

MINUTES OF MEETING
REMINGTON
COMMUNITY DEVELOPMENT DISTRICT

The regular meeting of the Board of Supervisors of the Remington Community Development District was held on Tuesday, June 30, 2020 at 6:00 p.m. via Zoom Video Conferencing, pursuant to Executive Orders 20-52, 20-69, 20-91, 20-112 and 20-150 issued by Governor DeSantis on March 9, 2020, March 20, 2020, April 1, 2020, April 29, 2020 and June 23, 2020 respectively, and pursuant to Section 120.54(5)(b)2., *Florida Statutes*.

Present and constituting a quorum were:

Brian (Ken) Brown	Chairman
Kenneth Soukup	Vice Chairman
Carl Thilburg	Assistant Secretary
Tim Mehrlich	Assistant Secretary

Also present were:

Jason Showe	District Manager
Scott Clark	District Counsel
Pete Glasscock	District Engineer
Alan Scheerer	Field Manager
Michael Beltz	Universal Protection Service
Residents	

FIRST ORDER OF BUSINESS

Roll Call

Mr. Showe called the meeting to order at 6:00 p.m. and called the roll. A quorum was present.

Mr. Showe: This meeting is being conducted in accordance with the Governor's Executive Orders #20-52 and #20-69, which has subsequently been extended through Executive Orders #20-112, 20-114 and 20-150. This allows the District to conduct its meetings of the Board of Supervisors without having a quorum of its members physically present at any specific public location, through the utilization of communication such as telephone and video media technology. This meeting is being held to address items necessary for the properly operation of the District. Today's meeting is being conducted remotely via Zoom which allows for all members of the public to participate through video or telephone. Access for today's meeting was provided in the meeting

District's website, and/or by contacting the District Manager's office. There will be opportunities for public comment at the beginning of the meeting. We will open it up at that point and announce when audience comments are permitted. Anyone wanting to provide live comments, we would ask that you use the raised hand feature, unmute yourself, state your name and address and keep your comments to three minutes. Also, please try to keep your microphone on mute if you are not a Board Member. Please keep any noise making devices to a minimum.

SECOND ORDER OF BUSINESS**Modifications to Agenda**

Mr. Showe: We have no modifications to the agenda.

THIRD ORDER OF BUSINESS**Security Report from Universal Protection Service**

Mr. Showe: Mike, are you on the phone?

Mr. Beltz: Yes.

Mr. Beltz: Through June 30, 2020, at the Partin Settlement Road Gate we had 1,434 visitors and 3,452 residents. At the E. Lakeshore Boulevard Gate we had 1,001 visitors and 3,531 residents. We tagged 89 vehicles and had 1 attempted tow and 1 repeat offender.

Mr. Brown: Does anyone have any questions?

Mr. Thilburg: Yes. The Club Villas HOA and residents would like to commend Universal for their roving patrol while our gates were locked open due to an electrical failure. The residents appreciated their presence.

Mr. Beltz: We appreciate that.

Mr. Brown: Thank you for everything you do. These are strange times. I think it's trying sometimes on the security guys, but I heard people saying good things about them. Every time I have had to talk to someone, they have been perfectly professional. I know it's difficult because they have to keep their distance, but everyone has been perfect when I talked to them.

Mr. Beltz: Thank you. I appreciate that.

Mr. Brown: Are there any other questions? Hearing none, thank you.

Mr. Beltz: Thank you, gentleman. Do you mind if I drop off the call?

Mr. Brown: No, you should be good to go.

Mr. Beltz: If you need me you have my phone number. Just give me a call.

Mr. Beltz left the meeting.

FOURTH ORDER OF BUSINESS

Public Comment Period

Mr. Showe: Jackie McCarthy is present. If you have a public comment, now would be the time to unmute yourself.

Jackie McCarthy, Balmoral Court: I have been on NextDoor a lot and many people are concerned about our security here. I've seen a lot of cars getting waved through. A lot of people said that they would be here today, but I'm the only one. Times are getting worse with the pandemic. People with no jobs are getting desperate and we are going to have more car break-ins. We understand that. Is there anything that we can do to offset something that we know is going to happen? Do we have a plan?

