Blue and McGrath?

Mr. Winkeljohn: The way we do pool scope is we put in the terms, or we ask them verbally or whatever, you need to meet county health requirements to maintain our pool. They each may put in their own language, so to us it's really not vital how they outline it in their proposals. It's really more important that they meet the requirement.

Mr. Brick: Ok, so does 1 super flow pump meet all 10 of these requirements?

Mr. Winkeljohn: I don't know what you're holding up.

Mr. Brick: This looks like the replacement of all of our mechanical equipment, or not all of it.

Mr. Quesada: So, I can answer that. Basically, McGrath lumped everything into one proposal when it came to all of that, and Bright & Blue kind of broke it down by filter cartridges, gaskets and safety equipment. So, McGrath, what you're seeing in there is safety equipment included in that proposal, that's why it's much.

Mr. Winkeljohn: They mixed them together.

Mr. Quesada: They mixed it together as far as those miscellaneous items are concerned.

Mr. Winkeljohn: Right, so the first ticket under #5, under special considerations, those are the pool chemical feeders for chlorine and acid, and then they mention the cartridge fill station second, third is a leveler, fourth is the safety equipment which was all damaged or missing, or out of code, which happens every few years. So, they are both saying the same thing, but this is secondary to their maintenance, but I think we need it because we're about to open the pool.

Mr. Quesada: Not only that, but I'm pretty sure, when I did talk to Bright & Blue because they did 3 proposals, they said if you basically approve them all, that they'll include, and I don't know how much so I don't want to quote them, but they said they would work with us on the price if all 3 got approved. They really want your service contract, that's what they really want, so I think they're willing to help you out on these extras.

Mr. Brick: Listen, I'd be happy to pay 1/3 of the price here, I was just wondering why it's only 1/3 of the price? This says, \$846, and this says \$2,400?

Mr. Quesada: And like I said, you have the safety equipment, and estimate #20880 from Bright & Blue.

Mr. Pellicano: Where is that? I don't see it.

Mr. Winkeljohn: There's a couple different ones, there should be 3 pages from them.

Mr. Quesada: Yes, you're probably missing a page there, but before I give them to you what I want to explain to you is that they included the same safety equipment that's in this one, all in one proposal, so that's why there's a large different in the price.

Mr. Brick: Got it, ok never mind.

Mr. Winkeljohn: Right, so it's broken down in one, and what was the total for B&B, I didn't get a chance to add them up, and the price difference I was talking about is their weekly service. The equipment and everything, they'll match it and they're going to beat any competitor in this case, so I'm not worried about that.

Mr. Pellicano: Bright & Blue Pools is \$39.37 cheaper, that's it.

Mr. Winkeljohn: Right, so we'll shoot for 10% or 15% less.

Mr. Quesada: Yes, so you'll save more money than that.

Mr. Brick: Good, alright.

Mr. Quesada: Again, they want your services.

Mr. Winkeljohn: Right, and this purchase was within my authority to buy, I just wanted to bring it to you as part of the big picture.

Mr. Brick: I just didn't understand why this had nothing to do with this, because I didn't know that was this.

Mr. Winkeljohn: So, if you would authorize the purchase of the listed equipment by motion that would be appreciated.

Mr. Brick: I will make a motion that we purchase the equipment authorized by Bright & Blue Pools.

On MOTION by Mr. Brick seconded by Ms. Angell with all in favor, authorizing staff to purchase the pool equipment recommended by Bright & Blue Pools was approved.

Mr. Winkeljohn: Alright, and that brings us up to date on the pool, so I think it's a good segway for me to bring up the latest on the pool opening.

Mr. Pellicano: Can I ask one question before you get to that part?

Mr. Winkeljohn: Sure.

Mr. Pellicano: I'm sorry, I haven't seen it, and I could be missing it because there's a lot of stuff on here, but we still haven't replaced that handicapped chair?

Mr. Winkeljohn: No, we haven't.

