

# DEC/JAN 2019 Shore News

## South Patrick Residents Association www.spranews.com

### SANTA'S SLEIGH RIDE

SPRA's annual Santa's Ride will take place on **December 10th, 11th, and 12th** and will depart from Fire Rescue Station 62 on Sea Park Avenue at 6:00 pm. Santa will ride his sleigh atop the fire engine throughout South Patrick Shores, including Tortoise Island.

Here's when you can watch for Santa in your area:

- **December 10th** - Area 1, 2, & 3: NE 3rd to Exeter St. east of S. Patrick Drive; Arlington residences will view Santa at Berkeley & 3rd Ave.; Melody Estates residences will view Santa on Sea Park; North end of Melaleuca Dr. can view Santa at Sable Palm & Melaleuca.
- **December 11th** - Area 4: South Patrick Park; South Waterway; Tortoise View; & Tortoise Island
- **December 12th** - Area 5 & 6: Moorings; Sleepy Lagoon - Red Sail Way; Lighthouse Landing, North Waterway; Waterway Townhomes can view Santa at Ibis & Skylark

### CHRISTMAS BOAT PARADE - DECEMBER 15th

The annual Christmas Boat Parade, sponsored by the Banana River Sail & Power Squadron, will held on December 15th. Free Registration for all boats is requested, and the registration deadline is December 9th. A December 12th review meeting will be held for registrants, where they will be issued an ID placard and additional instruction. Cash prizes will be awarded to the best decorated boat in each of these categories:

- Best Power Boat 30 feet LOA & under
- Best Power Boat 31 feet LOA & over
- Best Sail Boat of any LOA (length overall)

### AREA DIRECTORS NEEDED & APPRECIATION

**Area 5 Director:** Longtime area director Bob Cahall is retiring after many years of service to the community. Refurbishing the North Waterway Lighthouse is his most visible achievement, although he was also integral in getting the Shore News sent out to our residents.

Area 5 needs a new area director. North Waterway Estates is Area 5, so anyone who resides in this area is welcome to inquire. The next project can be the updating of the entranceway, for which the County has already drawn plans of approved vegetation. Contact Ayn Samuelson at [asamuelson@spranews.com](mailto:asamuelson@spranews.com) for more information.

**PRESIDENT**  
Ayn Marie Samuelson • 773.8167  
[asamuelson@spranews.com](mailto:asamuelson@spranews.com)

**VICE PRESIDENT**  
Rick Mariani  
501-4080  
[rmariani@spranews.com](mailto:rmariani@spranews.com)

**TREASURER**  
Magi Kyle • 404-900-5767  
[magshoel@gmail.com](mailto:magshoel@gmail.com)

**ADVERTISING COORDINATOR**  
Ayn Marie Samuelson  
[asamuelson@spranews.com](mailto:asamuelson@spranews.com)

**SECRETARY**  
Pat Dooley • 321-777-2653  
[dooley@earthlink.net](mailto:dooley@earthlink.net)

**COMMUNITY RELATIONS/EVENTS**  
Laura Walko • 541.0442  
[lwalko@spranews.com](mailto:lwalko@spranews.com)

**PET DATABASE**  
Linda (Lin) Hilliard • 777.0927  
[lhilliard@spranews.com](mailto:lhilliard@spranews.com)

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Registrants will be issued an ID number and additional instructions. To register your boat, e-mail the following information to Ernst at [hofmanneg@gmail.com](mailto:hofmanneg@gmail.com):

- First and last name
- Complete address, telephone & email
- Boat type (power or sail)
- Boat name and LOA (from vessel registration)

Boats will assemble at the north end of the Grand Canal at 5:30 PM, and the Parade will start at 6:00 PM. From there, boats will proceed south down the Grand Canal, circle Lake Shepherd clockwise, continue southward, exit the Grand Canal into the Banana River, proceed south past Mathers Bridge, keeping close to Merritt Island, at Dragon Point head southwest and circle the Judge's boat counterclockwise, then ending the parade and disbanding. Courtesy of the Banana River Sail & Power Squadron, Inc; [www.bananariversps.org](http://www.bananariversps.org) (321-220-7775)

**Area 3 Director:** When Al Skinner passed away, Lillian Skinner assumed the duties of director, and VP Rick Mariani has served as the interim director for several months. Area 3 needs a new area director. The boundaries are as follows: the south side of Sea Park Blvd. to Exeter St. on the south. Contact Ayn Samuelson at [asamuelson@spranews.com](mailto:asamuelson@spranews.com).

