

**MINUTES OF MEETING
MIROMAR LAKES
COMMUNITY DEVELOPMENT DISTRICT**

The Regular Meeting of the Miromar Lakes Community Development District's Board of Supervisors was held on Thursday, August 14, 2014, at 2:00 p.m., at the Beach Clubhouse, 18061 Miromar Lakes Parkway, Miromar Lakes, Florida 33913.

Present and constituting a quorum were:

Mike Hendershot	Chairman
Doug Ballinger	Assistant Secretary
Burnett Donoho	Assistant Secretary (left and returned)
David Herring	Assistant Secretary
Alan Refkin	Assistant Secretary

Also present were:

James P. Ward	District Manager
Greg Urbancic	District Counsel
Charlie Krebs	District Engineer
Paul Cusmano	Calvin, Giordano & Associates

Audience

None

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Mr. Ward called the meeting to order at 2:00 p.m. and the record reflected all members of the Board were present at roll call.

SECOND ORDER OF BUSINESS

Consideration of Minutes

a. July 10, 2014, Regular Meeting

Dr. Herring indicated the following corrections to the minutes: Ricky Daley should be Rick Eudaley, starting on page three;

Mr. Hendershot indicated that on page four, in the next to last paragraph, the word should be “impermeable” rather than “intermeable”; page five it should say “peak” not “peat” discharge; page 24, it should say “NPDES” not “MPDES.”

Mr. Ballinger stated on page one of the minutes, it credited Dr. Herring with the first two Board member comments that were his, and Miromar was misspelled.

Mr. Ward requested and received confirmation the first two Board member comments on page one were not made by Dr. Herring. He mentioned the Miromar Lakes Board minutes were the most difficult to transcribe of any he did, as the voices sounded very similar.

Mr. Hendershot asked and received no further corrections to the minutes.

Mr. Ballinger stated Siena was misspelled on page 23.

On MOTION by Mr. Hendershot and seconded by Mr. Refkin, with all in favor of approving the July 10, 2014, Regular Meeting minutes as amended.

Mr. Ward said the record should reflect that the Supervisor Donoho left the meeting.

THIRD ORDER OF BUSINESS

Staff Reports

a. Attorney

I. Update on Center Place Hearing

Mr. Urbancic stated the Center Place matter had been going on for a while, recapping the proceeding was a zoning application submitted by the Center Place developer, and a former County Attorney now sat as the hearing examiner to hear all the testimony in evidence, as to why the rezoning application should be heard. It was a quasi-judicial proceeding. He mentioned Mr. Ballinger and Mr. Krebs and his colleague from Hole, Montes were present, and he understood that, as of yesterday, the matter was still ongoing, noting tomorrow was expected to be the last day.

Mr. Ballinger concurred, stating he believed Center Place representatives reserved the 19th if more time was needed, but for the hearing on the 15th, Mike Elgin was urging many residents attend and sign up to speak. If they did not speak at the proceedings on the 15th, they could not speak at the meeting before the Board of Commissioners. For the

residents choosing to attend, on there was a signup sheet they needed to fill out and hand in to the hearing officer, so they could speak.

Mr. Urbancic concurred, stating there was a significant amount of testimony and evidence presented that, from a CDD perspective was not important, but from a resident perspective, there might be concern about some items of discussion that were related to boating, etc. The main areas of focus for Mr. Krebs and he were water issues, the impacts on water quality, etc. They both spoke, noting he introduced the CDD in his opening remarks and described what the CDD was and what it did, mentioning that the developer had not reached out to the CDD previously to discuss proposed development, despite the fact that their development would, ultimately, discharge into the District's lakes.

He believed the latter comments set the tone for the presentation by Mr. Krebs and his colleague to ask the hearing officer to consider such matters from the water standpoint when deliberating on the zoning application. It was clear, based upon the application the Board saw, that Center Place would be ultimately discharging into the District's lakes, and that could affect some of the engineering side. He indicated the CDD representatives suggested conditions that should be considered, and it was hoped they would be taken under advisement when making a decision. It would take some time for the hearing officer to sort through everything.

b. District Engineer

Mr. Krebs commented on the engineering side of presentation at the hearing, stating they went into the existing conditions of the District's lake, South Florida Water Management District (SFWMD) requirements, the conditions established when the District made the connection between the north and the south lake when the land was still owned by Alico. They then went through what the applicant proposed regarding changes to those conditions, and the District's concerns with the proposed construction. He noted the applicant had a number of water management lakes that would be located within those fines, and it was the CDD's concerns that, based upon even the applicant's soil reports, the fines had the ability to become turbidity gluten. This would go into the north lake and, by sheer pressure, it would move into the District's lake and out the south outfall.