Mr. Pellicano: That's not on here, right?

Mr. Winkeljohn: No, but it's on our list, it's a larger capital item, it's like \$3,000 to \$5,000.

Mr. Pellicano: We need to figure that out because that's been sitting there for a while.

Mr. Winkeljohn: I'll refresh those prices.

Mr. Pellicano: Ok, yes do that, and see if we can figure out that because we're going to get that fixed regardless.

Mr. Brick: Yes, well getting fixed is one thing.

Mr. Winkeljohn: Right, keeping it operating is the challenge. When it was new before most of you even moved in, there was a resident who used it.

Mr. Pellicano: There are a couple of residents now that need to use it.

Mr. Winkeljohn: Right, I'll get it freshened up for our next decision, very good.

Mr. Pellicano: Ok.

Mr. Winkeljohn: So, up to date on the pool entry, we've removed the key, so the keys no longer work while the pool is closed, and the rollout plan that we talked about at the last meeting has started. Most of you probably got a letter in the mail already showing you how to fill out an application. Some lady, whose last name rhymes with our chairman's

last name won the prize as the first person to turn it in. I don't know how she did that so fast, but I remember letting go of the letters in the mailbox and it hit my inbox that's how fast it happened. So, the way the process works is, there's two categories of respondents, one is, they are the person whose name is on the deed from the Property Appraiser's website of the county, that's the official record we're going to use. If their name is accurate then they go into a list, when I get 25 people that meet that category an email will go out to those 25 people with their credentials. We're going to do them in batches because they have to be entered one at a time in a portal, so to do it every 5 minutes every day that doesn't make sense, and it also helps us monitor the pool and space out the people who can actually get into the pool. So, as I get through that list, the list of people whose name matches their deed, they're going to go through very quickly by that standard. The people who are renters or their name does not match the deed, say they have a corrected deed, they just send me the corrected deed and then they go on that list. If they're in a trust or something like that, if they can confirm to me somehow that they are the owners, we can deal with that, so there's really 3 categories. The third category of a renter, they have to get an affidavit signed by the owner of the property authorizing them to use the membership rights basically, because remember we have a membership process, so we want to keep each property getting one set of memberships, not two, and it also helps vet out any renter who isn't authorized to use the pool, say the owner still wants to be the one using it. So, those are the steps which I use in many communities and so in the next few months I expect the credentials will all be handled. Some people won't do it, that's fine, but the keys will no longer work and that puts us at 100% in control of the pool in that respect. Now to open the pool, part 2 of this conversation, I've been looking at some technology changes that just happened, as the camera world realized that social distancing is a tool that they would like in the camera systems, and so a whole crop of cameras have been issued to the market that can tell us electronically how many people have come into the pool, and if any of the people are not social distancing. They're called analytics or an alpha rhythm built into the camera that measures these things, so I found a camera that we can put in, the camera is about \$1,500 and it would be about \$500 to install, so it's a \$2,000 investment, but that allows you to meet the requirements that you're monitoring the pool properly. Now the electronic measure is, I'll get a signal that there's more than so many people in the

pool. I can tie that signal to the front gate and it can lock the gate and not allow any new credentials to enter into the pool, so it's basically like an electronic gate guard that says, ok there's more than 10 groups that have come into the pool, no more can go in, and then when they leave the camera will tell us what the number of people who are at the pool at all times, and I can put a number out there. Is it full proof, no, but it's much more cost effective than us trying to hire somebody to do this.

Mr. Brick: Are there bypass credentials?

Mr. Winkeljohn: What does that mean?

Mr. Brick: So, in other words you have it locked out, can one of us still get in there?

Mr. Winkeljohn: I can do that.

Mr. Pellicano: The other question I have with that, so say somebody is already in the pool, all they have to do is push the bar and they can get in.