Mr. Showe: It is important to note that the CDD roads are public. So, they can't restrict or deny access to anyone coming through the gates. They take down their information. We have a video of everyone that comes through the gate. On several occasions, Alan coordinated with the Sheriff's Office to get footage that they needed to assist them solving some cases. We have a challenge because they are public roads, so we have to take the soft gate community approach.

Mr. Brown: We have had the Sheriff's Office in here. How many hours do we have them in here a month?

Mr. Showe: We beefed that up to two patrols per week for about three hours each, which is significant. We actually increased that since most folks were home. They have 12 shifts a month at four hours each, for a total of 48 hours.

Mr. Thilburg: So, it ran on schedule.

Mr. Brown: Yes.

Jackie McCarthy, Balmoral Court: Okay.

Mr. Scheerer: If I can just interject quickly. We had an issue three weeks ago with the Sheriff's Office. They sent me a text. I met with them and provided video from both guardhouses that actually led to the arrest of someone that committed a crime in the Remington community. So, the cameras are working, and the Sheriff's Office was very appreciative of our efforts to help them put an end to that.

Mr. Brown: Was that the one in my neighborhood?

Mr. Scheerer: Yes.

Mr. Brown: I hadn't heard that they got them.

Mr. Scheerer: I just received the text on Friday or Saturday from the Sheriff. We went through all of the videos and they said they got him.

Jackie McCarthy, Balmoral Court: That's all for me. I just wanted to check in. You know how people talk. They said that the security cameras weren't working and were more for show, so it was good to hear that they actually work.

Mr. Scheerer: I have those cameras on my phone and view them live 24/7. That's how we know if they are working. Our security provider for the camera system is very responsive in responding to any concerns with our cameras, but they all work.

Jackie McCarthy, Balmoral Court: That's good to hear. Thank you very much. I'd rather hear it from you than to listen to community gossip.

Mr. Brown: Ms. McCarthy, I apologize. Everything you hear on social media isn't true.

Resident (Jackie McCarthy, Balmoral Court): That's why I'm here. I wanted to find out what was really going on.

Mr. Brown: Thank you very much.

Resident (Jackie McCarthy, Balmoral Court): Thank you.

Mr. Brown: Was that the only person with a comment, Jason?

Mr. Showe: Are there any other public comments? Hearing none,

FIFTH ORDER OF BUSINESS

Approval of Minutes of the May 19, 2020 Meeting

Mr. Brown: Does anyone have any changes, additions or deletions to the May 19, 2020 meeting minutes? Hearing none,

On MOTION by Mr. Thilburg seconded by Mr. Soukup to approve the Minutes of the May 19, 2020 Meeting as presented by roll call vote: Supervisor Soukup: Aye. Supervisor Thilburg: Aye. Supervisor Mehrlich: Aye Supervisor Brown: Aye. Motion Passed 4-0.

SIXTH ORDER OF BUSINESS

Consideration of Declaring Seat #2 Vacant with a Term Ending November 2022

Mr. Showe: Unfortunately, we were informed by Carl earlier this month that Ms. Kirk passed away. She will no longer hold that seat, obviously. So, in accordance with District

Counsel's recommendations, we will declare that seat vacant. Then the Board could seek candidates to fill that seat.

Mr. Brown: Do you need a motion?

Mr. Clark: Yes, to declare the seat vacant.

On MOTION by Mr. Thilburg seconded by Mr. Soukup to declare Seat #2 vacant with a term ending November 2022 by roll call vote: Supervisor Soukup: Aye. Supervisor Thilburg: Aye. Supervisor Brown: Aye. Supervisor Mehrlich: Aye. Motion Passed 4-0.

Mr. Soukup: Do we have any information on when her funeral is going to be?

Mr. Showe: I have not received any information.

Mr. Thilburg: It was held last week.

Mr. Brown: Do we need to place an advertisement requesting people to apply or should we wait until later? Is there a timeline?

Mr. Showe: Scott can correct me, but statutorily, we would need to keep putting this item on the agenda, and the Board needs to actively search.

Mr. Clark: The Statute just says, "promptly." So, I encourage it to be on each agenda until you are ready to fill the seat.

Mr. Brown: Okay.

Mr. Showe: We will include a notice on the website, letting folks know if they are interested, to send a resume to our office and we can get that to the Board for consideration.

