

**MINUTES OF A BOARD OF SUPERVISORS MEETING
NORTHERN PALM BEACH COUNTY IMPROVEMENT DISTRICT 02/23/22**

Pursuant to the foregoing Notice, the Board of Supervisors of Northern Palm Beach County Improvement District met at approximately 8:02 a.m. on February 23, 2022, in the Administrative Building and Emergency Operations Center, 359 Hiatt Drive, Palm Beach Gardens, Florida.

1) ROLL CALL

There were present Board President Matthew J. Boykin and Supervisors L. Marc Cohn, Adrian M. Salee, Gregory Block, and Ellen T. Baker; Executive Director Dan Beatty; and General Counsel Kenneth W. Edwards of Caldwell Pacetti, et al.

Also present were Director of Finance & Administration Katie Roundtree; District Engineer Kim Leser; District Clerk Susan Scheff; Director of Operations Ken Roundtree; Programs & Facilities Maintenance Administrator Jared Kneiss; Permits & Contracts Specialist Mila Acosta; Staff Biologist Sam Payson; Environmental Technician Lucas Schaffer; Operations Supervisor-Pipes/Inlets Greg Sale; Operations Manager-Aerators Jon Iles; SCADA & Technology Analyst Ross Keith; Todd Olsen and Alex Mateos of Aquatic Vegetation Control, Inc.; Jonathan Ricketts of J.T.R., Inc.; Cliff Hertz of Nelson, Mullins, et al. (Unit 16); and Richard Dunn (Unit 14).

Tammy Goldstrich of Marcum LLP attended via Zoom to make a presentation to the Board.

2) ESTABLISHMENT OF A QUORUM

Mr. Boykin announced that there was a quorum and that it was in order to consider any business to properly come before the Board.

3) ADDITIONS OR DELETIONS TO THE AGENDA

There were no additions or deletions to the agenda.

4) APPROVAL OF MINUTES

A **motion** was made by Mr. Salee, seconded by Mr. Cohn and unanimously passed approving the Minutes of the January 26, 2022 Regular Meeting.

5) COMMENTS FROM THE PUBLIC FOR ITEMS NOT ON THE AGENDA

Mr. Boykin called for any comments from the public for items not on the Agenda to which there was no response.

6) CONSENT AGENDA

Mr. Boykin called for any comments from the public on the Consent Agenda to which there was no response.

A **motion** was made by Mr. Salee, seconded by Mr. Cohn and unanimously passed approving the following Consent Agenda Items:

- a) Unit No. 2C – Alton
Consider Ratification of Change Order to J.W. Cheatham, LLC – Parcel D (CO No. 4)
- b) Unit No. 3 – Horseshoe Acres/Square Lake
 - i) Consider Ratification of Certificate of Correction
 - ii) Consider Purchase Order to Southeastern Excavating, Inc.
- c) Unit No. 3A – Woodbine
Consider Notice of Termination
- d) Unit No. 4 – West of Villages of Palm Beach Lakes
Consider Purchase Order to Shenandoah Construction
- e) Unit No. 21 – Old Marsh
Consider Change Orders to Construction Technology, Inc. (CO Nos. 1 & 2)
- f) Unit No. 53 – Arden
 - i) Consider Ratification of Change Order to Centerline Utilities, Inc. – Parcels G-South, I-South and J (CO No. 3)
 - ii) Consider Change Order to Centerline Utilities, Inc. - Parcels G-South, I-South and J (CO No. 4)
 - iii) Consider Bill of Sale and No Lien Affidavit for Pod I-South Phase 2
 - iv) Consider Bill of Sale and No Lien Affidavit for Pod J Phase 1
 - v) Consider Purchase Order to R&D Paving

g) Payment Requests

copies of which are contained in applicable Northern files.

7) REGULAR AGENDA

a) GENERAL

i) Consider Acceptance of Annual Financial Report for the Fiscal Year Ended September 30 2021 – Marcum, LLP

Ms. Roundtree informed the Board that a copy of the Annual Financial Report for the fiscal year ended September 30, 2021, was previously provided to them for their review under separate cover. She reported that Northern received an Unmodified Opinion as well as no adverse Management Letter comments, acknowledging Northern Staff for their efforts and the Board for the policies it has adopted. She then stated that Tammy Goldstrich of Marcum, LLP was attending via Zoom to present their findings.