**Area 6 Director:** Donna Morris was elected at the October 2018 meeting as the new Area 6 director. Thank you to Clyde Berry for serving as area 6 director over the past few years. SPRA appreciates you all!

Anyone interested in becoming involved in the community where you live, please contact Ayn Samuelson: [asamuelson@spranews.com](mailto:asamuelson@spranews.com). 2019 looks to be an exciting year.

SPRA Community Meeting • David Schechter Center  
Monday, February 11, 2019, 7:15 p.m.  
SPRA, PO Box 372357, Satellite Beach, FL 32937

By Ayn Samuelson

## NEW SPRA OFFICERS

Magi Kyle was appointed the new interim SPRA Treasurer until the February 2019 elections.

Pat Dooley was appointed the new interim SPRA Secretary until the February 2019 elections. Both volunteers will appear on the 2019 SPRA Ballot in February. Both were appointed at the November 2018 meeting.

### President's Message

## BREVARD COUNTY CODES: NOISE, LIGHTING & CONSTRUCTION SCREENING

Brevard County codes are County laws/regulations that are adopted by the Brevard County Commission at their meetings, and they are enforceable by the County. Three such laws/regulations are noted below in response to residents' concerns.

**Loud and Raucous Noise. Section 46-130. Prohibited generally.** The term "loud and raucous noise" includes, but is not limited to, the kinds of noise generated by the activities enumerated in Section 46-131, two of which are listed below.

- **Operation of equipment at night, on Sundays:** The operation between the hours of 8:00 pm and 7:00 am, on any day or at any time on Sunday, of any pile driver, steam shovel, pneumatic hammer, derrick, dredge, steam or electric hoist or other appliance, machine or equipment, the use of which is attended by loud and raucous noise.
- **Construction or repairing of buildings:** The erection,

including excavating or demolition, alteration or repair of any building, so as to create a loud and raucous noise between the hours of 8:00 pm and 7:00 am the following day, or at any time on Sunday, except in case of urgent necessity in the interest of public health and safety, and then only with a permit from the building division, is not allowed. **Obnoxious noise for equipment use or building construction is not allowed from 8:00 pm to 7:00 am every night and all day on Sunday.**

## Lighting Standards and Requirements. Section. 62-2257. Lighting Standards

- **Exterior Lighting:** Exterior lighting elements or structural materials installed on site shall not cast light or reflect glare beyond the boundaries of the site to the extent that the amount of glare or light is objectionable to a person of ordinary and reasonable sensibilities. There are additional requirements in the code that explains types of light sources, intensities and the angle of lights, but the bottom line for residential areas is found in Sec. 62-2257 (a). Your lighting cannot shine across the street or into the side yard of your neighbor. Purchasing dimmers or lights that are not as bright or have a soft light are solutions.

**Surface Water Protection – Canals and River . Chapter 62, Article X, Division 3, Sec. 62-3666.** Homeowners should ensure their contractors follow the requirements to protect the Lagoon.

- **Silt Fencing & Turbidity Barriers in Construction:** When

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a State permit is neither required nor obtained, Brevard Natural Resources Management Office (NRMO) shall have the authority to require the applicant to utilize temporary sediment or turbidity control methods during construction. All erosion control methods shall be submitted in writing, approved by NRMO, and installed by the applicant. Sediment and turbidity control methods shall be in place and maintained throughout the construction process. Erosion and sedimentation control measures are required.

a. Best Management Practices are outlined in the Florida Stormwater, Erosion, and Sedimentation Control Inspectors Manual, FDEP, and FDOT.

b. A densely vegetated buffer to prevent sedimentation of the surface water body can be used according to specific guidelines. Additional erosion control methods may be required during construction along with vegetation buffers.

#### SMOKE TESTING UPDATE

The Kimley-Horn Associates Smoke Testing Reports for Phase 1 and Phase 2 for South Patrick Shores, Indian Harbour

Beach and Satellite Beach are packed with impressive detail, including photos and lists of specific repairs that needed to be made. If anyone has questions about the usefulness of the report, reading the report itself answers their questions.

