

MINUTES OF MEETING  
BELLA COLLINA  
COMMUNITY DEVELOPMENT DISTRICT

The regular meeting of the Board of Supervisors of the Bella Collina Community Development District was held Thursday, January 9, 2025 at 10:00 a.m. at the Bella Collina Clubhouse, 16350 Vetta Drive, Montverde, Florida.

Present and constituting a quorum were:

Randal Greene	Chairman
David Burman	Vice Chairman
Duane Owen	Assistant Secretary
Andy Gorrill <i>by phone</i>	Assistant Secretary
Rick Scharich	Assistant Secretary

Also present were:

George Flint	District Manager
Jan Carpenter	District Counsel
Robert Szozda	Field Manager
Steve Boyd <i>by phone</i>	District Engineer

**FIRST ORDER OF BUSINESS**

**Roll Call**

Mr. Flint called the meeting to order. Four Board members were present in person constituting a quorum. Mr. Gorrill joined by phone.

**SECOND ORDER OF BUSINESS**

**Public Comment Period**

Mr. Flint: Next is the public comment period. We just have Board members and staff here.

**THIRD ORDER OF BUSINESS**

**Approval of Minutes of the December 12, 2024 Board of Supervisors Meeting and Acceptance of the Minutes of the December 12, 2024 Audit Committee Meeting**

Mr. Flint: We will move on to approval of the December 12, 2024 Board meeting minutes and acceptance of the December 12, 2024 audit committee meeting minutes. Were there any comments or corrections on those?

January 9, 2025

Bella Collina CDD

Mr. Greene: I make a motion to approve the minutes.

On MOTION by Mr. Greene, seconded by Mr. Owen, with all in favor, the Minutes of the December 12, 2024 Board of Supervisors Meeting and Acceptance of the December 12, 2024 Audit Committee Minutes, were approved.

**FOURTH ORDER OF BUSINESS****Ratification of Change Order No. 2 with Thompson Well & Pump, Inc.**

Mr. Flint: This change order was reviewed and recommended by Jim Boyd when they were drilling the well. They drilled it to the initial designed depth. When they were doing the performance testing it was not flowing adequately so they recommended a change order to go in and drill the well deeper. That is what this change order is for. It has been reviewed and approved by the Engineer so I am asking the Board to ratify the change order. This is paid for by bond funds.

On MOTION by Mr. Burman, seconded by Mr. Scharich, with all in favor, Change Order No. 2 with Thompson Well & Pump, Inc., was ratified.

**FIFTH ORDER OF BUSINESS****Consideration of Series 2024 Requisitions #11 – #15**

Mr. Flint: Requisition #11 is for Boyd Civil Engineering for \$4,722. You approved a work authorization with Boyd Civil related to the irrigation system. This is being paid from the construction account and the bond funds. You have requisition #12 for Boyd Environmental for \$13,814 related to the irrigation system. Requisition #13 is the Cleanest Group related to well construction and testing oversight for \$6,555.31. Requisition #15 is for Watertronics related to the pumping stations themselves. The District entered into an agreement with them to construct the pump stations for \$519,465.60. These have all been reviewed. The versions in the agenda may not be signed by the engineer but they have been reviewed and will be signed by the engineer and by the District and transmitted to the Trustee. Any questions on the requisitions? Is there a motion to approve them?

On MOTION by Mr. Greene, seconded by Mr. Owen, with all in favor, the Series 2024 Requisitions #11 - #15, were approved.

**SIXTH ORDER OF BUSINESS****Ratification of Agreement with DiBartolomeo, McBee, Hartley & Barnes,**

January 9, 2025

Bella Collina CDD

**P.A. to Provide Auditing Services for the  
Fiscal Year 2024 – Added**

Mr. Flint: The Board went through the process of advertising and selecting an independent auditor. At the last meeting you selected DiBartolomeo, McBee, Hartley & Barnes as the District's independent auditor. The agreement is included in your agenda for ratification. It reflects the fees that they bid when they submitted. If you recall, they were ranked #1 subject to verifying their proposed fee. I did speak with Jim Hartley at the firm and they did confirm that they will honor the fee that they proposed. I went ahead and executed the agreement in order to get the audit started and I am asking the Board to ratify that.