Ms. Goldstrich addressed the Board and explained that Marcum prepares the Auditor's Opinion on the financial statement, noting that the remainder of the document is prepared by Management which, for audit purposes, is Northern's Finance Department. She then briefly reviewed the document with emphasis on Management's responsibility, the Auditor's responsibility, the Auditor's Opinion, some of the financial highlights and the Communication Letter. She reported that it was a clean, Unmodified Opinion and there were no adverse Management Letter comments.

Ms. Goldstrich stated that the Communication Letter summarizes the Auditor's processes. She explained that there were no difficulties in performing the audit and no disagreements with Management. She stated that Ms. Roundtree and Ms. Ham make their jobs very easy.

Ms. Roundtree added that there was some additional disclosure done this year in compliance with the new Florida Statutes requirements and directed the Board to a Table that was included in the back of the Financial Statements which satisfies those requirements.

Mr. Beatty acknowledged and complimented Northern's Finance Department on their work.

Mr. Boykin called for any comments from the public to which there was no response.

A **motion** was made by Mr. Salee, seconded by Mr. Cohn and unanimously passed accepting the Annual Financial Report for Fiscal Year Ending September 30, 2021, as presented.

Ms. Roundtree thanked Ms. Goldstrich for her time.

ii) Consider Annual Contract Renewals for Aquatic Vegetation Control, Inc.

Mr. Boykin asked if the following items can be presented together and handled with one motion.

Mr. Beatty explained that each item is a bit different, and Mr. Edwards advised that each item should be addressed individually.

(1) Multi-Unit - Consider Renewal of Annual Service Contract and Change Order No. 4 (Aquatic Weed Control and Marsh Maintenance)

Mr. Beatty explained that this is a request from Aquatic Vegetation Control, Inc. (AVC), who has an annual contract for Aquatic Weed Control and Marsh Maintenance within eight Units of Development (5A, 16, 19, 23, 24, 27B, 29 & 45). He stated that AVC is requesting a one-year renewal for fiscal year 2022/2023 to the current contract as well as a price increase of 5% equaling \$16,576.50, which will be allocated among the Units.

Mr. Boykin called for any comments from the public to which there was no response.

A **motion** was made by Mr. Salee, seconded by Mr. Cohn and unanimously passed approving Change Order No. 4 to Aquatic Vegetation Control, Inc., increasing the contract by \$16,576.50, and renewal of the annual contract for the period October 1, 2022 through September 30, 2023.

(2) Multi-Unit - Consider Renewal of Annual Service Contract and Change Order No. 11 (Preserve Maintenance)

Mr. Beatty explained that this request involves the annual contract for 13 Units of Development (2C, 11, 16, 19, 21, 23, 24, 27B, 29, 33, 43, 45 & 49) for Preserve Maintenance. He stated that AVC is requesting a one-year renewal of the annual contract. He further stated that this contract differs

from others as it is based on hourly rates. Mr. Beatty explained that AVC is requesting approval of a price increase in their hourly rate to be consistent with the hourly rate established in similar contracts with the South Florida Water Management District and the Palm Beach Country Department of Environmental Resource Management for the annual renewal for fiscal year 2022/2023, noting that the request letter is included in the Board's materials and there are representatives from AVC present to can answer any questions from the Board. Mr. Beatty explained that the request results in an increase of \$525,047. He further explained that this contract involves 1,723 acres of preserve area among the 13 Units with the largest preserve areas being within Unit 43 and Unit 21. He gave some additional details of the contract, noting that the increase breaks down to approximately \$62.00 per month per acre.

Mr. Salee asked if Staff has calculated the increase from the user standpoint, and Mr. Beatty advised that it varies among each unit, due to the amount of acreage and the level of service required within that unit. He then gave an examples within the two largest units and the amount of homes within multiple units were discussed.