It was recommended that the County proceed with a prioritization of repairs specific to reducing the amount of inflow that the South Beaches Wastewater Treatment Plant receives and treats as follows:

- Repair the lateral and damaged manhole/gravity main deficiencies. Repair of these deficiencies may include bidding of services for engineering design, permitting, and construction.
- Replace all broken and missing cleanout caps, many of which were being replaced as these deficiencies were noted.
- Add stainless steel manhole inserts for some manholes.
- During the installation of the manhole inserts, evaluate the current condition of the manhole to determine the need to replace the manhole cover and ring, per the County's specifications, with a seal.

The smoke testing improvements work plan was provided in

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a Table. The Table shows the project number, the address of the project/location, the deficiency description, the planning-level cost estimate, and if the repair was completed or if it is in progress. It was estimated the repair and replacement of the identified broken and missing cleanouts should take approximately eight to ten weeks to complete. The additional repairs (damaged laterals and manholes/gravity mains) are anticipated to take three to six months to complete, with the identified deficiencies estimated to be completed by the end of the first quarter of 2019. At the County's current rate of ordering stainless steel manhole inserts, it is expected to take approximately two years to put the stainless steel inserts into all of the manholes in Zone 2. For future planning, it is recommended to replace manhole covers and rings per the County's specifications with a seal, when future milling and resurfacing of the roadways takes place.

The Report identified and estimated the millions of gallons of water per day (MGD) that could flow/seep into the sewer system during a rain event based on the specific deficiencies in the system from smoke testing. Repairs of the identified deficiencies will lessen the burden on the wastewater treatment facilities and reduce the inflow into the sewer system. This will help reduce foul discharges into the lagoon system.

Questions are being asked about who pays for the repairs, especially for the lateral repairs/replacement located on private property. Property owners have a responsibility to ensure that their lines are in good working order, and that is what the smoke testing more clearly helped to determine. Of course, there are also many lateral lines that are 50 plus years old that will likely need repairs/replacement in the near future.

There was a financing proposal suggested back in March 2018 that could assist property owners who needed a financial boost to replace their lines, if they do not have the funds readily available. If it is deemed legal, the financial assistance could initially come from the sales tax funds, as well as provide a certainty of repayment on the annual non ad valorem portion of a resident's tax bill. A taxpayer could pay the "loaned" amount from the sales tax fund back over several years, as calculated on the non ad valorem portion of their taxes. It might even be possible to reduce permitting fees or inspection fees in order to expedite the replacement/repair process going forward. We are all responsible to maintain our properties with regard to health and safety for ourselves, the community and for the well-being of the Indian River Lagoon system.

**From Brevard Natural Resources:** For now, SOIRL (Save our Indian River Lagoon) committee is proceeding with a funded pilot project to learn about what sort of repairs are needed, how costly they are, and how the owners and policy makers feel/think about willingness to pay and about assigning responsibility for the private property laterals. As noted from the smoke testing reports, the missing cleanout caps are a simple and inexpensive repair that add up to significant reduction of inflow and infiltration to the sewer system. Although, some of the caps could not be replaced during the smoke testing because of damage to the vertical piece that the cap screws into. We intend to repair those to learn what the most common issues are, the best way to fix them, and the associated cost. In the 2 smoke tested areas, there were only about 2 dozen leaky laterals. SOIRL funds will be used for these too so that: 1) we can get the work done to reduce the

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risk of another substantial overflow and 2) to learn if there are common characteristics in the leaks to inform a more targeted search for other leaks county-wide. SOIRL also offered up to \$200,000 to cities for smoke testing, so that we can better understand the scale of this problem county-wide. Only one city applied for funds in 2019. We have much to learn from these pilot projects, so that we can shape a feasible permanent solution.

### **BREVARD UTILITIES RELINING SEWERS**

This year alone, Brevard Utilities lined over 100,000 Linear Feet of gravity lines in the Indian Harbor Beach and Satellite Beach areas. In the future, the department has budgeted a program to continue this lining program, along with assessing sewers and manholes, as noted above. During the FY 2019 project list, Utilities will be lining in the Indian Harbor Beach and Melbourne Beach areas. We first identify areas that are in desperate need of lining by results from inflow and infiltration, and line assessment. We are going to have a contractor assess all of our service areas to determine what sewer lines should be lined first.

### **SAMPLING FOR CONTAMINANTS**

SPRA worked with the County to get to the point of a realistic Scope of Work proposal to begin the next step in the ground water and canal water testing/sampling process. The County hired competent consultants to create the plan and scientific sampling process. Currently, we are awaiting these sampling results, from a variety of sources and location, to determine the presence and extent of contaminants, if any. That is the

prudent starting point, without hype, from which further investigation should follow.