On MOTION by Mr. Burman, seconded by Mr. Scharich, with all in favor, the Agreement with DiBartolomeo, McBee, Hartley & Barnes, P.A. to Provide Auditing Services for the Fiscal Year 2024, was ratified.

**SEVENTH ORDER OF BUSINESS**

**Consideration of Setting Utility Rate  
Hearing**

Mr. Flint: We are not ready today for the Board to actually set that hearing. We put this on here in the event we had the rate study available for the meeting today and for discussion. You'll recall the Board previously retained a rate consultant to prepare a rate study and the genesis of the rate study was really related to the irrigation system and switching from using potable water from irrigation to surface water. The Board issued the bonds to construct the surface water system. We expect it will be completed early next calendar year so we have held off on finalizing the rate study because we have another year before that surface water system will actually go into service. As the Board knows, Jim Boyd has been monitoring consumption on a monthly basis based on reviewing compliance with the Consumptive Use Permit. We do continue to have issues with people exceeding their allowed consumption levels. We know that the surface water system will address part of that but in discussions with the rate consultation, we believe that the Board may want to consider putting in what is called a super rate. Basically, you have four rate blocks on your potable side and three rate blocks on your irrigation side and as your usage increases, your per thousand-gallon charge jumps up on each block. A lot of utilities will put in place if they have issues with over consumption, they will put in what is called a super rate in those upper blocks, you will increase the rate on those upper blocks in hopes that will discourage consumption and help with compliance. We are not ready today to review a report or have a detailed discussion on

January 9, 2025

Bella Collina CDD

that but that was the purpose of having this on the agenda. Our hope is at the February meeting we will have a draft of that rate study and will be able to have a more detailed discussion about that. If it is appropriate at that time, we would ask the Board to set a rate hearing which would have to be at least 30 days from the February meeting because we have to do some notices in the newspaper.

Mr. Greene: How bad has it gotten?

Mr. Szozda: There's 42% of the East side that is noncompliant and 24% West. Some people are off by as much as 5-fold in the limitations. Part of what we are going to do is also drive towards a campaign notifying them, exactly where they are at and what they need to do to get back into compliance. There is going to be a three or four-month buffer that says hey this super rate is coming at you and if you are more than 25% above the projected 12 month rolling average. We keep a rolling average so we know exactly where everybody has been for the last 12 months. We let them know if they don't change, their bill would go from let's say \$500 to \$3,000.

Mr. Greene: How would you notify them?

Mr. Szozda: It would be by letter. I would like to do both letter and email.

Mr. Flint: We don't have a comprehensive email database but we obviously bill everybody.

Mr. Greene: Nobody pays attention to email.

Mr. Burman: We will feed that to the HOA as well. The HOA has the best email database. When you say 42% of the homes are over, is that a gross number? If you took the person that was five times over their allowance, does the percentage go way down or is it just they have gone from 42 homes to 41 homes.

Mr. Szozda: No, it is 42% of the total resident part above their 12-month rolling average.

Mr. Scharich: I was going to ask if the double lot owners get an additional allowance?

Mr. Szozda: Yes, those are automatically increased so your volume goes up if somebody has had 600,000-gallon allowance because they have three lots. There are two people that have three lots.

Mr. Flint: We have some folks that have two lots too.

Mr. Szozda: There are about four to five different values.

Mr. Flint: Another thing we need to get a handle on is we have the centralized irrigation system that is controlled by the POA and the purpose of the centralized irrigation system is to take the control of the irrigation out of the hands of the homeowner and put those in centralized control

January 9, 2025

Bella Collina CDD

so we don't have this overconsumption. One of the things we have got to get our arms wrapped around is why are we continuing to have 42% of the Pine Island side lots out of compliance. We know we have got 70 homes or so that don't have that centralized controller system that we built before that system was put into place. Of the remaining ones, why are we continuing to over consume if the homeowner themselves does not have control of the system. We have to address that before we start doing these other things because as you know as David pointed out, we send a letter telling someone they are not in compliance because they are using too much irrigation and they have no control of the irrigation system, what's going on? We just wanted to bring this up for discussion and make the Board aware. We are not asking you to make any decision today but we think this needs to come to a head. Which permit is up for renewal?