Ms. Baker acknowledged that there was not an increase last year due to COVID, but she was interested in what an average increase might be and if AVC is experiencing staffing issues.

Mr. Beatty asked Todd Olsen of AVC to address the Board's questions.

Mr. Olsen introduced himself and noted that there had been several questions asked.

Ms. Baker stated that her first question is whether the increase is related to AVC's difficulty in finding staff. Mr. Olsen advised that they have had trouble finding staff and have accelerated their pay increases to try to meet market rates, noting that they are targeting their recruiting to people that do not want to sit in an office and who enjoy this type of work. He also noted the ripple effect that minimum wage increases have upon other rates of pay.

Ms. Baker then asked what next year's increase is anticipated to be, and Mr. Olsen advised that he does not anticipate much of an increase next year, because this increase would bring those salaries in line with other similar contracts and those contract rates are set for several years.

Ms. Baker stated that she has toured some of the areas that AVC maintains and she noted that they look great. She thanked Mr. Olsen for answering her questions.

Mr. Block asked Mr. Beatty if the alternative to accepting the rate increases would be to move this contract to open bid, noting that it would subject Northern to the prevailing market conditions which may be no better or could possibly be worse. Mr. Beatty agreed and stated that there is a pre-bid meeting being held following this Board Meeting for Northern's annual mowing contract and so far only one contractor has picked up the package. He further explained the unknowns of the bidding process and having to research the capabilities of the contractor prior to awarding a contract.

Mr. Salee stated that Staff needs to let the constituents know what is happening, and Mr. Beatty advised that Staff will be addressing these increases during the budget review process with each Unit.

Mr. Cohn acknowledged that since these increases and compensation levels are in line with what South Florida Water Management is accepting, he believes it is consistent for aquatic weed services throughout this area.

Mr. Boykin called for any comments from the public to which there was no response.

A **motion** was made by Mr. Salee, seconded by Mr. Cohn and unanimously passed approving Change Order No. 11 to Aquatic Vegetation Control, Inc., increasing the contract by \$525,047, and renewal of the annual contract for the period October 1, 2022 through September 30, 2023.

(3) Unit Nos. 9A/9B – Abacoa I & II - Consider Renewal of Annual Service Contract and Change Order No. 1

Mr. Beatty explained that this request involves the renewal of this annual service contract (Aquatic Weed Control, Preserve and Dry Detention Maintenance & Mowing), noting that this contract was

bid last year, and it is AVC's first year of participation in this contract. He stated that AVC is requesting a one-year renewal and approval of a 5% increase in the amount \$29,934.26. He reported that Staff is very pleased with AVC's performance of this contract thus far and approval is recommended.

Mr. Boykin called for any comments from the public to which there was no response.

A **motion** was made by Mr. Salee, seconded by Mr. Cohn and unanimously passed approving Change Order No. 1 to Aquatic Vegetation Control, Inc., increasing the contract by \$29,934.26, and renewal of the annual contract for the period October 1, 2022 through September 30, 2023.

(4) Unit No. 11 – PGA National - Consider First Amendment to Contract with Aquatic Vegetation Control, Inc. and Change Order No. 2

Mr. Beatty explained that this request is a bit different in that this contract is due to expire on September 20, 2022. Staff is requesting a First Amendment to the Aquatic Weed Control and Marsh Maintenance Contract, providing for a one-year initial contract and four potential annual renewals. He noted that AVC is also requesting a 30% increase in the amount of \$188,370.00. He displayed an aerial photo highlighting the areas involved in this contract and noted that the increase is related to the labor and material costs previously discussed.

Mr. Boykin called for any comments from the public to which there was no response.

A **motion** was made by Mr. Salee, seconded by Mr. Cohn and unanimously passed approving the First Amendment to the Annual Service Contract with to Aquatic Vegetation Control, Inc. as well as Change Order No. 2 in the amount of \$188,370.60.

