

**MINUTES OF MEETING
WINDWARD
COMMUNITY DEVELOPMENT DISTRICT**

The regular meeting of the Board of Supervisors of the Windward Community Development District was held Wednesday, **December 18, 2024** at 1:00 p.m. at 7813 Four Seasons Boulevard, Kissimmee, Florida.

Present and constituting a quorum were:

Tim Peltier	Chairman
Ernest Hofer	Vice Chairman
Greg Bobonik	Assistant Secretary

Also Present were:

Jason Showe	District Manager
Kristen Trucco	District Counsel
Steven Saha	District Engineer
Clayton Smith	Field Manager
Thomas Santos	Field Manager
Several Residents	

FIRST ORDER OF BUSINESS

Call to Order

Mr. Showe called the meeting to order.

SECOND ORDER OF BUSINESS

Roll Call

Mr. Showe called the roll.

THIRD ORDER OF BUSINESS

Pledge of Allegiance

Mr. Showe led the pledge of allegiance.

FOURTH ORDER OF BUSINESS

Organizational Matters

A. Administration of Oath of Office to Newly Elected and Appointed Supervisors

Mr. Showe administered the oath of office to Mr. Hofer and Mr. Bobonik.

Mr. Showe gave an overview of the sunshine law. Ms. Trucco stated outlined the code of ethics for public officials and conflict of interest.

FIFTH ORDER OF BUSINESS

Public Comment

A resident asked is the uplighting from the pond CDD?

Mr. Showe responded yes.

A resident asked how costly are they? Can we cut back the time to save money?

Mr. Showe stated we can look at that and talk to the board but the electric on those is probably not a lot.

Mr. Santos stated they are LED bulbs so it does not cost a lot.

Ms. Williams stated sometimes when you are driving down Four Seasons the lights hit your windshield and they need to be adjusted to focus on the vegetation. The streetlight behind my house is too bright, too tall, not the right light for that area. Duke has done everything they can to help and I'm asking for your help to remedy the situation.

Ms. Trucco asked do you think this particular light does not comply with the original plan?

Ms. Williams stated I don't think it does because it has a black hood on the top, it doesn't focus the light on the street and sidewalk. The ones within the community are shorter and have LED bulbs and the light source is above the hood and they illuminate the street and sidewalk.

Ms. Trucco stated staff could talk to the engineer and express that concern and see what their response is.

Mr. Bobonik stated that is something I want to direct GMS to do and I would also like to have a meeting with Duke because we have three separate types of poles at three different lease rates. I would like the leases brought to the board so we can review the leasing of the poles as well as the metering of the poles.

A resident stated the irrigation runs 6-dasys a week at 10:30 p.m. and 4:30 a.m. I believe that is Bahia sod and should not be watered that much. I live on Key Bay Trail and would like to see it remedied.

SIXTH ORDER OF BUSINESS

Approval of the Minutes of the November 20, 2024 Landowners' and Board of Supervisor Meetings

On MOTION by Mr. Bobonik seconded by Mr. Peltier with all in favor the minutes of the November 20, 2024 landowners' meeting were accepted and the regular board meeting minutes were approved as amended.

SEVENTH ORDER OF BUSINESS

Discussion of Request to Reimburse HOA

This item was tabled.

EIGHTH ORDER OF BUSINESS

Request to Authorize Board Members to Meet with Entities

A. TOHO

B. Mystic Dunes

Mr. Showe stated the board would like to have some meetings with Toho and Mystic Dunes and we would like the board to authorize a supervisor to work with staff to have those meetings and they can report back to the board.

Ms. Trucco stated there would be no negotiation, just fact finding in an effort to improve the property and bring back the information we gain, and the board can decide if they want to take action or not.

On MOTION by Mr. Peltier seconded by Mr. Hofer with all in favor Mr. Bobonik was authorized to work with staff to meet with Duke, Mr. Peltier to meet with Mystic Dunes and Mr. Hofer wo meet with Toho.

NINTH ORDER OF BUSINESS

Presentation of Series 2020A-2 Arbitrage Rebate Reports

Mr. Showe stated we are presenting the Series 2020A-2 arbitrage rebate reports. We are required to test every year if we are making more in interest than we are paying on the bonds. This report says that there is no rebate liability; we are in compliance.