Mr. Winkeljohn: Like I said, it's not full proof, but if they're violating a safety measure to circumvent our ability to monitor, I think that's outside of our responsibility. I think our responsibility is to make a best effort within our budget to accomplish the CDC guidelines for a pool. We'll bring in a janitor, a custodian, to do an extra cleaning, but I think as the winter months come we're not going to have such a problem, and what it will start to do is it can trigger us to close the pool when there's too many people, we can call the police if it's trespassing, it's an analytic camera so it does more than just video. It tells us things live, because one of the things we don't have is a live person at our pool, that's management or a representative of the District.

Mr. Pellicano: That will cover that envelope, that's what you're saying?

Mr. Winkeljohn: It will help, yes, I think it will.

Mr. Pellicano: It would be cheaper than spending \$30,000 or \$40,000 on somebody sitting there for us.

Mr. Winkeljohn: That's what you'd be getting.

Ms. Angell: I can see it to a point that somebody should be there, and groups could be there all day, that's the only thing. So, groups could be there all day, and I kind of would like to go because they've already been there 4 to 6 hours.

Mr. Pellicano: I know there's going to be issues with that.

Ms. Angell: And then that's going to be an issue, because I'm not going to get in for the day because I don't know if we can have a proposal that, you know, have it so it's 2 hours at a time for the families, or 3 hours, because it really won't be fair when it gets to be summertime. Let's say you want to go in with your family, and there's already 10 families there.

Mr. Winkeljohn: Right, and let's back up just a minute, we're not talking all the way into summer. Right now, we're in a gray period where we're sort of ramping back into some protocols for social distancing. I'm envisioning this, getting us the potential of opening the pool, in the interim between now and next summer, and say there's no restrictions, then there's no issue.

Ms. Angell: So, you want this for just a few months of us opening the pool?

Mr. Winkeljohn: No, I think it will work for you, it will be valuable to you as an analytic tool all the time because it will always tell you when there's too many people at the pool, it will just give you another piece of feedback without having somebody sitting there all the time, or having to think let me go check the camera and see what's going on at the pool. This will tell you data backwards, and it can be linked to the gate, so it's a tool. The interim is, if I'm a resident and I'm complaining to you, hey why haven't you opened the pool, the requirements are gone from the county you know that, so what we are applying today are voluntary compliance with the CDC guidelines, which is important too. So, to bridge that uncertainty of what we really should be doing, I think this does it, but it also is tied to our rollout of the key FOB transition where the smart phone gives us a lot of data also, we have new things that we never had before, but the legal or the restrictive requirement has become gray and ambiguous, so I think what I'm recommending is this camera to be installed and as people get their credentials, remember that's going to take a while, that's going to take months, and we can let out enough keys, first come, first serve, phone keys to solve your problem that you brought up that it will be overwhelmed. I don't think it will be overwhelmed, and we could watch, and if it is overwhelmed, we can roll it back. So, I think it's a couple of positive steps, it doesn't solve everything, there will be problems, we all know that, we had problems before the pandemic with our pool. What do you think?

Mr. Brick: Yes, actually that sounds good, and I'm just curious, I don't mean to change the subject but, did we not buy any dining tables, we bought all coffee tables?

Mr. Pellicano: No, there's tables.

Mr. Winkeljohn: They're just not out yet, there's 2 tables there.

Mr. Brick: Ok.

Mr. Winkeljohn: So, my recommendation is to install this camera, practice with it for the next month, and then as the keys come in, it will all kind of happen at the same time, we'll have used it a little bit.

Mr. Brick: Is the door active now?

Mr. Winkeljohn: It's active for anybody that has a credential.

Mr. Brick: So, my credential will work.

Mr. Winkeljohn: Yes, you've been vetted.