Mr. Soukup: Apparently there is one challenger for Carl's seat with this upcoming election. Is there a potential that we could contact that individual and see if he can withdraw his challenge and then potentially run for the empty seat?

Mr. Showe: That's a possibility, but he would obviously have to withdraw.

Mr. Clark: I wouldn't put it as a quid pro quo. If you think he's a worthy candidate and you want to ask him if he's interested in applying for that seat, then that's fine. I wouldn't tie the two together and I wouldn't ask him to withdraw until you appointed him, if that's what you choose to do.

Mr. Brown: Okay. If anybody knows who that is, you can always tell him that he can apply for this seat. I don't know who it is.

Mr. Soukup: It's Diego Valdez.

Larry Hurley, Keswick Court: I'm interested too.

Mr. Brown: So, I guess we will put this on the next agenda.

Mr. Showe: Correct.

SEVENTH ORDER OF BUSINESS

Consideration of Request for OCSO "Lock it or Lose it" Signs

Mr. Showe: We received an email, which is in your agenda package on Page 13. It's a request from the sheriff to place, "Lock it or Lose it" signs at each entrance reminding folks to lock their cars. I don't think staff is opposed to that, but they would need permission from the CDD.

Mr. Brown: I don't have a problem.

Mr. Soukup: Certainly not.

Mr. Thilburg: Would that include Club Villas?

Mr. Showe: I think it was just the entrances. They would probably have to request it separately, but I can get you the contact information. You own the monuments, so I don't think we have an issue with you posting signs.

Mr. Thilburg: Okay. Thank you.

Mr. Showe: I will get you the contact information for the deputy.

Mr. Thilburg: Thank you.

Mr. Brown: You just need consensus on that, right?

Mr. Showe: Full consensus from the Board unless there is opposition. I'm not hearing any, so we can just consider that as an approval. We will email them back to let them know that the Board is okay with that.

Mr. Brown: Okay.

EIGHTH ORDER OF BUSINESS

Review and Acceptance of Fiscal Year 2019 Draft Audit Report

Mr. Showe: We provided the audit report in the Board's agenda package. There is a lot of detail, but the main report is on Page 44 of your agenda, which is the Report to Management. You will see that there were no current year findings, no prior year's findings and we complied with

the items the auditors are required to look at in terms of our auditing requirements from the Statute. So, it is a clean audit. Unless the Board has any specific questions, we recommend a motion to approve the audit and transmit it to the State of Florida for compliance.

On MOTION by Mr. Soukup seconded by Mr. Thilburg to accept the Fiscal Year 2019 Draft Audit Report and authorize District Management to transmit to the State by roll call vote: Supervisor Soukup: Aye. Supervisor Thilburg: Aye. Supervisor Brown: Aye. Supervisor Mehrlich: Aye. Motion Passed 4-0.

NINTH ORDER OF BUSINESS

Discussion of Reopening Facilities

Mr. Showe: We prepared some guidelines for you. Alan and I worked on these. Just to give you some background, these are in line with insurance guidelines. Those guidelines do not say, "We should open." What they do say is if you were to open, these are the things we recommend. So, the rules are kind of in line with that. To give you a summary, we don't have a date yet. Obviously, things are changing day-by-day with the pandemic, so it depends on your comfort level. There are two things to address here; number one is if you are comfortable opening them and number two is the manner in which you open them. We have limited your pool to 25 people, which is 50% of the capacity. We are requesting that they spend two hours per day there. It will be open from dusk until dawn. We are keeping the splash pad closed and encouraging folks to bring their own wipes and self-sanitize. We are limiting the Fitness Center to five people, at the same hours and restrictions. The athletic fields are open from dusk until dawn. The rules are set so that there are only 10 people in any area or field at one time and having residents be responsible for self-sanitizing. The same thing with the Rec Center. We are limiting it to 10 people with all of the same caveats. We have some signs that the insurance company approved, that Alan already made. We can have those signs placed apart. We just wanted to start discussions with the Board to see what your thoughts are in terms of reopening some of the facilities.

Mr. Brown: I will open this up to the Board. Does anyone have any comments?

Mr. Soukup: Have we had any calls to Government Management Services (GMS) about when we are going to reopen the facilities again?

Mr. Showe: We had some emails. We let folks know that we are operating in accordance with both State and local guidelines as well as insurance and counsel. I don't think anybody has

been upset about it yet, but we have had some calls and questions on when they are going to be open.