Mr. Szozda: I think Hillcrest is up in 28 and Pine Island is in 30 or 31.

Mr. Flint: Hillcrest is in better shape overall on a per lot basis. We do have lots that are over their limit. In the aggregate we are under our allocation for the Hillcrest side in total but we still have undeveloped lots. We should be further under where we are to accommodate those additional lots. If you look at Hillcrest in total, we are under our annual allocation under our Consumptive Use Permit but we still have lots to be constructed. On the Pine Island side, I think we are slightly over. I think we are at 104% of our annual allocation and that is a problem because we have a lot of undeveloped lots. That is why we have been talking about it. We are going to have to get serious about it now.

Mr. Szozda: The other factor is the rate study is done on the current usage so now we are at this high usage and set a rate and then all of a sudden, we are going to drive the usage down. We are trying to get people driven down and then have a valid rate change for the next one when the new irrigation system comes online.

Mr. Flint: The consultant has got to make certain assumptions that, that rate increase is going to have some impact on consumption, reduce the test year consumption levels when we are setting the rates going forward.

Mr. Szozda: I just wanted to know. I feel like we have no choice. Eventually if they are not compliant, we are going to be out there blocking off their water the irrigation side at least for some portion of time to try to drive it down.

Mr. Flint: Again, we have this quandary of the fact that we have the centralized irrigation system.

January 9, 2025

Bella Collina CDD

Mr. Scharich: Seems to me that is a much better option.

Mr. Flint: We have got to address that before we start shutting water off.

Mr. Szozda: I talked to Tom Jones this morning and I think one of the starting point issues is they set up the irrigation for the new houses but they do it based on what they think the area needs. I said at some point you are going to have to figure out what the allowable volume is and then set it by month so at the end of the 12 months they are back in compliance. We have no choice but to drive them under it so you might as well start out there.

Mr. Burman: They know those applications. They already know that. They know that is their goal.

Mr. Szozda: By conversation with him this morning, my understanding is he is not setting based on the allocation.

Mr. Scharich: I do know we have had clients where they have complained about stuff dying. When we call to ask for it to be increased, they do increase it so could that be part of the reason for going over?

Mr. Flint: Yes, it could be. There should be an allowance for a watering period at the beginning of construction but beyond that.

Mr. Szozda: The regulation is clear there is a 60-day window to get stuff growing then you have to be right back onto your volume. I don't see this big bright red line out there. It is like okay, you have got a problem, we will seek adjustments for people that need it. Hopefully the landscaping setup understands about the water that is going to be available for use and not putting up this thing that needs a high demand of water.

Mr. Burman: Perhaps the more basic consumption is, is there a method that the homeowner will know how his consumption actually is and if he is way exceeding what he should do so he can dial back what he has planted and go to more of a zero-scape landscaping.

Mr. Szozda: Our intent in the initial notification campaign is to go here is where you are at, here is where you need to be and it can be simple by just cutting your timer back by a third.

Mr. Burman: Is there something he can look at and go hmm I am using a lot of water?

Mr. Szozda: We are going to give him the volumes that he is using. For those that are chronically over, we are going to go read twice a month and try to give them notice within a month but you know information is the king here. Here is where you are, the adjustments are again pretty simple you have to cut it down proportionately to the percentage you are over.

January 9, 2025

Bella Collina CDD

Mr. Scharich: That goes back to the irrigation controller provider for the HOA. They are supposed to be doing that. They are supposed to be minding that water flow all the time.

Mr. Szozda: I need to line those up to see how compliant they are. They may be all in the 58%. I don't know that right now. I am going to do that comparison and plan on having a nice, detailed spreadsheet on everybody and where is the ITS impact and where is the other system impact and we will know where to tackle this thing.