Mr. Suarez: (inaudible comment)

Mr. Winkeljohn: Well, the one piece that it gives us is from a management perspective is the ability to not allow any new people in lawfully, or appropriately. What people do to break rules is a whole other conversation, we can't build the pool to prevent rule breakers, it's just a reality, people jumping the fence, people damaging things. That's not what this is going to solve for us, but what it does give you is a responsible best effort to monitor and manage the pool without breaking your budget because you do not have the budget to hire somebody to babysit the pool all the time. So, it is the best available technology, and I think its sort of a hybrid approach that's within your means.

Mr. Pellicano: If we do approve that, is there a way to put the data into the booklet here that was meeting for? Like say we went over, I'd like to know what dates that we went over.

Mr. Winkeljohn: Yes, I can put you on the email thread and you'll know live.

Mr. Pellicano: No, that's fine, I don't need to do all that, but I'm just curious.

Mr. Winkeljohn: It depends how much you want to be annoyed, but again I think there's several weeks before any of these things even happen. One, we don't have to turn on the new credentials yet, so we have a management control there, we could turn off credentials at any time, we have that management control, none of this existed before. So, then the camera, as we open up the new credential people that have been vetted, on a first

come, first serve basis, as we open up that capability we're going to be able to tell electronically how it's going on real time basis versus Tony noticing it, emailing me, and right now the way we have to operate is not effective and I would never recommend trying to monitor the pool without a person there. This I think fills that today, and if it gets out of hand and we can't keep up with it, then we can dial back. So, it's a respectable investment given the community that may be demanding use of the pool as an effort on your part.

Mr. Brick: That sounds good, and I don't mean to nitpick this guy or anything, but the guy's office is about a mile from us, and he charges us \$35 to come there and do it?

Mr. Winkeljohn: That's his base fee, but I could negotiate that I'm sure.

Ms. Angell: But I mean that's part of his work.

Mr. Winkeljohn: Yes, I use him up in old Cutler area on a lot of projects, he's here a lot, some I'm guessing his travel time is an average of wherever he might be back at your site, that would be his argument.

Mr. Brick: He charges us \$35 every time he gets in his car, that guy is making a fortune.

Mr. Spallone: So, Paul, a couple of questions.

Mr. Winkeljohn: Yes sir, go ahead Roy.

Mr. Spallone: What's the pool opening expectation date?

Mr. Winkeljohn: Well it's going to rollout at the speed of residents giving us qualified applicants for the credential, and I don't know if you're familiar with it, but we have a smart phone system that basically you put your phone up to the gate and it opens it. It recognizes you tied to that phone, that gets rid of the key which was a risk because people could hand the key to anybody and there was no electronic data tied to a key opening and closing. Now, with this system that's been in for a while, we just couldn't roll it out.

Mr. Spallone: I'll tell you it sounds great, and \$2,000 cuts out the lifeguard and so many other items, it's definitely worth it. I just have one other question, so it's going to be about what, 3 or 4 weeks, who knows how long it takes for the people to turn in their deeds or whatever right, should we be like emailing weekly the pool is about to open, here's what's going to happen, how do we communicate with the homeowners, is it by mail, is it by email, is it social networking? How are we going to do it?

Mr. Winkeljohn: There's going to be a two-pronged answer to your question. My answer to it is, through the credentialing process I am basically telling people the pool is now open to you because you've done these things. Should the HOA or somebody want to publicize it I'm happy to participate in the language and writing that. The District doesn't do mass emails, we have a website, we can put it on the website, we have signage we can do.

Mr. Pellicano: We have a sign in the front.

Mr. Spallone: That's perfect, I just think as they get the credentials, we should be informing them, hey here's what's going to happen.

Mr. Winkeljohn: Right.

Mr. Spallone: If there's too many people in the pool, we're probably going to have to call the police or we're going to have to have one of the Supervisors to pop over, and say hey, there's too many people in here.

Mr. Winkeljohn: Those are good questions Roy, but it's an imperfect system in your community where you have a pool with no facility for staffing, and you've never budgeted for something that you don't have, you don't have an air conditioned space, or an office, it's a concept of a pool system that's nearing impossible to be successful managing all the bad case scenarios, not the worse case, but how people use things. We've gone through years of improvement, but it's going to be a thing that we get better and better at.