TENTH ORDER OF BUSINESS

Ratification of Data Sharing and Usage Agreement with Osceola County Property Appraiser

On MOTION by Mr. Bobonik seconded by Mr. Peltier with all in favor the data sharing and usage agreement with Osceola County property appraiser was ratified.

ELEVENTH ORDER OF BUSINESS

Staff Reports

A. Attorney

Ms. Trucco stated we did get a request to be reimbursed for \$550 that one resident spent to replace sod in the verge area in front of his home. He is threatening legal action and mentioned there was a reduction in the value of his property. I know the board is looking into this and have concerns about the irrigation system and want to make sure that the prior sod that was installed did not die as a result of some defective irrigation system. Related to that I have had a conversation with the HOA attorney since the last meeting and they made a decision that it is the CDD's property, it is part of the CDD roadway and they are not willing to sign a license agreement to maintain that area. We did express to them that the verge maintenance was not included in the CDD's budget and it was previously in the HOA's contract and they let us know that the new landscape contractor has confirmed the price of \$1,000 per month to provide mowing and trimming of the sod there. This board will need to decide moving forward how they want to handle the tree in that verge area. The first part of the request is asking for reimbursement for \$550 for sod replacement.

Mr. Peltier stated we are in the process of doing our due diligence. We have someone doing soil samples, samples of sod being taken, irrigation samples and we are trying to find the root cause of why our sod continues to die. We have to table this until we get some analysis back.

Ms. Trucco stated this resident would also like the tree to be removed. You can direct staff to contact the county to determine if they have any objection to the tree being taken out.

Mr. Peltier stated find out if we replace, take it down, sell. Is this a future liability?

Ms. Trucco stated the direction to me is to respond to that individual and let him know the board is considering but decided to table it because they are trying to find the root cause of the sod die off in the first place.

Mr. Peltier stated people can't just make decisions on their own, we have to do our due diligence to do what's right for the community and because one person decides they want to put sod on the verge area because they are not happy with what is going on, we need time to evaluate and do our due diligence. We can't have people doing stuff on their own and then charging us for it.

B. Engineer

There being no comments, the next item followed.

C. Manager

i. Approval of Check Register

Mr. Bobonik stated in the future we want to see the bills before the checks are cut.

On MOTION by Mr. Peltier seconded by Mr. Hofer with all in favor the check register was approved.

On MOTION by Mr. Bobonik seconded by Mr. Peltier with all in favor staff will not cut any checks until approved by the board.

Mr. Showe stated we will send those out with your agenda package, we will have a summary of all the invoices. We will send them electronically to all the board members prior to the meeting.

ii. Balance Sheet and Income Statement

A copy of the balance sheet and income statement were included in the agenda package.

D. Field Manager

i. Consideration of Proposal for Tree Straightening

Mr. Santos stated the proposals for tree straightening is for the CDD area only, 2 hibiscus, 1 oak tree, 3 palms and 20 dog bush and that is \$3,237.

It was the consensus of the board to move forward with the trees on CDD property and to table the trees on residential property.

Staff was directed to lower the shrubs on crosswalks and golf cart crossings to improve the line-of-sight issues.

TWELFTH ORDER OF BUSINESS Other Business

There being no comments, the next item followed.

THIRTEENTH ORDER OF BUSINESS Supervisor's Requests

Mr. Hofer asked what is the status of the well at Key Bay Trail? Can it be used for irrigation? Why wasn't it capped? Direct staff to look at all options including contacting a well consultant to see if the well is viable.

Mr. Showe stated the next meeting is scheduled for January 15, 2025. Did you want to set a workshop prior to that?

Mr. Peltier stated yes.

On MOTION by Mr. Peltier seconded by Mr. Hofer with all in favor a workshop was scheduled for January 15, 2025 at 11:00 a.m.

Mr. Peltier asked can we include the HOA in the workshop?

Mr. Showe stated yes.

FOURTEENTH ORDER OF BUSINESS Adjournment

On MOTION by Mr. Peltier seconded by Mr. Hofer with all in favor the meeting adjourned at 1:51 p.m.


Secretary/Assistant Secretary


Chairman/Vice Chairman