(5) Unit No. 18 – Ibis Golf & Country Club - Consider Renewal of Annual Service Contract and Change Order No. 12

Mr. Beatty explained that the request is for one-year renewal of this annual service contract (Aquatic Weed Control & Marsh Maintenance) and approval of a 10% increase in the amount \$53,300.90. He added that all of these requests do not take effect until October 1, 2022.

Mr. Boykin called for any comments from the public to which there was no response.

A **motion** was made by Mr. Salee, seconded by Mr. Cohn and unanimously passed approving Change Order No. 12 to Aquatic Vegetation Control, Inc., increasing the contract by \$53,300.90, and renewal of the annual contract for the period October 1, 2022 through September 30, 2023.

iii) Consider Personnel Manual Updates

Ms. Roundtree informed the Board that these updates are generally housekeeping related due to Mr. Beatty taking over as Executive Director and the resulting changes to the organizational structure, removing references to the Deputy Director, changing Staff titles, etc. She also stated that a minor change was made to the on-call procedure for District vehicles modifying the 30-mile expeditious route reference to a strict 30-mile radius of the District office. Ms. Roundtree reported that Lara Donlon, Northern's Labor and Employment Counsel, has reviewed and accepts the changes and Staff recommends approval.

Mr. Boykin called for any comments from the public to which there was no response.

A **motion** was made by Mr. Salee, seconded by Mr. Cohn and unanimously passed adopting the recommended revisions, as presented.

iv) Aerator Presentation

Mr. Beatty explained that Ross Keith made a presentation to the Board of few months ago with regard to Northern's Telemetry Program and he intends to continue similar presentations every couple of months or so. He explained that Northern's Aerator Program consists of about \$2.5 million per year of Northern's budget. He further explained that Northern's constituents have embraced this program and recognize the benefits of water quality that it provides within the District. Mr. Beatty then introduced Ken Roundtree, Northern's Director of Operations.

Mr. Roundtree thanked the Board for the opportunity to make this presentation, explaining that it is one of the key elements of what Staff does at Northern. He then introduced Jon Iles, one of nine

members of Northern's Operations Department, noting that Jon manages Northern's Aerator Program which has grown substantially since Mr. Iles began working with Northern. He then turned the presentation over to Mr. Iles.

Mr. Beatty asked that the Board please hold their questions to the end of the presentation.

Mr. Iles introduced himself and explained that when he joined Northern in May of 2002, he was immediately assigned the Aerator Program, among his duties. He then began his presentation by giving a brief history of the Aerator Program, noting that the first aerator was installed in PGA National in 1983 and, from that date to today, the program has grown to include 528 aerators throughout the District. Mr. Iles explained the purpose of the program and its benefits to the waterbodies within Northern, which is essentially to infuse diffused oxygen into Northern's waterbodies to improve water quality and slow the rate of stagnation. He then explained the difference between a lake fountain and an aerator is that aerators discharge water at a rate above 700 gallons per minute. Mr. Iles showed a diagram of an aerator and described its components in detail. He reported that Northern uses three types of aerators and explained their differences, displaying photos of each along with a summary chart of Northern's aerators in more detail. He also displayed photos of the control panel and views of a typical installation at a Unit site. He then reviewed the responsibilities of each community's Governing Body, including determining run times and providing both lighting and landscaping, if desired by the community.

Mr. Iles directed the Board to an additional handout which was provided to each of them, including some reports and scientific studies, and he reviewed some of the chemistry and physics behind the aeration process.

Mr. Iles then summarized the process that Staff goes through when a Unit expresses an interest in joining the Aerator Program. He then reviewed the highlights of the program by emphasizing the quality

of the equipment, the service and maintenance process and by thanking Staff and Mr. Edwards for their assistance in the Aerator Program's success.

Mr. Iles concluded his presentation by asking the Board for their continued support of the Aerator Program. He thanked them for their time and asked if they had any questions.

A general discussion followed with questions and answers regarding the use of diffusers, the use of Otterbine aerators and the highest horsepower Northern allows, the use of Future Horizons as Northern's sole source provider, how the aerators are metered and the provision of educational materials about the Aerator Program. It was noted that presentations are given to interested communities and it was determined that Staff will update the information on the website to reflect the latest modifications to the program.