Mr. Mehlich: Schools have opened. They are doing practices for school activities. I like the recommendations here and I think it's time to move on. Based on what I've seen, it's the younger kids that are not as susceptible as the older ones are as far as catching this virus, but it's summertime now and I think we need to reopen our facilities.

Mr. Clark: These are pretty typical guidelines for what other Districts are doing; opening with limitations.

Mr. Mehlich: A lot of these communities are open. They may not be CDD communities, but a lot of other communities are opening up.

Mr. Clark: I spoke to Jason last week, and I'm good with the way it is, but we may have to cherry pick some things to close back potentially if people don't follow the guidelines. I don't mean that to be a one-time thing, but if we continuously have 100 people on the basketball court or 100 people on the tennis courts then we might have to close those individually, but I think it's time to move on past having everything closed.

Mr. Showe: You are correct, Ken. The statement that we made on the last page, is that staff is going to regularly review, watch and monitor. We make the statement that they may close if we can't get compliance or things change in the environment and we get other direction. So, we are able to do that quickly if needed.

Mr. Brown: Yes, because you don't know what the Governor is going to do. He seems to change his mind daily.

Mr. Thilburg: Is security going to need additional manpower to enforce this?

Mr. Showe: Hopefully, they will be enforcing it on their own. Unfortunately, the District would have to incur a lot of additional costs, depending on the time. I think what we plan on doing is opening it when we are ready, monitoring it and to the extent we need additional staff, maybe we can call in an additional person earlier in the day, but they are normally at the Rec Center. What are the hours, Alan?

Mr. Scheerer: From 2:00 p.m. to 10:00 p.m., Wednesdays is 1:00 p.m. to 10:00 p.m.

Mr. Showe: I think for the high times, we will need security to be available.

Mr. Mehlich: Were some signs made stating these restrictions?

Mr. Showe: Yes, we made some in advance, based on requirements that our insurance company provided to us for other sites. So, we went ahead and had those made. If the Board chooses to move forward tonight, we can make those signs as early as Monday.

Mr. Scheerer: I would need at least a week. To be honest with you, we would need to make signs for the Gym and the pool as well, to announce the amount of people allowed. All we did was the regulatory signs outlining the self-sanitizing. We would also have to get a couple of signs for the basketball court and baseball field. I didn't get those made.

Mr. Showe: So, we would be looking at a week or so, but we wanted to have at least some of signs in the ground early, because those take a little longer. We can laminate the rules and post those fairly quickly.

Mr. Brown: Does anyone have a motion to move forward with that?

Mr. Thilburg MOVED to approve the Amenity Plan as stated and Mr. Mehlich seconded the motion.

Mr. Showe: Just as a discussion, we will update these time frames. I will work with Alan on getting a firm date on when we are going to reopen everything. We will place this item on the website and circulate as much as we can to let the folks know that the facilities will be reopening. Again, we are looking at about a week or so for us to get everything right. We have to make sure that the pool is running right, all of those chemicals are right and everything else is properly done.

Mr. Mehlich: If I understand you correctly, if there was a problem with, let's say the basketball court, because that's where the biggest problems are, it would just be the basketball court that we shut down. Not the volleyball court, swimming pool and everything else. Right?

Mr. Showe: Once you open the facilities it's not our intent to reclose them all. We would look at each individual issue and try to tackle that without impacting the others. I think to a large extent, if that's the Board direction, we will take it.

Mr. Mehlich: I think we have outside people coming into the basketball courts.

Mr. Brown: Yes. I wouldn't want to do everything just because of one field.

Mr. Mehlich: Right.

On VOICE VOTE with all in favor the Amenity Plan as stated was approved.

TENTH ORDER OF BUSINESS

Staff Reports

A. Attorney

Mr. Clark: Nothing from me tonight.

B. Engineer

1. Update on Roadway Project

Mr. Glassock: I'm not sure if the Board's aware, but the paving project is scheduled for the third week of August. The contractor will be scheduling a pre-construction meeting with us soon. Then we will get started with the concrete work, the curbing.

Mr. Brown: Okay. Does anyone have any questions for Pete?

Mr. Mehlich: Could we get an estimate to reseal and stripe the Clubhouse and field area parking lots? While they are out there doing this work maybe we can get a better price. Some of that is looking worn.