Tom McLean with Hole Montes, who did a lot of work with Rinker and other mines in the area, provided a simple but powerful exhibit when he took a jar of water and dumped in

a few spoonfuls of the fines to illustrate what would enter the District's lake if the applicant was not careful. He felt Mr. McLean's illustration was impressed the hearing examiner, as the applicant's engineer kept saying the fines would fall out quickly, while not clearly defining what "quickly" meant. The illustration allowed the hearing examiner to see firsthand what "quickly" might mean by seeing how long the water in the jar became clear.

The CDD's main concern was with the applicant's discharge into the lake and how it would affect the District as the responsible entity for what came out of the south outfall. He felt sure the District's representatives impressed upon the hearing examiner their concerns, so it was a matter of seeing how she took that information and incorporated them into any conditions of approval. Mr. Urbancic and he recommended several conditions of approval, and the applicant distributed some amended conditions of approval prior to the previous day's hearing that incorporated some of the District's concerns, but there were some areas that could be improved on.

Dr. Herring asked if Mr. Urbancic and Mr. Krebs believed that anyone listening to the testimony given at the previous day's hearing understood what was being said. For instance, were there were any engineers from the county present, or was the information being voiced to only civilians.

Mr. Krebs replied the evidence/information was presented to the hearing examiner, and the proceeding was set up to first allow the applicant to make a presentation of what they proposed. Traditionally, the Lee County staff gave a presentation as to whether they supported the application or not, and what were their concerns, if any. In the subject case, county staff indicated they were satisfied with what the applicant proposed. He recalled the traffic engineer commented, as did another county staff from another department. When Mr. Urbancic introduced the representatives for the CDD, the county's Department Natural Resources staff returned, as the District representatives revealed that the applicant failed to follow county policies; such as failing to contact or attempt to contact anyone at the CDD.

When he spoke to county staff outside the hearing examiner's room, the applicant stated that Miromar wanted nothing to do with Center Place, and he informed the applicant's representative that those present at the hearing were not from Miromar, the developer, rather they represented Miromar Lakes CDD, two separate entities. He told the applicant the CDD held monthly meetings and no one from Center Place showed up to make

a presentation or asked for the District's input. It appeared that county staff judged the situation as two competing developers that were butting heads, and failed to take into consideration there was third entity with a valid interest in the proposed development.

Dr. Herring stated he continued to feel concern that there was anybody at the hearing who understood the importance of what the District's representative said.

Mr. Krebs reminded the Board that the though the hearing examiner worked for the county, she took into account what the applicant said, the public said, and what county staff said, and put all the information into a report, that included her recommendation(s); for example, she could agree with what the applicant was proposing, but think that the conditions for approval were insufficient. She could also disagree with the whole application, despite it having staff support. Regardless, her report went to the Board of County Commissioners for the final decision.

Dr. Herring asked what hearing examiner's background was.

Mr. Urbancic reiterated she was a longtime county attorney, and he felt sure that her experience exposed her to a wide variety of development issues over the course of her many years with the county.

Mr. Krebs understood the traditional proceedings had been altered as to how such hearings were conducted when at a previous hearing at which Miromar sought to rezone the south 500, Miromar was beaten by lengthy public testimony from numerous people. The hearing examiner decided to change the proceedings, whereby the applicant was allowed to present their case uninterrupted, then staff spoke, and then the public spoke last. He felt sure the hearing examiner would put the District's concerns into her report, and the many questions she asked that were pertinent to the case indicated her understanding of the residents' and the District's concerns, though he was unsure of the leeway she had to include them in the final report.

Dr. Herring wondered if, as a resident, it would serve any purpose to stand before the hearing officer and say the impression was that the approval of Center Place's application was rubberstamped, and if such a comment would cause great upset.

Mr. Krebs commented if this was a genuine concern of the residents, they needed to enter their name, so they could speak.

Mr. Ward remarked, generally speaking, making such statements before a political body achieved little. The technical arguments, stating what needed to be changed with respect to the application achieved more.