Ms. Baker complimented Mr. Iles on the thoroughness of his presentation, noting that her community has chosen not to use Northern's Aerator Program, and Mr. Iles explained some of Northern's history with that community.

The Board thanked Mr. Iles for his presentation and his time.

This item was presented for information only and no Board action was required.

b) UNIT OF DEVELOPMENT NO. 2C – ALTON

i) Status Report

Mr. Beatty began by showing the Board the unit map and then displayed a site plan which delineated the final phase of Parcel G. He stated that there were no photos this month because there has not been much visible progress since last month's report. He reported that Kolter has approached the City of Palm Beach Gardens with respect to revising their site plan which would affect the northerly portion of Parcel G. He explained that this could result in a future Change Order to J.W. Cheatham to remove some of the proposed improvements that are included in the current Parcel G construction contract. He noted that if that should occur, the Developer would be responsible for completing those improvements on their own.

Mr. Boykin asked about the proposed change and Mr. Beatty advised that Kolter is interested in increasing the density and adding additional units, noting that they have found that a particular product is selling better.

This item was presented for information only and no Board action was required.

**c) UNIT OF DEVELOPMENT NO. 5A – VISTA CENTER OF PALM BEACH
Consider Purchase Order to Ferreira Construction Company**

Mr. Beatty explained that this project was identified during routine inspections and involves a lake interconnect pipe which requires restoration and replacement. The deterioration was evaluated by the District Engineer, and appropriate repairs were designed. He stated that a request for quotes was sent to four of Northern's General Services Contractors and three quotes were received. Mr. Beatty stated that Ferreira Construction Company submitted the lowest quote in the amount of \$178,910.00 and Staff recommends approval.

Mr. Boykin called for any comments from the public to which there was no response.

A **motion** was made by Mr. Salee, seconded by Mr. Cohn and unanimously passed approving Purchase Order No. 22-293 in the amount of \$178,910.00 to Ferreira Construction Company.

d) UNIT OF DEVELOPMENT NO. 14 – EASTPOINTE

Before the next items were presented, Mr. Cohn disclosed to the Board that he is a member of the Eastpointe Country Club (ECC) and has been for just under two years. He stated that he has no financial interest in this transaction and he has not participated in any discussions or voted on any of the decisions at ECC on this matter.

i) Consider Quit Claim Deed

Mr. Edwards explained that this item is related to Eastpointe and stems from the Exchange Agreement that Northern entered into a couple of years ago with the ECC and the Schickedanz group that controls the third party to the Agreement. The Agreement addresses various exchanges of real property

interests and the process to implement the exchanges. He stated that this item is somewhat out of sequence with what is stated in the Agreement and is being done as an accommodation to the ECC in order to help with some financial matters that they need to address. He described the reasoning for this request in more detail, noting that this Quit Claim Deed will facilitate a closing with the Schickedanz-controlled entity while providing Northern with necessary protections. He explained that, although this is out of sequence, the process will then continue to move forward and all of the requirements of the Exchange Agreement will be met. Mr. Edwards stated that approval is recommended.

Mr. Boykin called for any comments from the public.

At this time, Mr. Richard Dunn, a resident of Eastpointe who requested time to speak, was asked to address the Board. Mr. Dunn provided a written statement to the Board supporting this project, a copy of which had been provided to each of the Board Members at the beginning of the meeting. He once again expressed his support of the project, noting that he was President of the Homeowners Association when the concept for the project was first presented and it was supported by a vast majority of the residents. He stated his belief that it benefits all parties involved as well as the local environment within Eastpointe. Mr. Dunn concluded by adding that he had worked with Jon Iles while he was a member of the Homeowners Association Board, noting that Jon was good to work with and he expressed his appreciation for Mr. Iles and Northern in general.

Mr. Dunn then thanked the Board for their time.

Mr. Boykin assured him that Northern is well aware of Eastpointe's support of the project and he thanked Mr. Dunn.