Mr. Brown: Yes.

Mr. Glassock: I think Mark received those. I will get with him in the morning. I'm pretty sure he sent those out, but if not, I will send it out in the morning.

Mr. Mehlich: Sounds good. Thanks.

C. District Manager's Report

1. Approval of Check Register

Mr. Showe: In the General Fund, we have Checks 6197 through 6223 in the amount of \$91,911.10. Alan and I can answer any questions.

Mr. Brown: Does anyone have any questions?

Mr. Soukup: No questions.

On MOTION by Mr. Soukup seconded by Mr. Thilburg with all in favor the Check Register for May 1, 2020 to May 31, 2020 totaling \$91,911.10 was approved.

2. Balance Sheet and Income Statement

Mr. Showe: No action is required by the Board. You are 100% collected on your assessments, so we are in good shape.

3. Presentation of OCSO Reports

Mr. Showe: We also provided the Osceola County Sheriff's Reports for the speed enforcement, which are included in your agenda package. We added some additional time with everyone being home, due to the pandemic.

Mr. Glassock: I was just looking through some emails, we did get some pricing on resealing asphalt. The problem is that the resealing only lasts about three to five years; five years if you are lucky. The cost is about a third of the cost of milling and resurfacing, which gives you about 18 to 20 years. So, it's not cost effective in just sealing the cracks. Just knowing how the Remington CDD operates, it's hideous. It's an eyesore if you just seal the cracks themselves. I don't remember the micro-seal. I hope that answered your question. If you want actual prices, I would be happy to provide them, but from what we have seen in a couple of other CDDs, it's not worth the money. You are going to have to mill and resurface at some point anyway.

Mr. Brown: But we can still stripe. Correct?

Mr. Glassock: Yes. With any milling or resurfacing, we have to put the striping back to the way it was.

Mr. Brown: Even if we didn't seal the parking lot, could we stripe it, just to make the striping better?

Mr. Glassock: Yes. We already have a price for the milling and resurfacing. I'll just calculate it.

Mr. Brown: Okay.

4. Field Manager's Report

Mr. Scheerer: The Amenity Center is in good shape. The A/C filters are changed. The Fitness Center is in good shape. All of the cameras are working at the gates and Clubhouse. The pool has been maintained from Day 1, even though there is a virus, so it is ready to roll. We leveled some of the pavers on the pool deck and just received our annual permits from the Department of Health (DOH). We replaced the door lock on the gate house at E. Lakeshore Boulevard. REW completed all of the tree trimmings, so wherever we are paving, the trees were done, and it looks

amazing. New annuals are scheduled to be installed in a couple of weeks. Sidewalk repairs were completed. We received an email from Ken about the basketball back boards. It looks like they pulled the back boards over. So, we had those removed. We will have to see what it's going to take to put that back up prior to opening. Ken also reported a piece of concrete off of the speed hump between the Clubhouse and Knightsbridge. That was repaired. We ordered the new signs and as I stated earlier, regarding the incident in your neighborhood, we met with the Sheriff's Office and they caught the guy they were looking for. So that was good news. I don't have anything else. We will get the signs next week. I will get with Jason on what to post at the pool, Rec Center and ballfields. We fixed the electric at Club Villas.

Mr. Brown: Does anyone have any questions for Alan?

Mr. Thilburg: Yes. We want to thank Alan and his staff for all of the dedication, time and effort in getting OUC back online so we would have power at the Club Villas gates. On the Number 5 hole by the electrical box, the sidewalk raised up again over an inch.

Mr. Scheerer: Is that the Par 3?

Mr. Thilburg: Yes.

Mr. Scheerer: Right next to Remington Boulevard?

Mr. Thilburg: Yes.

Mr. Scheerer: Okay. We are working on the sidewalks. I will make sure he gets out there and checks that as soon as he can.

Mr. Thilburg: Okay.

Mr. Brown: Does anyone else have anything else? Hearing none,

ELEVENTH ORDER OF BUSINESS

Supervisor's Requests

Mr. Brown: Mr. Soukup?

Mr. Soukup: No requests this month.

Mr. Brown: Mr. Mehrlich?

