MINUTES OF MEETING
HARMONY WEST
COMMUNITY DEVELOPMENT DISTRICT

The Board of Supervisors of the Harmony West Community Development District held a Regular Meeting on January 18, 2024 at 10:30 a.m., at Johnston's Surveying, Inc., 900 Cross Prairie Parkway, Kissimmee, Florida 34744.

Present were:

Chris Tyree	Chair
Roger Van Auker	Assistant Secretary
Robyn Bronson	Assistant Secretary

Also present:

Daniel Rom	District Manager
Kristen Thomas	Wrathell, Hunt and Associates, LLC
Jere Earlywine (via telephone)	District Counsel
Mark Hills	Field Operations Manager
Shelley Kaercher	Supervisor-Appointee
Ayden Williams	Supervisor-Appointee

FIRST ORDER OF BUSINESS **Call to Order/Roll Call**

Mr. Rom called the meeting to order at 11:09 a.m. Supervisors Tyree, Bronson and Van Auker were present. Supervisor Fife was not present. One seat was vacant.

SECOND ORDER OF BUSINESS **Public Comments**

No members of the public spoke.

THIRD ORDER OF BUSINESS **Acceptance of Resignation of Bill Fife [Seat 3]**

On MOTION by Mr. Van Auker and seconded by Mr. Tyree, with all in favor, the resignation of Mr. Bill Fife from Seat 3, was accepted.

FOURTH ORDER OF BUSINESS **Consider Appointment of Ayden Williams to Fill Unexpired Term of Seat 3; Term Expires November 2024**

On MOTION by Mr. Van Auker and seconded by Mr. Tyree, with all in favor, the appointment of Ayden Williams to fill Seat 3, was approved.

- **Administration of Oath of Office to Appointed Supervisor**

Ms. Thomas, a Notary of the State of Florida and duly authorized, administered the Oath of Office to Mr. Ayden Williams.

Mr. Rom stated Mr. Williams was recently appointed to another CDD Board; he will speak with Mr. Williams following the meeting pertaining to Board of Supervisor onboarding materials.

FIFTH ORDER OF BUSINESS **Acceptance of Resignation of Robyn Bronson [Seat 1]**

On MOTION by Mr. Tyree and seconded by Mr. Van Auker, with all in favor, the resignation of Robyn Bronson from Seat 1, was accepted.

SIXTH ORDER OF BUSINESS **Consider Appointment of Shelly Kaercher to Fill Unexpired Term of Seat 1; Term Expires November 2026**

On MOTION by Mr. Van Auker and seconded by Mr. Tyree, with all in favor, the appointment of Shelly Kaercher to fill Seat 1, was approved.

- **Administration of Oath of Office to Appointed Supervisor**

Ms. Thomas, a Notary of the State of Florida and duly authorized, administered the Oath of Office to Ms. Shelly Kaercher.

Mr. Rom stated Ms. Shelly Kaercher was recently appointed to another CDD Board and she is an experienced CDD Board Member, as it pertains to Board of Supervisor onboarding materials.

SEVENTH ORDER OF BUSINESS **Consideration of Resolution 2024-01, Appointing and Removing Officers of the District and Providing for an Effective Date**

Mr. Rom presented Resolution 2024-01. Mr. Tyree nominated the following slate:

Chair	Shelley Kaercher
Vice Chair	Chris Tyree
Assistant Secretary	Roger Van Auker
Assistant Secretary	Ayden Williams

No other nominations were made. This Resolution removes Bill Fife, Robyn Bronson and John Wiggins as Board Officers. Prior appointments by the Board for Secretary, Treasurer, Assistant Treasurer and Assistant Secretary Daniel Rom, remain unaffected by this Resolution.

On MOTION by Mr. Tyree and seconded by Mr. Van Auker, with all in favor, Resolution 2024-01, Appointing, as nominated, and Removing Officers of the District, and Providing for an Effective Date, was adopted.

EIGHTH ORDER OF BUSINESS **Discussion: New CDD Areas and Walking Bridges on Property**

A. Consideration of Allsmiths Services Estimate No. 2224 for Harmony Walking Trail Bridge #1 Removal

The Board and Staff discussed areas recently deeded to the CDD, which include walking trails and walking bridges.

Mr. Rom presented the proposal for dismantling Bridge #1.

Mr. Hills stated Mr. Fife was handling this matter. His understanding is that the walking trails were deeded to the CDD by the previous Developer. Mr. Fife had asked Mr. Earlywine to draft an Agreement for the Harmony HOA to maintain the trails, which are mainly used by

Harmony residents; however, the HOA refused to sign the Agreement because it places the responsibility and maintenance expenses upon the HOA. When Mr. Fife walked the trail, he noted that Bridge #1 is in disrepair and needs to be removed; the other two bridges will need significant repairs.