Mr. Urbancic stated when Mr. McLean and Mr. Krebs made their presentation, the hearing examiner was very engaged in the conversation, really listening, and focusing on the jar of water illustration and its implications. He felt optimistic as to the outcome of the hearing, as the message communicated to the hearing officer was not that the CDD was against development, the opposition was to approving an application without conditions. Thus, the goal was to forward specific conditions of approval to protect Miromar and its residents, and the District was piggybacking on that, and he felt sure there would be conditions imposed.

Mr. Krebs noticed one of the examples in the revisions to the conditions was related to when the applicant did their presentation, they had an exhibit showing where the different types of fines were located, and that they were going to build lakes in the fines that mimicked existing soil conditions. However, as part of the CDD's presentation, Mr. McLean used an exhibit from the plans the applicant submitted to the SFWMD that showed where the lakes had been on the plans, and showed large ditches that crossed all of the core material. That is, the material the District was concerned about. He said the hearing examiner then made the observation that the applicant previously indicated all the storm water would go to the east and then discharge into the lake. Mr. McLean responded that he had no wish to disparage the applicant, but he had no idea how their system would work based on their presentation. They did not get into the details, stating only what they proposed, not showing where the outfalls were and how it was coming. District staff got the plans for their application, and they showed large ditches that were going to put out 200 cubic feet per second, which was a lot of water going through the fines that could stir up the turbidity going into the main lake and, eventually, out the District's outfall.

He indicated the hearing officer took note of this and asked the right questions that made one think she understood what was going on. The conditions were changed, where before it was no lakes could be constructed within the core fines, and now it was that no lakes or any water management features within the fines. He stated the applicant would have to remove the ditches from application, and this was something the District had to

watch if the application continued to progress, as the plans had to be changed to what Lee County approved. The conditions changed as the matter progressed and were likely to change more before if and when final approval was granted, as county staff made the abovementioned changes with the applicant after the District's representatives made their presentation.

This did not mean that when the hearing examiner saw the conditions, she would be satisfied with them, and she might recommend further changes.

Dr. Herring observed the hearing examiner had to remain alert throughout the hearings, and do considerable work outside of the hearing.

Mr. Krebs concurred, stating, in the past, it usually took the hearing examiner 45 to 90 days to create their report after the presentation and review of the entire case, including staff's position, and finding the balance of satisfying the applicant while protecting the interests of other affected parties.

Dr. Herring asked if any mention was made of potential pollution from additional boats on the lake; for example, gasoline leakages, etc.

Mr. Krebs indicated the issue of potential pollution was mentioned, and county staff responded that all boats were pollutant sources, and Miromar already had boats on the lake. However, Hans Wilson, who was working for Miromar and discussing the boat issues stated when the subject development was proposed, that was in the DRGR, and the applicant anticipated about 88 boats being brought onto the lake, and the latest proposal was to grant the applicant 250 slips and public access. County staff restated that Miromar had a number of boats and dry slips, and the applicant could not have public access; this was an item in the lake use agreement, as the lakes were private for the residents of the land around the lake.

Dr. Herring thought the applicant specifically asked for public access.

Mr. Krebs believed they did not request public access, as the applicant never indicated they were putting in a public marina, as everything they proposed was for the residents within the community.

Mr. Ballinger felt one of the questions that would come up was if there were 1,900 student apartments, and they someone they knew brought a boat in, would that be considered public or semi-private, or how was this be classified.

Mr. Krebs said this was what Mr. Wilson sought to establish, if there needed to be a boating agreement between the three parties: the master association, Center Place and FGCU as to how the lakes would be run. There would be areas in which high-speed boats could be used, and other areas where they could not be used. He noted the Miromar and the District's representatives tried to address the boating issues not only from the aspect of the actual residents, but from the student housing. Thus, if there would be student housing, they should use FGCU boats, as they were students with a right to those boats. If there was to be a boat rental program, it should be one that mimics what was already in place; such as if one was under 18 or 21, a boating license was required.

Dr. Herring stated this implied an enforcement entity was needed on the lakes.

Mr. Ballinger commented it seemed county staff's opinion was that the matter should be worked out between the three parties.

Mr. Krebs thought county staff's opinion was that if no restriction was put on Miromar, why should a restriction be put on Center Place, and the others working for Miromar set a good example by stating when Miromar was approved, it was a rock mine that would only have 88 units if the area was developed. 88 additional units on top of what Miromar was approved for and FGCU would not have been a substantial impact to the lake. He recalled being asked if the District was notified when the Comp Plan was amended, and he said no one notified the CDD; he did not remember receiving notification of a Comp Plan amendment.