Mr. Mehrlich: This is for Jason. Based on the emails I have seen, there seems to be some frustration from the HOA in regard to the handling of the lawsuits that are being filed because of the trip and fall on the sidewalks. I guess another lawsuit was filed against the HOA and the CDD might have been named, but you forwarded it to your insurance company. That's all that has to be

done. Would it be possible to give the Board a five second answer, so they understand? I understand it, I think.

Mr. Showe: Sure. I think we gave notice to that client in 2017, if I recall properly. We immediately turned it over to our insurance company, which is our standard protocol whenever the CDD gets a lawsuit. Insurance is our liability coverage. They tackle it first and foremost, especially if someone is injured on CDD property. As we understand it, there were some issues where the attorney changed. There were multiple issues on her end. There were no delays at the CDD's end that I'm aware of. I also checked with Scott when we received some of the emails as well. Neither Scott nor I are aware of any requests from the HOA for information from the CDD. Typically, when these kinds of issues occur, multiple parties can address it too, but I think the county was sued in the same case. The HOA got sued as well as the CDD. I think they are handled separately and the CDD wouldn't have any involvement in suits against other parties. That's my understanding. I don't know that I can get into the specifics of where the case is right now, because it is ongoing litigation. As far as the CDD portion, I know it was immediately forwarded to our insurance company for resolution.

Mr. Mehrlich: I understand that. They kind of feel like the CDD could care less and are just shirking their responsibility, but you are ultimately turning it over to the insurance company and are kind of hands off at that point. That's not the way they feel.

Chassidy Bowles, Westmoreland Circle: I am with the RMHO. We've been told by our attorney that your attorney won't answer back.

Mr. Showe: I'm not aware of any issues.

Chassidy Bowles, Westmoreland Circle: We are not the responsible party. We do not own the sidewalks. There was another case filed in March, naming us with Glen Eagles and they are not even in our HOA.

Mr. Showe: If your attorney has information, we would be happy to take a look at it. I'm not aware of any contact made from your attorney to my office. I think Scott can say the same thing.

Mr. Clark: They are talking about the insurance company's attorney. We don't control that. I don't spend time monitoring these cases, which would result in a bill because we pay our insurance to have them cover and defend it.

Mr. Brown: Nobody can control them being sued. Most of these places just do a shotgun suit and they pepper it out to anybody they can and see what sticks. I don't think there's anything we can do about that.

Chassidy Bowles, Westmoreland Circle: That's true, but our management company, KM contacted Jason Showe and tried to get the insurance company's information and was never contacted. Our attorney cannot receive an answer. The court is demanding an answer and hasn't received one.

Mr. Brown: Maybe our attorney can send copies of all the demands that he sent.

Chassidy Bowles, Westmoreland Circle: It was in court. We are trying to get it dismissed because we are not the party that should be involved in this. This has been going on for over a year now and it's costing us tens of thousands of dollars.

Mr. Brown: Are you in court over it now?

Chassidy Bowles, Westmoreland Circle: Yes. Several times.

Mr. Mehlich: Trying to get the HOA removed. My request to you, Jason, would just be an explanation that doesn't require an attorney. We could tell them, "We received it, turned it over to our insurance company, it is all in their hands and we have nothing to do at this point. I get the feeling that you are not even looking at it." I know that it's in the insurance company's hands. Their attorney sent all of their people to take care of them and it doesn't have anything to do with you at that point. It has something to do with them. I feel like you are just not being responsive to any requests or replies.

Chassidy Bowles, Westmoreland Circle: Why wouldn't the insurance company's attorney say that they answered already instead of saying, "We will get back to you?"

Mr. Brown: That's the insurance company, Chassidy, not Jason.

Chassidy Bowles, Westmoreland Circle: Yes, I know. I'm saying if they turned it into the insurance company it's a simple request and they took care of it, but that's not what is being said.

Mr. Mehlich: But that's what was done. They feel like you are not answering. I know you are a government guy and sometimes you might need to be a little more compassionate in your response to say, "We don't have anything to do with this. We turned it into our insurance company. The insurance company is handling it. Their attorneys are handling it. I'm hands off at this point." We have nothing to do with it. I can't even talk about it because it's a lawsuit.

Mr. Showe: I apologize if it's coming across that way. I can assure you that before Ken forwarded me the emails, I wasn't even aware that there was a request for information from the HOA.