A **motion** was made by Mr. Salee, seconded by Mr. Cohn and unanimously passed approving the Quit Claim Deed to the Eastpointe Country Club, Inc.

ii) Consider Authorization of Letter Regarding Water Management Maintenance Easement Release

Mr. Edwards explained that this item also has to do with the Exchange Agreement, noting that, as stated previously, the other parties to the Agreement have not yet completed all of the infrastructure that is needed to take place. He reported that until the plans for the subdivision area to be developed by the Schickedanz group are completed, Northern does not yet know where its necessary easements will be required. Therefore, he explained Northern has requested a dedication of a Blanket Water Management Maintenance Easement (WMME) over most of the property subject to a pending replat. He further explained that the attorney for the Schickedanz group is concerned that Northern will have a WMME over the property where they will be building homes. Mr. Edwards advised her that this is similar to what is typically done, explaining that areas will be released as Northern's requirements are met. He stated that she requested that he speak to the Board about this issue and get Board authorization to send her a letter reiterating that the WMME will be released upon Northern's acceptance of subdivision replats that provide necessary dedications to Northern. Mr. Edwards is asking the Board for authorization to send the letter he provided in the Board materials to Alys Daniels.

Mr. Boykin called for any comments from the public, and Mr. Dunn addressed the Board once again to state that he still supports the project.

A **motion** was made by Mr. Salee, seconded by Mr. Cohn and unanimously passed authorizing Mr. Edwards to finalize and send the letter, as presented.

Ms. Baker left the meeting at 9:22 a.m.

e) UNIT OF DEVELOPMENT NO. 16 – PALM BEACH PARK OF COMMERCE

i) Consider Fourth Amendment to Contract with WGI

Mr. Beatty reported that WGI, Inc. is Northern's annual contractor for provision of the Environmental Liaison Services required by the Plan of Improvements for Unit 16, Palm Beach Park of Commerce. He explained that WGI provides an Environmental Liaison Annual Report for the Unit, assists

with the Unit's permit reviews, and has done an excellent job. He stated that this contract is now up for renewal and WGI has agreed to the extension at their current rates. Staff is recommending Board approval of a Fourth Amendment to the annual contract for WGI, extending the contract term through September 30, 2023, and providing up to four additional one-year extensions at Northern's discretion.

Mr. Boykin called for any comments from the public to which there was no response.

A **motion** was made by Mr. Salee, seconded by Mr. Cohn and unanimously passed approving the Fourth Amendment to the Environmental Liaison Services Contract with WGI, Inc.

ii) Consider Acceptance of Access Easements (Plat 25)

Ms. Leser stated that this item is for acceptance of Access Easements within the Palm Beach Park of Commerce (PBPOC). She explained that Wetland Preserve Tracts 11 and 12 were dedicated to Northern on PBPOC PIPD Plat No. 1 in 1987. She further explained that during review of a new plat, Plat 25, it was determined that Access Easements along the western sides of these two preserve tracts were needed to allow for Northern's provision of maintenance. Ms. Leser stated that as a condition of approval of the new plat, the fee title owner has been asked to grant these Access Easements which will provide legal access for Northern to maintain the Wetland Preserve Tracts. She stated that Keshavarz & Associates, Inc. reviewed the sketches and descriptions for the Access Easements on behalf of Northern and submitted its approval. Ms. Leser further stated that there are no fiscal impacts associated with this item and she recommends approval.

Mr. Boykin called for any comments from the public to which there was no response.

A **motion** was made by Mr. Salee, seconded by Mr. Cohn and unanimously passed approving acceptance of the Access Easements.

iii) Discuss Landowner Request

Mr. Beatty stated that Northern has received a request from the company that has purchased most of the remaining developable lots within Unit 16. He explained that they are also interested in acquiring two parcels of land, known as the Franz parcels, which are currently not within Unit 16 and directed the Board to an Exhibit in the Board materials depicting their location. He reported that Northern previously entered into two Option Agreements, one for each parcel, establishing the conditions to allow for their inclusion within the Unit. Mr. Beatty stated that those Agreements were amended in 2015 and extended through September of 2020, at which time their current owner allowed them to lapse.