When the CDD representatives pointed out the policy requirements of the applicant having to notify not only adjacent party owners, but the CDD was a governmental entity, and there was an actual policy that was pointed out that the applicant failed to adhere to. It was at this point that county staff emphasized that they did their job and took offense at the implication that they did not.

Mr. Urbancic remarked the first time county staff asked questions during the hearing was when Mr. Krebs and Mr. Mclean began speaking.

Mr. Hendershot mentioned the paper the Board received from Mr. Elgin, the Miromar Development summary of the proceedings outlined their proposal in terms of phases, that they were going to do about 90,000 commercial square feet property lease before building

the first 440 residential units. He wondered if this was something Miromar proposed as a way to ensure the commercial viability of the project, or was this part of the original plan.

Mr. Krebs replied county staff has conditions in the original report he saw, where they did have phase in conditions that the developer would only be able to permit so many residential units before hitting a commercial retail square footage and go farther. Their fear was, and rightly so, they might build numerous residential units and no commercial, and leave the county, so residential units and commercial uses were tied together through three phases or the final phase.

Mr. Hendershot questioned if the county's Zoning Board had any duty to ensure that adjoining property was not devalued as a result of the activities of another developer or a planned project. Everything the Board had discussed, whether it was related to water quality, noise or safety issues, turbidity on the lake, etc., all affected the property value of all residents, as well as the value Miromar had in the property. He asked if the Zoning Board had any duty, as part of the planning process, to ensure the proposed development was at least compatible or consistent with existing uses.

Mr. Urbancic replied that he did not know the exact criteria, but the quasi-judicial process was supposed to be an objective process, so in the county's ordinance, there would be a list of items the applicant had to successfully check the box on from an evidentiary standpoint. Thus, there had to be clear, concise evidence as to each of these things for the applicant to get the rezoning. Based on his experience in government, he felt sure there were list of factors to ensure standards of compatibility, effect on adjacent properties, etc. were met.

Mr. Hendershot wondered if there were limits on where the applicant could put student housing.

Mr. Krebs replied there were policies in the plans, though he could not say what they were exactly, but they would answer Mr. Hendershot's question as to the applicant's having to satisfy those criteria. In the applicant's presentation, they came across as there being more than enough buffer separation or differences between the two that it would not diminish the quality of Miromar Lakes by building on the other side. He said the applicant argued that the lake was large enough that there would be no incompatibility issue.

Mr. Ballinger commented Alexis, a consultant working for Mirormar, handling the planning and zoning side, made a presentation at the hearing the previous day that did an excellent job of pointing out compatibility issues, and she presented conditions to address concerns.

Mr. Krebs concurred stating Miromar had Waldrop Engineering and their two consultants who addressed planning and zoning issues; they had Hans Wilson addressing boating issues, and two traffic engineers from Miami. Mr. McLean and he made it clear they represented the CDD, and while the District's interests might align with Miromar Development, the CDD was a third and separate entity within the community. He explained to the parties presented that the CDD felt they were an interested party, as they owned a portion of the lake that was the north lake, as well as a vast majority of the south lake, and the water management permit the CDD was responsible for was in the CDD's name.

Mr. Ballinger stated another expert witness that made significant progress against what the applicant said was their audio consultant, and he did an excellent job, stating what the hearing officer had been told by the applicant was untrue. The sound consultant noted the only way the applicant could say what they were saying was if it dealt with non-amplified sound, but if an amphitheater was built, this would generate amplified sound.

Mr. Krebs concurred, stating the hearing officer made comments on that issue later within the applicant's plan, asking the applicant to clearly indicate where the amphitheater would be located on the plan, and not just give a description that it would be within the park.

Mr. Ballinger recalled one of the conditions put the amphitheater in a far corner of the property than having it come across the water.

Mr. Hendershot said there was little room for a buffer along the north edge where they proposed ten, four-story buildings.

Mr. Krebs recalled the applicant proposed a 45-foot buffer where a 25-foot buffer was required and said they exceeded the minimum and proposed greater vegetation than that required, thereby improving the situation.

Mr. Ballinger mentioned the discussions about the berms.

Mr. Krebs noted there were berms on the peninsula by the old rock mine and there were discussions about whether they would vegetate it if residents had concerns and questions. He felt unsure if the matter was resolved as to whether the area would be

planted. There was also discussion on the District's eastern berm, and the elevation and the plants, etc. were questions directed towards Mr. Elgin, and he repeatedly sidestepped the question, so the applicant's attorney finally withdrew the question. The attorney was looking for a straight answer, and Mr. Elgin wished to convey that the answer could not be a simple yes or no, as it depended on where one was starting from.