Chassidy Bowles, Westmoreland Circle: In March, our attorney had to appear in court. The CDD wasn't even named in the complaint and our attorney brought that up. It had to come back to court. It was dismissed with prejudice because the judge could only see the four corners of the case. So, the CDD at that point wasn't even named.

Mr. Showe: I wouldn't have any information on it, if we didn't receive anything. Again, I don't know any specific data. I can tell you the typical protocol, but if there is something that I missed, I apologize, but I sincerely don't recall any contact from either the HOA, HOA attorney or a request for any information. I try to be incredibly responsive to every email that comes into my inbox.

Mr. Mehlich: Okay. That's all I request.

Chassidy Bowles, Westmoreland Circle: I can't understand whether it was turned over to the insured while we are being named in the CDD and the CDD is not being named if the insurance attorney is taking care of it.

Mr. Soukup: Chassidy, we are making a separate case.

Mr. Clark: If the CDD was not named, then it wouldn't be turned over to our insurance company.

Chassidy Bowles, Westmoreland Circle: When we say that it was turned over to the insurance company, we are speaking of the same case? A second case was filed a couple of months ago.

Mr. Brown: I haven't seen that.

Mr. Showe: I don't believe I've received anything, but if I do, it was turned over to the insurance company, immediately. As far as I know, they handle requests as expediently as they can. They don't want to spend time going back and forth on this either because it's their money on the line.

Mr. Mehlich: Jason, when Ken and I are at an HOA meeting, we can't really talk about anything that took place during a CDD meeting or can we?

Mr. Clark: No, you shouldn't, if you're together.

Mr. Mehlich: That's what I thought. That's why I don't see anything. It comes up at almost every meeting for the last several months.

Mr. Clark: If the Board would direct me to, if I can get a case number or some reference, I can go on the docket and just try to get some update on what is going on and report back to the Board and Jason on it. I don't think I would spend much time doing that.

Mr. Mehlich: It seems to me since the HOA doesn't own the property, it's an open and shut case. If you don't own something, you can't be sued over it. I would think. I'm not an attorney, but they are suing over something that they don't even own.

Mr. Clark: The court system is incredibly slow right now because of COVID. I'm sure that adds to it.

Mr. Mehlich: This was going on way before COVID.

Chassidy Bowles, Westmoreland Circle: It's been over a year.

Mr. Mehlich: I don't know, but you have the management company being served and then it not even turned over to the attorney. So, there are multiple issues. The only thing that I was asking of Jason, is if he would respond to a request from the HOA with a one word or two-word response. I'm not insinuating what did in fact take place.

Mr. Showe: I don't recall having been asked any questions from the HOA. I try to be as responsive and open as I can because it's a public record that's not unrestricted.

Mr. Mehlich: I couldn't ask for more than that, Jason. I just wanted to bring it up because I know it's in a lot of people's minds.

Mr. Showe: The issue prior to this conversation is I would have done everything I could to resolve any miscommunication or misunderstanding on our side.

Mr. Mehlich: I didn't understand it, but I just keep my mouth shut sometimes. Can we have Scott look into this to see what's going on with this case?

Mr. Showe: Absolutely.

Mr. Clark: If someone would just give me names of the other parties involved, I can spend a little time.

Mr. Mehlich: Okay. That way, we can at least get some sort of answer back to the HOA attorney or manager for basic information we can't provide legally. Thank you.

Mr. Brown: Is that it, Mr. Mehlich?

Mr. Mehlich: Yes sir.

Mr. Brown: Mr. Thilburg?

Mr. Thilburg: Nothing.

Mr. Brown: I emailed Alan everything I had yesterday because I knew I would probably forget by today.

Mr. Scheerer: It's all done.

Mr. Brown: Thank you.

TWELFTH ORDER OF BUSINESS

Next Meeting Date – July 28, 2020

Mr. Brown: Our next meeting is on July 28, 2020. Do we know if that is still going to be a Zoom meeting?

Mr. Showe: We still have the ability through the latest Executive Order to hold Zoom meetings through August 1st. So that would likely be a Zoom meeting again.

THIRTEENTH ORDER OF BUSINESS

Adjournment

There being no further business, Mr. Brown adjourned the meeting.



Secretary/Assistant Secretary



Chairman/Vice Chairman