Mr. Burman: Perhaps another way of looking at this is to actually employ a consultant that can drop by the lots and say your plants demand so much more water than other people, you need to readjust your landscaping here.

Mr. Szozda: That should be done at installation too. The plant pallet needs to be followed and the soil. All sort of stuff could save them a world of hurt in the future if they do it up front.

Mr. Burman: All new builds require a landscape plan approval and then there is an inspection after so there shouldn't be this gap between usage and requirements. Even though we follow the landscape design, there still have been issues and problems with the watering not being sufficient after the break-in period. We have had several homes where stuff just died, the sod and plantings because the irrigation wasn't sufficient and yet that plan was approved at installation for the usage that supposedly they are allowing for that house.

Mr. Flint: The POA is the one approving that plan and they are the ones controlling the irrigation system.

Mr. Burman: I don't know why the new builds have so much of an issue. There might be a problem going back to the design, who is doing it or the company that is required for us to submit that to, are they failing in their job.

Mr. Flint: We have a meeting with Dennis Keller after this meeting. We are trying to set up every other month or so because we need to get on the same page and we all need to be rowing in the same direction on this.

Mr. Burman: I just was asked this morning from an owner if he could pump out of Apopka. We couldn't do that before.

Mr. Flint: I don't think there is anything preventing people that live on Apopka from doing that at this point.

Mr. Greene: Siena?

January 9, 2025

Bella Collina CDD

Mr. Flint: Siena is privately owned by the POA but Apopka, the CDD can't prevent somebody. It is the ground water wells that we can prevent someone from putting an individual well on their lot.

Mr. Burman: What about existing wells that are there?

Mr. Flint: They shouldn't be used. We had a period where people went and got a county permit to put a well in and the county shouldn't have issued but the county response is they are not responsible for enforcing Consumptive Use Permit restrictions but the Consumptive Use Permit clearly prohibits individual wells on lots.

Mr. Szozda: I believe there is a discovery clause in the permit for wells. If you discover one, what you are supposed to do.

Mr. Burman: Circle back around, it requires a permit from your water management district to pump out of surface water.

Mr. Szozda: Also, there is a conservation easement that runs the whole perimeter of Lake Apopka so to cross that might be another problem.

Mr. Flint: I think the developer told me that they would not object to someone crossing their property to do that.

Mr. Burman: I thought that buffer was controlled not by the developer but...

Mr. Flint: It is still owned by DCS I believe.

Mr. Szozda: I think it is. It's not permitted that way but that is for now.

Mr. Flint: Anyway, this is just a discussion item at this point just to let the Board know. We will come back with better information and more discussion.

## **EIGHTH ORDER OF BUSINESS**

### **Staff Reports**

#### **A. Attorney**

Mr. Flint: Staff reports, Jan?

Ms. Carpenter: The only thing we are doing is following up on those pond transfers. We still don't have titles. It is taking them a while. We should get them next week so hopefully we can get those finished in the next couple of weeks.

#### **B. Engineer**

Mr. Flint: Steve, anything?

Mr. Boyd: We are working on some responses and relatively minor comments to the Water Management District on the construction plans for the irrigation expansion. One of the items that



January 9, 2025

Bella Collina CDD

I will be forwarding you George is we need a signed authorization to work on the lands of the District so I will get you that. We are also getting that from the other property owners. The only other item that Jan and Jay had on the agenda, they have looks like completed the documentation for the pond transfers that he needs me to provide some additional information to go with the transfer of the old permits and things like that. I will get those wrapped up and over to you Jan and Jay.

Jan: We should get the title pretty soon so we will share that with you and hopefully will get this all finished up.

Mr. Boyd: That is all I have to report.

### **C. District Manager's Report**

#### **i. Approval of Check Register**

Mr. Flint: You have the check register in your agenda for the month of December for the General Fund, the Water and Sewer Fund, the Reserve Fund and payroll.

On MOTION by Mr. Burman, seconded by Mr. Greene, with all in favor, the Check Register, was approved.