Dr. Herring said it all assumed the District would keep the same vegetation forever, which was a big assumption, as it was likely to change.

Mr. Krebs pointed out that there was a minimum level of vegetation that had to be there at a minimum height.

Dr. Herring sought clarification that the people making the presentation for Center Place were unlikely to be the ones building Center Place, but they wanted to get the zoning changed, and they would then shop that land to a developer.

Mr. Hendershot commented this was not a known fact.

Dr. Herring questioned if this was an assumption.

Mr. Hendershot indicated the applicant had developed other properties.

Mr. Krebs confirmed the applicant had bought and titled land and sold it, and they bought and titled land and developed it, which was similar to most developers, so it was possible that the applicant could be the eventual developer.

Dr. Herring asked if it was possible that the applicant could sell the property to MIromar.

Mr. Krebs thought, from his personal knowledge, this was not possible.

Dr. Herring commented, in a worst case scenario, if the applicant was approved, what would be their timeline.

Mr. Urbancic responded the matter still had to go before the Board of County Commissioners for final approval.

Mr. Hendershot believed the first phase had until about 2017 and ran out to 2028.

Mr. Krebs thought the first phase had to be the north/south road that connected Alico to the University, as this was a condition on the books that neither county staff nor the applicant objected to.

Mr. Krebs replied Mr. Elgin included that fact in his arguments, and the hearing examiner asked the correct questions, and the area represented an easement to the

University, despite it going over Miromar's property. Thus, it satisfied the requirement of allowing access to the University.

Mr. Hendershot inquired if the road went through any of the fines area or was it set back.

Mr. Krebs answered no, it was set back, and he foresaw there being no issue with constructing the road, and it would be opened to the public.

Mr. Hendershot said the District should agree with everything they asked for if the applicant gave the District access to the other lake that was not a part of the present proposal, but it was a part of the property they owned.

Mr. Krebs felt this was a situation of apples and oranges, and the CDD would have a hard time trying to convince everybody to connect the three lakes.

Dr. Herring asked if it was worthwhile for the CDD to have as many people speak as possible; that is, would it make any difference to the County Commissioners.

Mr. Urbancic responded yes and no, as if there were many voters, then the Commissioners might take notice, but just general commentary of disliking the proposed development was not a criterion on the hearing examiner's checklist. It was important for her to be objective, so if a resident had no objective evidence, just voicing a dislike for what the applicant proposed would have little effect.

Mr. Krebs concurred.

Mr. Ward wished the record to reflect that Supervisor Donoho rejoined the meeting.

Mr. Ballinger restated that if a resident decided they wished to speak before the County Commission, they had to attend the hearing on August 15 and sign up to speak.

Dr. Herring thanked the District staff for their excellent representation of the CDD at the hearing.

c. Asset Manager

Mr. Cusmano indicated he had nothing to report, as there were no issues in the District.

d. District Manager

I. Updated Board agenda schedule for balance of FY 2014

No discussion.

II. Financial statements for the period ending June 2014

Mr. Ward stated the Board was set for the September meeting for the public hearing on the District’s budget., and the financial statements were in very good order at present.

FOURTH ORDER OF BUSINESS

Supervisor’s Requests/Audience Comments

Mr. Hendershot attended a meeting he thought was a debriefing meeting on the hearing, but it turned out to be a complaint meeting by a Siena resident on erosion. He distributed the information from that meeting to the Board.

Mr. Donoho asked if that community was completely ripped.

Mr. Hendershot answered no, they had nothing.

Mr. Donoho mentioned he lost part of his dock and sidewalk as a result of erosion, and he would have lost everything if it had not been for the riprap.

Mr. Refkin said Siena was a bit strange, as there was really no movement in the water there; it was pretty stagnant, and there was a lot of algae.

Mr. Hendershot noted they were basically complaining about the amount of the erosion, trying to figure out who was responsible for the repair of it, and they wanted the District’s consent and, possibly, a contribution for the repair of the erosion. They stated that they hired counsel, and he requested copies of any letters they had in this regard, but none was forthcoming. He believed the level of their concern was very heightened, and he told them he was unsure, as the CDD had responsibility from the 18-foot mark down, and he had not seen their lake and where that mark would fall, and they did not know where that mark was. He explained the District’s involvement would depend on what was causing the erosion, as most of the erosion that occurred was a result of drainage from the lots down onto the bank, and he asked if their lot was graded to where the water would run to the front of the street, and the resident did not know.