Mr. Tyree stated these areas are now confirmed to be within CDD boundaries; they were not conveyed when they should have been.

Ms. Kaercher suggested obtaining one quote for removal of all three bridges.

Mr. Hills stated the trails were maintained by the Harmony HOA and a Committee, for many years, trimming once per quarter until recently but now the trails are no longer being maintained.

The consensus was that unmaintained trails on CDD property should not be used.

Mr. Hills will request a proposal to remove all three bridges.

Mr. Earlywine suggested approving a not-to-exceed amount, subject to Chair approval. He will prepare a one-page Agreement to which the Certificate of Insurance can be attached.

On MOTION by Mr. Tyree and seconded by Ms. Kaercher, with all in favor, authorizing a not-to-exceed amount of $10,000 to dismantle all three bridges, subject to the Chair's approval, authorizing District Counsel to prepare a form of agreement and authorizing the Chair to execute, was approved.

NINTH ORDER OF BUSINESS **Discussion: Gate/Lock Installation on Butterfly Trail**

Mr. Rom discussed a resident request for a gate similar to one on Harmony's main side that is locked but can be opened for regular-sized vehicles. Mr. Tyree stated the CDD cannot block the gas company's access; they have an easement over the entire Butterfly Trail.

Mr. Hills voiced his belief that it would have to have been installed by the CDD, as he manages the HOA. Mr. Rom will research the matter and advise accordingly.

TENTH ORDER OF BUSINESS **Consideration of Pool Approval [2668 Swooping Swallow]**

Mr. Rom discussed a resident's request to remove two sections of fence to access their backyard from Botanic Boulevard to install a pool because the cost of specialized equipment to access the home from the side would cost an additional $10,000. Access via Botanic Boulevard would impact the road, curbing, CDD easement, grass, sidewalk, etc. The homeowner would be liable for the costs for the fence removal, repairs and restoring the area to its current condition.

Discussion ensued regarding the photos, the need for an Osceola County right-of-way (ROW) permit for a construction entrance and the need for Forestar approval.

The consensus was that CDD approval will be contingent upon prior approval by Osceola County and Forestar. Upon receiving those approvals, a request can then be made for CDD approval. Mr. Rom was instructed to email the resident regarding the approvals required before the CDD can consider the request.

On MOTION by Mr. Tyree and seconded by Ms. Kaercher, with all in favor, denying the request until approvals from Osceola County and Forestar are granted, was approved.

Ms. Kaercher noted that the homeowner does have full approval to construct the pool via side access, as granted by the HOA.

Referring to the photos, Mr. Hills noted that approximately 30' to 50' of sod was damaged when the fence was installed by D.R. Horton. Mr. Fife contacted D.R. Horton but received no response. The damage occurred approximately two months ago.

Mr. Hills will email Ms. Kaercher, on the HOA side. The area will be inspected.

ELEVENTH ORDER OF BUSINESS **Update: 2940 Hooded Crane Cove - Completion of Dock**

Mr. Rom presented confirmation from the District Engineer that the dock appears to be within the limits of the Agreement.

TWELFTH ORDER OF BUSINESS **Ratification of United Land Services Items**

Mr. Rom presented the following:

A. Proposal #51889 (Remove and Replace Pallets of St. Aug. Along Main Blvd)

B. Contract 67917 Work Order Summary (Replace Dead Sylvester Palm on Sarus Crane Point Center Island

Ms. Kaercher asked if it was confirmed that a new Sylvester palm can be installed and that previous disease will not impede the health of a new Sylvester palm. Mr. Hills stated the problem was not in the soil; the tree itself had a disease, so the new tree should not be affected.

On MOTION by Ms. Kaercher and seconded by Mr. Van Auker, with all in favor, United Land Services Proposal #51889 for Removal and Replacement of Pallets of St. Augustine along the main boulevard, in the amount of $2,165.64; and the Contract 67917 Work Order Summary for replacement of a dead Sylvester palm on Sarus Crane Point Center Island, in the amount of $8,550, were ratified.

THIRTEENTH ORDER OF BUSINESS **Consideration of Disclosure Technology Services, LLC EMMA® Filing Assistance Software as a Service License Agreement**

Mr. Rom stated this subject and similar agreement were discussed at another CDD meeting with the same Board Members earlier today.

On MOTION by Mr. Van Auker and seconded by Mr. Tyree, with all in favor, the Disclosure Technology Services, LLC EMMA® Filing Assistance Software as a Service License Agreement, was approved.