Mr. Spallone: I just feel like Cheryl when she says, I couldn't get to the pool because it was too full, so I think this will help when we're putting it in place.

Mr. Winkeljohn: I appreciate that and the pool is always going to have capacity issues, but I think now going into the winter the key FOB rollout, and the pandemic also, I think those limiting factors will buy us more time to develop better strategies and people's behaviors won't overwhelm us. Is there a motion to approve the camera?

On MOTION by Mr. Suarez seconded by Mr. Brick with all in favor, authorizing staff to purchase and install the analytical camera for the pool opening program as stated on the record was approved.

Mr. Winkeljohn: The last thing I have, and I'm going to kind of do my report since I've been doing all the talking, is I have a draft resolution for a former Board member, Osmay Torres, and it's a draft, but what I usually like to do is have him present so we can approve this now or at a later time, it's probably more symbolic to do it when we present it to him, if you agree. What do you think? I'm sort of talking out loud, it's a draft resolution that thanks him for the accomplishments of the District while he served, and his tenor and I usually have it printed on nice paper, and we put it in a frame I believe. Our printer does a nice frame, and it's just something to show appreciation. How would you like to proceed with that Tony, do you want to approve it now or do you want to approve it when he's possibly available?

Mr. Pellicano: We could approve it now, that's fine. I mean it's a good idea, anybody that does the work should get something in recognition of it.

Mr. Winkeljohn: Alright, so I'll read the heading of it and we can adopt the resolution and then present it to him at another time. So, it's resolution #2021-05 and it says, a resolution of the Board of Supervisors of the Hemingway Point Community Development District, recognizing the contributions and efforts of Osmay "Ozzie" Torres during his years of service to the Hemingway Point Community Development District and the Hemingway Point community while serving as a member of the Board of Supervisors for the Hemingway Point Community Development District. So, I'd like to first thank Scott for getting this done for us today, thank you sir, but if you approve this by motion staff will take it to the finish line and coordinate the presentation, is there a motion?

On MOTION by Ms. Angell seconded by Mr. Brick with all in favor, Resolution #2021-05 recognizing the contributions and efforts of Osmay (Ozzie) Torres was approved.
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SIXTH ORDER OF BUSINESS

Staff Reports

Mr. Winkeljohn: That brings us to staff reports, and to Scott?

Ms. Angell: Can I just go back to the pool if that's ok?

Mr. Winkeljohn: I'm sorry, sure.

Ms. Angell: Who takes care of around the pool area, like the bricks that are around there and all the grasses growing up all around that area?

Mr. Winkeljohn: Is there some grass coming through the pavers?

Mr. Pellicano: There's weeds that are coming through.

Mr. Winkeljohn: Right, I'll tell Milton to come and spray it.

Ms. Angell: Ok, because I was going to say it looks terrible.

Mr. Brick: On the pool deck?

Ms. Angell: Correct.

Mr. Pellicano: They're between the pavers Russ, they kind of are just shooting up a little bit.

Ms. Angell: All around the whole area, that's what I was saying.

Mr. Brick: Yes, it all needs to be sprayed.

Mr. Pellicano: It hasn't really been power washed either in quite a while.

Ms. Angell: That's what I'm saying, it doesn't look very nice in that area.

Mr. Pellicano: It looks kind of grimey.

Mr. Winkeljohn: Right, our annual power washing kind of got pushed, it would have been this month, but because of the almost 18 consecutive days of rain, we haven't gotten it done, so that will be fixed with our normal treatment.

Ms. Angell: Ok.

Mr. Winkeljohn: But the weeds are our landscaper.

Ms. Angell: Ok. Can I bring up another thing, or do I have to bring it up at the end?

Mr. Winkeljohn: You can bring it up now.