Mr. Beatty further stated that the potential purchaser of those parcels has requested that Northern consider reinstating the Option Agreements if they follow through with the purchase of the Franz parcels. He provided a letter to the developer identifying the terms and conditions of what steps would be necessary for Board consideration, and those terms were accepted. Mr. Beatty reported that he is simply notifying the Board that this request for reinstatement is expected to be presented for Board consideration in the near future.

This item was presented for information only and no Board action was required.

f) UNIT OF DEVELOPMENT NO. 31 – BALLENISLES COUNTRY CLUB Consider Request for Second and Third Installment Payments

Ms. Leser reported that this item is for consideration of the second and third installment payments to the BallenIsles Community Association for the replacement Guardhouse at PGA Boulevard. She explained that the Sale and Purchase Agreement included an Exhibit establishing the percentages and associated dollar amounts for each installment payment and the form for the requests.

Ms. Leser stated that Installment Payment No. 2 in the amount of \$284,602 is associated with the stormwater improvements which have been completed, representing 13% of the project value. Installment Payment No. 3 in the amount of \$240,817 is associated with pre-construction requirements which have been

completed and represents 11% of the project value. She reported that funds were budgeted in the prior fiscal year and approval is recommended.

Mr. Boykin called for any comments from the public to which there was no response.

A **motion** was made by Mr. Salee, seconded by Mr. Cohn and unanimously passed approving Installment Payment No. 2 in the amount of \$284,602 and Installment Payment No. 3 in the amount of \$240,817.

**g) UNIT OF DEVELOPMENT NO. 53 – ARDEN
Status Report**

Mr. Beatty began by showing the Board the unit map and site plan. He stated that there were no photos this month because there has not been much visible progress since last month's report. He explained that the contractor is slightly behind schedule due to labor and supply issues, and Staff is working with the contractor and hopes that the projects will be completed within the next couple of months. He stated that there may be a change in ownership of the development in the future, but there is nothing further to report at this time.

This item was presented for information only and no Board action was required.

8) MISCELLANEOUS REPORTS

a) ENGINEER

Ms. Leser had nothing to report.

b) ATTORNEY

Mr. Edwards reported that the Florida Department of Transportation (FDOT) has refiled their Petition for the taking of property interests currently owned by Northern and Nova University within Unit 2A. It involves real property owned by Nova within which Northern has certain easement rights and facilities. He stated that this was initially filed a year ago but dismissed due to FDOT's failure to include Northern as a party. He stated that, as a result of this new filing, FDOT intends to move forward quickly to take the property interests it wants, with judicial actions as to the amount to be paid by FDOT for the taken

property interests to commence after the taking. Mr. Edwards explained that various Northern's interests need to be addressed and meetings with the parties involved are being set up to deal with these issues.

c) EXECUTIVE DIRECTOR

Mr. Beatty stated that the Public and Community Relations Report is included in the Board materials for review.

Mr. Beatty also read a thank you email to the Board which was received last week from a resident in Unit 19, Regional Center, dealing specifically with an aerator issue that was resolved by Jon Iles and Dave Blackburn of Future Horizons.

9) RECEIVE AND FILE

The following items were presented to be received and filed:

- Assessment Collection Status;
- Northern Monthly Financial Reports; and
- Proof of Publication of Meeting Notice

copies of which are contained in Northern's records.

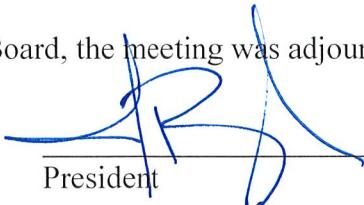
10) COMMENTS FROM THE BOARD

There were no further comments from the Board.

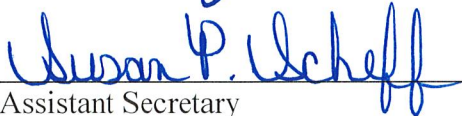
11) ADJOURN

A **motion** was made by Mr. Salee, seconded by Mr. Cohn and unanimously passed to adjourn the meeting.

There being no further business to come before the Board, the meeting was adjourned.



President



Assistant Secretary