FOURTEENTH ORDER OF BUSINESS **Consideration of Resolution 2024-02, Implementing Section 190.006(3), Florida Statutes, and Requesting that the Osceola County Supervisor of Elections Begin Conducting the District's General Elections; Providing for Compensation; Setting Forth the Terms of Office; Authorizing Notice of the Qualifying Period; and Providing for Severability and an Effective Date**

Mr. Rom presented Resolution 2024-02. Seats 3 and 5, currently held by Ayden Williams and Roger Van Auker, respectively, will be up for election at the November 2024 General Election. Candidates must be a citizen of the United States, at least 18 years of age, a legal resident of Florida, reside in the CDD and be a registered voter in Osceola County. Information regarding the qualification process is available from the Supervisor of Elections.

On MOTION by Mr. Tyree and seconded by Ms. Kaercher, with all in favor, Resolution 2024-02, Implementing Section 190.006(3), Florida Statutes, and Requesting that the Osceola County Supervisor of Elections Begin Conducting the District's General Elections; Providing for Compensation; Setting Forth the Terms of Office; Authorizing Notice of the Qualifying Period; and Providing for Severability and an Effective Date

FIFTEENTH ORDER OF BUSINESS **Consideration of Resolution 2024-03, Designating a Date, Time, and Location for Landowners' Meeting; Providing for Publication, Providing for an Effective Date**

Mr. Rom presented Resolution 2024-03. Seat 4, currently vacant, will be up for election at the November 2024 Landowners' Meeting.

On MOTION by Mr. Van Auker and seconded by Ms. Kaercher, with all in favor, Resolution 2024-03, Designating a Date, Time, and Location of November 5, 2024, at 10:30 a.m., at Johnston's Surveying, Inc., 900 Cross Prairie Parkway, Kissimmee, Florida 34744 for a Landowners' Meeting; Providing for Publication, Providing for an Effective Date, was adopted.

SIXTEENTH ORDER OF BUSINESS **Acceptance of Unaudited Financial Statements as of November 30, 2023**

Mr. Rom stated an invoice was sent for the Buck Lake maintenance cost share. He noted that properties were deeded to the CDD in May 2023, past the date for tax exemption; these properties will be tax-exempt in 2024.

On MOTION by Mr. Tyree and seconded by Ms. Kaercher, with all in favor, the Unaudited Financial Statements as of November 30, 2023, were accepted.

SEVENTEENTH ORDER OF BUSINESS **Approval of August 17, 2023, Public Hearings and Regular Meeting Minutes**

On MOTION by Mr. Tyree and seconded by Mr. Van Auker, with all in favor, the August 17, 2023, Public Hearings and Regular Meeting Minutes, as presented, were approved.

EIGHTEENTH ORDER OF BUSINESS **Staff Reports**

A. District Counsel: Kutak Rock LLP

Mr. Earlywine noted that bonds will be issued for Phases 2C through 2F in December 2024.

- **Update: Required Ethics Training**

The Ethics Training Memorandum was included for informational purposes.

B. District Engineer: Poulos & Bennett, LLC

There was no report.

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

Mr. Hills reported the following:

➢ An estimate for mulch for the Crispin Circle playgrounds will be requested.

➢ The landscapers were asked to delay installing annuals at the front entrance because of ongoing construction. Due to the current cold temperatures, installation will proceed in mid-February.

➢ As previously discussed, sod on Botanic Boulevard needs to be replaced.

➢ United's performance has been unpredictable; constant monitoring and meetings have been necessary to address missed items. Botanic Boulevard has improved a great deal. Four meetings have been held to address issues.

Mr. Hills noted that the landscaping in the new phase was installed; he will need to know when it will be conveyed to the CDD so that United can be made aware. He asked if an estimate or a proposal is necessary.

Ms. Kaercher will work on the turnover, add it to United's contract and add it to the HOA maintenance contract.

- The new bridge was installed, and it looks good.

Mr. Rom stated that the insurance requires the property be deeded to the CDD.

Discussion ensued regarding placement of the bridge, the deed, CDD ownership and the need to have the bridge insured. It was noted that the CDD owns the tract; documentation will be sent to Mr. Rom.

Mr. Hills will request an aquatic maintenance proposal from Lake Pros for two additional ponds.

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

- **NEXT MEETING DATE: February 15, 2024 at 10:30 A.M.**
  - **QUORUM CHECK**

The next meeting will be on February 15, 2024, unless cancelled.

A Buck Lake Committee meeting will be on March 21, 2024.

The proposed Fiscal Year 2025 budget will likely be presented at the April 18, 2024 meeting.

NINETEENTH ORDER OF BUSINESS **Board Members' Comments/Requests**

There were no Board Members' comments or requests.

TWENTIETH ORDER OF BUSINESS **Public Comment**

No members of the public spoke.

TWENTY-FIRST ORDER OF BUSINESS **Adjournment**

On MOTION by Ms. Kaercher and seconded by Mr. Tyree, with all in favor, the meeting adjourned at 11:43 a.m.

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]

Secretary/Assistant Secretary

Shelley Kaercher
Chair/Vice Chair