Ms. Angell: Ok, another thing that I was thinking for outside the pool area, just a thought, I was thinking that I would like a Christmas tree planted around that area some place so it would get big and then eventually we could have a nice Christmas tree to decorate in our neighborhood.

Mr. Pellicano: You mean like a pine tree.

Ms. Angell: Yes, it's a Christmas tree, you know.

Mr. Winkeljohn: A tree that would look like a Christmas tree, yes.

Mr. Pellicano: So, what you're saying is it doesn't have to be too big yet, just something that would grow that big?

Ms. Angell: Right, it doesn't have to be a humongous one right now, but something that eventually is going to keep growing.

Mr. Pellicano: No, it's a good idea.

Mr. Winkeljohn: There's a couple of them, there's an Italian cypress, there's a few species of trees that live in Florida that resemble the northern tree. Let me look at that with Milton, it's a good idea, and I'll look for a spot, and they're not going to be expensive.

Ms. Angell: I was just thinking, maybe a few years down the road, I mean let's say even if it's in there and then next year, yes, it's tiny but then you get a tradition of Christmas time and having the tree come around.

Mr. Pellicano: It's a community thing.

Mr. Winkeljohn: That's very forward thinking.

Mr. Pellicano: Can we put that there though, is there a space for that?

Mr. Winkeljohn: Well, let me look at it and I'll know what tree will fit there, and I'll work with Milton, and there's actually a tree I have in mind that's gorgeous, expensive if you buy it big, but if you buy it small it's not, so I have an idea.

Mr. Pellicano: Ok.

Mr. Winkeljohn: The one I'm thinking of, and the one that does the best that actually flowers is a magnolia, there's a southern magnolia that will look just like that shape as it gets older, they weren't used very often, but if it's a tree that's going to be kind of by itself without a lot of planting around it, or shade around it, it does very well in Florida, so I got it. There's a couple that have been planted in some of the new construction near where I live and the nurseries are growing them now where you can get them, they never used to, you had to buy them and get them shipped in north of here, but I have one in my yard but I crowded it with too much stuff so it doesn't bloom as much, but it might work. Let me work on it for you, but it's a great idea.

Ms. Angell: Thank you.

Mr. Winkeljohn: Ok, so let's move back to staff reports, Scott?

A. Attorney

Mr. Cochran: Yes, just a couple of matters real quick. One, we are, as you obviously know, meeting back in person on the Governor's Executive Order lifting the in person requirement which expired at the end of October so going forward we'll be requiring at least a quorum of the Board to be live and in person, but we can kind of do it hybrid like this as long as there's 3 Supervisors there in person, and any further orders changing things we'll keep you updated. Another issue, we had discussed at the last meeting, I think Mr. Pellicano had asked for some information demonstrating the county ownership of the sidewalks and I had worked with Paul and Juan to get that information to him, so hopefully he has what he needs in that regard. Then lastly, as part of the pool service agreement, I didn't know Paul if this is something that you wanted to work on an agreement for or how you want to handle that.

Mr. Winkeljohn: Yes, I'll get you their proposal and we'll do a small project agreement.

Mr. Cochran: For services agreement, ok.

Mr. Winkeljohn: Thank you.

Mr. Cochran: Ok, and I don't have anything else specifically other than a reminder for Cheryl to submit your Form 1 based on your election victory and then once Roy takes the oath of office, he'll have to do that as well.

Mr. Winkeljohn: Got it. Any questions for Scott?

Mr. Pellicano: I just wanted to say thank you for getting that sidewalk thing finally clarified, it's been going on forever.

Mr. Brick: I'm still waiting for you to send me the document with that guy's signature on it.

Mr. Winkeljohn: I'll send it to you again, I thought I gave it to you, but not a problem.

Mr. Pellicano: That's all I wanted to say Scott was thanks, I know it's been kind of a headache and we finally hatched it down. Now, we'll have to figure out at some point how do we get them to do what they're supposed to do, that's another issue.