Mr. Cusmano asked if the residents requesting the help was Marv Mervis and Bill Garr (phonetic).

Mr. Hendershot affirmed these to be the two residents and noted that the property manager was there also.

Mr. Hendershot indicated to those attending the meeting that he would listen to their case, turn it over to the District's engineer to look at the situation, and the Board would make some determination, as there were many unanswered questions, and it was a lengthy process. He told them even if the District felt it had some responsibility, it had the power of assessment to recoup any costs. The residents claimed some of the erosion was as a result of the wind, not so much the drainage down, but the waves on the lake itself, which surprised him due to how small and sheltered the area was.

Mr. Refkin stated he once lived in the subject area, and before the Siena lake was connected, there was erosion in Siena within three months of building those houses, and a resident expressed the view that it was the developer's fault for not properly grading the lots. However, there was little movement there or anything that he could see that caused the erosion, but the problem with erosion developed within several months of moving into a new development where it was very visible, and it was much worse now. The erosion was occurring along the whole bank.

Mr. Krebs asked if the erosion was occurring at the cross train and moving out, or was the cross train even included in where the erosion was taking place.

Mr. Refkin responded that the erosion was occurring on the opposite side of the cross drain, but there was erosion before the cross drain was put in.

Mr. Hendershot indicated the handout included estimates the residents received from a number of vendors to use Geotube to fix the erosion.

Mr. Krebs commented the Geotube was a repair not a fix, as a fix prevented a recurrence of the problem.

Mr. Hendershot stated the fix included re-grading it with dirt.

Mr. Krebs said webbing had to be installed.

Mr. Hendershot added Geoweb was included in the work estimates, and it noted other communities, such as Bonita Bay, that used the Geoweb successfully.

Mr. Krebs commented there was erosion in the subject area before under the previous management, and he and other District staff went out to the site to examine what was coming off, and the erosion was worst where the homes had no gutters. The water was draining into the lakes and not back into the street. At the time they met with the residents, he wrote up a report, which he would forward to the Board if he could locate it. He said the

decision was made that the homes needed to be guttered and the drain lines should go out into the lake, so it was not creating a point source that, even after it was fixed, the District would have to fix it again.

There was general discussion on the location of the homes suffering the erosion, the cause and extent of the erosion, as well as other developments going through similar issues and how they addressed the erosion problem.

Mr. Hendershot said if the Siena residents decided to have the erosion repaired, assuming the method of repair was acceptable to the District, the CDD would consent to giving them whatever authorization they needed to have it repaired. This did not necessarily include making any contribution as to cost if they went below the 18-foot waterline.

Mr. Krebs remarked, from an engineering point of view, as long as what they were proposing fell within the guidelines of the SFWMD and Lee County, and they acquired the necessary permits to proceed, there was no reason for the CDD to object.

Mr. Urbancic added it was important to establish which entity would be responsible for maintenance going forward.

Dr. Herring stated if it was above the 18-foot grade line, the District would have nothing to do with the matter.

Mr. Hendershot stated the Geoweb had to run below the 18-foot water line.

Mr. Krebs concurred, stating the Geoweb had to run two feet above and two feet below to accommodate the high and low water fall. His only concern would be where the Geoweb would be installed if there were littoral plantings along the lake bank, as they would have to replace whatever they destroyed. He recapped that he would try to locate the report he mentioned earlier, which he would send off to Mr. Gusmano, along with the photographs taken of the area at the time.

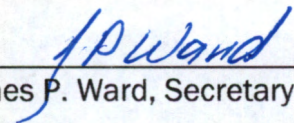
Mr. Hendershot confirmed that the residents needed to fix their own drainage issues before consideration was given to any repairs.

Mr. Ward affirmed this would be the District's position.

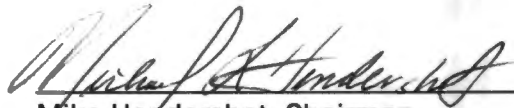
FIFTH ORDER OF BUSINESS

Adjournment

On MOTION by Dr. Herring, seconded by Mr. Refkin, with all in favor of adjourning at 3:03 p.m.



James P. Ward, Secretary



Mike Hendershot, Chairman