#### **ii. Balance Sheet and Income Statement**

Mr. Flint: We have the unaudited financials through December 31<sup>st</sup>. This is the first three months of FY25. There is no action required by the Board. If you have any questions, we can discuss those.

#### **iii. SBA Florida PRIME Monthly Summary Report**

Mr. Flint: We have provided you the monthly summary report for the SBA which is the State Board of Administration investment portal the District is using to invest its funds beyond operating.

### **D. Field Managers Report**

Mr. Flint: Field Manager's report, Rob?

Mr. Szozda: Let me jump in here. Of course, the irrigation well drilling continues. Backflow preventers, we have a number of individuals that have 1-inch lines that the builder has not installed backflow preventer and George has the notification. I have got the list so hopefully that is going out next week. We offered three of the contractors we use for piping to be able to

January 9, 2025

Bella Collina CDD

install them. We are trying to get everybody to have them in place by April 1<sup>st</sup> to give them about 90 days to come into compliance.

Mr. Flint: On that, any meter that is 1-inch or above is required to have an above ground backflow preventer and the builder upon initial construction should install that backflow preventer. It is owned by the homeowner or the builder, not the CDD. Now what happens is whenever a meter is installed if that backflow preventer is not in place, we lock the meter off until the backflow preventer is installed and then we will unlock the meter. That forces compliance with the backflow preventer requirement. We didn't always do that so we are going back now and reviewing every lot in Bella Collina with a meter 1-inch or above to make sure backflow preventer is in place and we have found how many?

Mr. Szozda: About 30 I think, the 1-inch line.

Mr. Flint: There are at least 30 lots that don't have the required backflow preventers. That is a permit requirement under our Consumptive Use Permit and so we are going to give them three months to do it. There is probably going to be some folks that aren't going to be happy when they get that letter but that is an obligation that they have that in place. We are not requiring them to use anyone specifically. They can use whoever they want as long as they are certified.

Mr. Burman: Are they good for two years?

Mr. Szozda: Every two years and it's going to ask who certifies it moving forward and the owner is obligated to do it.

Mr. Flint: Going forward they will need to be reinspected I think we settled on every two years. The City of Orlando for example does it annually.

Mr. Burman: Lake County doesn't do it?

Mr. Flint: No, we will be enforcing that going forward.

Mr. Burman: How did they get past all the prior two-year inspections?

Mr. Flint: They got lucky. We are getting that Backflow Prevention Program in place going forward. The start is making sure that everyone has one that is supposed to have one. The second piece of that is tracking all of those and making sure they are providing certification every two years that they have been inspected.

Mr. Burman: What is the charge for the inspection every two years?

Mr. Szozda: Like \$100 usually, \$75 something like that.

January 9, 2025

Bella Collina CDD

Mr. Flint: They can use whoever they want to do that. Some of the larger utilities will give you the option of using somebody else and if you don't do it, they will do it for you. Like the City of Orlando, they only charge \$60-\$65. In my office, I just let them do it because I can't get someone else to do it for \$65.

Mr. Szozda: Maybe the HOA could work out some kind of bulk arrangement with some provider and get it all done the same day or something and it would be probably less than that.

Mr. Flint: We are not going to do it for them but we are going to track it and require that they provide the certification going forward. But the start of it is to make sure everyone that is supposed to have one has one and the inspection every two years is the second piece. Any meters that are smaller than 1-inch or  $\frac{3}{4}$  inch meters are supposed to own integrated, it's a check valve backflow preventer that basically is in the meter box. It is below ground. We are going to be going back and verifying all of those are in place as well. Also, going forward RCM every time they install a  $\frac{3}{4}$ -inch meter, they are installing that below ground backflow preventer but we do have some  $\frac{3}{4}$  inch meters that don't have the backflow preventers. Those are not as important as the 1-inch ones.

Mr. Burman: Are they every two years also?

Mr. Flint: They are not testable but they are rebuildable.

Mr. Szozda: They are 5-10 years' service life so it's the utilities call when to pull that. Pull the list of the original ones and see if it is over 10, and we will simply go through and replace those.