Mr. Winkeljohn: Right.

Mr. Pellicano: But right now, there's a big chaos going on with that right now, so we'll wait.

B. Engineer

Mr. Winkeljohn: Well, one of the things that's been lingering over is the costs that we incurred through that whole process and one of them, our engineer generously has held his invoices, but they're \$20,000 or \$25,000 worth of engineering work we performed in the last two years that we hoped to get reimbursed. I'm going to have to bring that to us to pay some of it because it's not fair to him, but he's been really generous about not asking for it. I thought, oh we'll get a settlement, like an arrangement and they'll pay that punch list because that was really good engineering, but we'll deal with that accordingly. Anything else for engineer? Not hearing anything we can move on.

C. CDD Manager

Mr. Winkeljohn: Under manager, I've covered most of my items. The other thing is, I think you all understand that the two contractors that were going to finish the entry monument couldn't work because of rain, they just weren't able to schedule their current clients that were already scheduled and then ours with one day of openings since the last time we approved them, basically there might have been two sunny days. The decorations are up, so we've notified them that they're on hold. If we know exactly when the décor will come off, they will put us first.

Mr. Pellicano: Once we get closer, I'll let you know, it's going to probably be that week right after New Year's most likely.

Mr. Winkeljohn: Right, and school goes back the 4th of January.

Mr. Quesada: Confirm with me when you get a chance because then this guy will have it on the calendar.

Mr. Pellicano: Yes, once we get a little bit closer, we'll have a better idea.

Mr. Quesada: Ok.

Mr. Winkeljohn: Very good.

D. Property Manager

Mr. Winkeljohn: That brings us to, well we don't have a HOA representative coming to our meetings, is there anything for the property manager that you want to share in today's meeting?

Mr. Pellicano: No, the HOA doesn't really own anything.

Mr. Winkeljohn: Well, in theory there's cooperation between us.

Mr. Brick: I have just one question for you, was there a meeting last night?

Mr. Pellicano: Yes.

Mr. Brick: What happened?

Mr. Pellicano: Well, there was no quorum so Elaine stayed, she went to president, I had to stay and go to vice president, and we put on Yvette Masterdo I think, and that's where we're at, and that's it, no quorum.

Mr. Winkeljohn: Alright, as you guys have figured out, we're moving through our needs and our operation blindly with that and one day when the parties are ready to do things together we'll be there, no problem.

SEVENTH ORDER OF BUSINESS Financial Reports

A. Approval of Check Run Summary

B. Balance Sheet and Income Statement

Mr. Winkeljohn: In your packets are the financial reports, check run, balance sheet and income statement. If those are in order, we would just need a motion to approve.

Ms. Angell: Can I just go back for one second when we were talking about the HOA, do we have to invite them to come to the meeting from the Florida Management Company?

Mr. Winkeljohn: No, we don't have to invite them, as a courtesy we always have.

Ms. Angell: Because they usually always showed up, but they haven't been showing up at all.

Mr. Winkeljohn: Right.

Mr. Pellicano: I'll talk to them and see, I don't even know if they even know to be honest with you.

Mr. Quesada: Usually they're copied on the emails when they send out the agendas so at least they know.

Mr. Winkeljohn: Yes, they're definitely invited, just like all staff, it's treated like that.

Mr. Pellicano: I could ask them.

Ms. Angell: Well maybe Tony can give a call because I think that they should show up.

Mr. Pellicano: I agree, they should at least a few times.

Ms. Angell: Well, if they don't want to come every month, then every other month.

Mr. Winkeljohn: I mean the example of what Roy brought up about how would we communicate this, he wasn't here in the meetings when we've been asking and hoping to coordinate our communication. Roy, just for background, the District really doesn't like to get into, because of our public record requirements with emails, we don't like to get into the bulk email business because people ask us for those emails and then they turn around and SPAM everybody, so it's better for the HOA to message the whole community all platforms.

Mr. Spallone: That's cool.

Mr. Winkeljohn: Got it, understood. Is there a motion on the financials?

On MOTION by Ms. Angell seconded by Mr. Brick with all in favor, the Check Register and the Balance Sheet and Income Statement were approved.

EIGHTH ORDER OF BUSINESS

Supervisors Requests and Audience Comments

Mr. Winkeljohn: Are there any other Supervisors requests? I think Cheryll got through hers, Russ?

Mr. Brick: I'm good.

Mr. Pellicano: The only thing I have is we're having issues again with the plugs in the front building again, with the Christmas stuff, so I've been getting together with Paul, he went out and had replaced another socket again, but I did notice that on the

plastic cases that close, there's no rubber seal on them, so the one was rusted out, the water is just getting in. I told him, they really have to have those seals because that will help a little bit, but we're still having surges and GFI problems, it keeps popping, and I keep going out there and resetting it, which is a pain. So, he's going to get them to go out there and deal with the power surge.

Mr. Winkeljohn: Did they get out there today Ben?

Mr. Quesada: They did, you have lights right now connected, however it's running 24/7. A couple of things, number one, even if one of the cases, GFI is not always the best outlet to have for a Christmas display like that because it trips way too easily with humidity in South Florida. Number two, yes, they can take care of sealing it, that will be something that will get done, and number three, it's under \$100, so I told the guy to put a photocell, meaning your lights won't turn on until nighttime, and then they'll shut off in the morning, automatically.

Mr. Pellicano: That's fine, I don't have a problem with that, as long as they don't keep tripping because that's getting to be a pain.

Mr. Quesada: This was a short last minute thing to get them fixed for the holidays, and then when they come back by like Friday have that stuff done.

Mr. Pellicano: Ok, because we go through this every year and I know Russ has been out there a couple of times too before, right you were out there a couple of times.

Mr. Brick: Well we new in service boxes, that's part of the problem, but the other problems is your connections outside of that box because that's where you're getting the trip problem. A surge goes back to the box and it pops it, the box doesn't pop by itself.

Mr. Pellicano: Right, there is something popping it.

Mr. Brick: So, it's a connection outside, I have the same problem at my house, and I took them out, I just got rid of them.

Mr. Quesada: For those outdoor lights, GFIs are not even the best outlet.

Mr. Pellicano: Ok.

Mr. Quesada: Moving forward that will take care of the issue for now, at least you have everything working, and that will get you through Thanksgiving.

Mr. Pellicano: That's fine.

Mr. Winkeljohn: And we'll keep working on it.

Mr. Pellicano: I just wanted to let them know what was going on because they weren't aware of it.

Mr. Quesada: I just got an update right before the meeting.

Mr. Pellicano: Ok, perfect, ok we're good, that's all I have.

Mr. Winkeljohn: Right, and I've got some work to be done out there as part of the overall monument we're going to clean up, there's some pavers that have sunk, those will get done in the very near future.

Mr. Pellicano: Then there's lights at the pool, I sent pictures with some LEDs that are out by the pool, the lightbulbs or whatever that thing is, that's it.

Mr. Winkeljohn: Ok, very good. Anything else from anyone?

Mr. Pellicano: I have nothing else.

Mr. Winkeljohn: Carlos?

Mr. Suarez: No, I'm good, you guys have a Happy Thanksgiving.

Mr. Winkeljohn: Alright, you too. Roy, anything?

Mr. Spallone: No, thank you.

Mr. Winkeljohn: Alright, thank you and we'll be in touch with you and all your paperwork after the holiday.

Mr. Spallone: Ok.


NINTH ORDER OF BUSINESS

Adjournment

Mr. Winkeljohn: If there's nothing else, a motion to adjourn would be welcomed.

On MOTION by Ms. Angell seconded by Mr. Brick with all in favor, the Meeting was adjourned.


Secretary /Assistant Secretary


Chairman /Vice Chairman