Mr. Flint: So, the  $\frac{3}{4}$  we are not requiring the homeowner to test those or certify those. Those are actually owned by the CDD.

Mr. Szozda: Steve or whoever, somebody can probably go on mute. Back to the cleanouts being lowered. There is nine remaining that haven't been lowered and five of those will end up being relief valves for the sewer system. Right now, they just have a valve on top. There will be a percurrent going out to install those and then the remaining four will be lowered at some point here in the near future. A note on our meeting today relative to high consumption on the West side, the potable is good on the West side so whether there is some consideration of taking some of that potable volume and pushing it over to the irrigation side to help with its causes over there. When the permits do come up, you could ask the volume however apparently, we are very generous. We already have pretty generous volumes allocated to us. We found out in the month of December for

January 9, 2025

Bella Collina CDD

our grinder stations, we almost exclusively use a flight pump. Flight has stopped providing the United States with these pumps and so we went ahead and ordered 50 more pumps so we have pretty good inventory, at least six-month installation inventory. We have a new pump that is Zoeller that we are going to be testing here soon. The first pump is going to come in on Monday. We are going to actually do an installation probably at a residence and give it a good nice thorough test to make sure it works. That right now is the leading candidate to replace the Flight pumps.

Mr. Burman: These are grinder pumps we are talking about, right?

Mr. Szozda: Yes. The Flight pumps have been amazingly reliable so they don't have an issue. I feel good about the ones we are getting. Typically, the pump is either good or bad.

Mr. Flint: I think the components in the Flight pumps are available so we are not worried going forward although Flight isn't providing the pumps any longer that we are not going to be able to service and maintain them. Serviceable components are items that we can continue to get and service and maintain.

Mr. Szozda: They are going to continue to make a 50hz version, 60hz here in the US so most of the replacement components will be available. I think I mentioned at the last meeting we went through and serviced all the air relief valves on the sewer system. We had some pressure issues. The pressure appears to be in good shape now. More recently, five of those have valve issues and we replaced the valves that lead up to the air relief valve itself. Overall, the water and sewer system are operating effectively. The grinder station alarm set, I did not report them last month. Since November 1<sup>st</sup> through December, we had 30 alarms. That is a high number. I think some of those were related to the pressure issues that we were having. We have since got that reduced. There is more than there should be as far as new installs and problems so those calls were mixed in there as well. We still have people fiddling with them, not sure why, but they have. The more recent ones, I don't know if there is just a surge of timing where there are more of the standard cleanout type issues like hey the floats have a problem or something has a problem but we haven't seen anything recently that we should be systemically worried about. Future stuff, compliance we talked about, lowering the mains. I mentioned months ago I put out a procurement for a generator for the lift station at the tennis court. I got those bits in. They are pretty diverse so for the lower two I requested more information. I think by next month; I should have a decision on what to move forward. I am going to say the lower ones in the \$80K range, the next one is in the \$110K range different generators proposed.

January 9, 2025

Bella Collina CDD

Mr. Flint: Different pieces in each one of these.

Mr. Szozda: I have to get back on the roof. When the hurricane came through, we did lose some shingles on both water plants. We need to get a roofer out here and get some bids to get that replaced. That's it for the field report.

Mr. Flint: Any questions for Rob? Okay, thank you for your report.

**NINTH ORDER OF BUSINESS**

**Other Business**

Mr. Flint: Any other business or Supervisor's requests? Hearing no comments.

**TENTH ORDER OF BUSINESS**

**Supervisor's Requests**

There being no comments, the next item followed.

**ELEVENTH ORDER OF BUSINESS**

**Adjournment**

Mr. Flint: If not, is there a motion to adjourn?

On MOTION by Mr. Scharich, seconded by Mr. Burman, with all in favor, the meeting was adjourned.

DocuSigned by:

*George Flint*

B61B5DF431844AD...

Secretary/Assistant Secretary

Signed by:

*Randall Greene*

7DABF2AB88E85457...

Chairman/Vice Chairman