This Scope of Work focuses on the sampling for PFAS and reporting of results for 40 samples (plus one blank) of a variety of sources, including irrigation water, shallow groundwater monitoring wells, push-point wells, surface grabs, and muck samples. In addition, preparation and attendance of intergovernmental and community meetings, FDEP Correspondence and Site Investigation Supports are also included. There is an optional task offered to perform historical imagery review, should that option be important for the best understanding.

Virginia Barker, Director of the County Natural Resources Management Office, has been working diligently to get us to this point. We are appreciative of her efforts, as well as other volunteers behind the scenes who have collected additional pertinent information. It is critical to remember that groundwater directly impacts the entire Lagoon, the residents living along the lagoon, and the wildlife. Groundwater does not recognize jurisdictional boundaries. In addition, residents require assurances that our entire South Patrick Shores area, and all residents, will be treated with the same importance, even though we may not all be similarly impacted. This must be a community-supported effort to gather and evaluate results in a scientific and rational manner.

In addition, the County has been in contact with other agencies over the past several months and will supply them with their test results as well. This is being done professionally and respectfully with regard to all of our residents. The USEPA, FDEP, and USACE (Army Corps) are involved in the process



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of reassessing the extent and impact of potential military landfill sites in South Patrick Shores. It appears that USEPA is ready to revisit the 1991/1992 study from the area and reassess if there are contaminants that could impact public health and safety.

## MILITARY HISTORY ON THE BEACHES

**From the Florida Department of Environmental Protection (FDEP):** The Banana River Naval Air Station (BRNAS) operated from 1939 to 1948 in the current PAFB location. It operated as a seaplane, anti-submarine, patrol base, and pilot training station during World War II. Following the war, the South Patrick Shores (SPS) subdivision was built immediately south of BRNAS (now Patrick AFB), on what had been mostly undeveloped, and predominantly, marsh land.

The USACE October 1991 Inventory Project Report (INPR) for South Patrick Shores states that there were allegations of SPS being built on top of a military landfill, and more recent reports have indicated additional discovery of buried debris. Some residents have also expressed concern over inadequate testing associated with the investigation previously completed in 1991. In re-reviewing the reports, along with historical aerials from 1943, 1951, 1958 and 1969, evidence of scarring is seen to the south of the former BRNAS, in the area currently known as South Patrick Shores, east of SR 513. The scarring and interview statements about dumping up to a half-mile south of the former BRNAS, along with these more recent reports

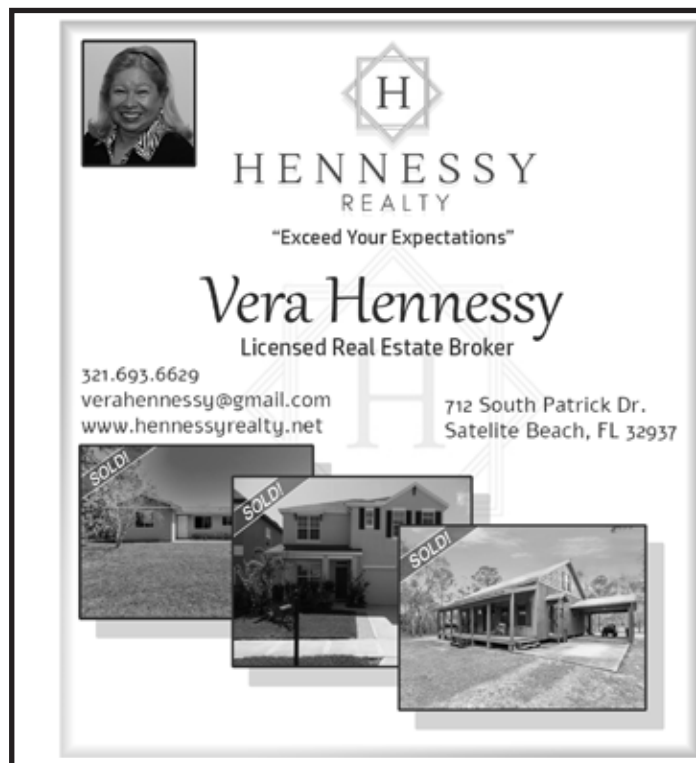
of buried military debris, provide enough evidence to support additional investigation beyond what was completed under the 1992 SSI – Site Investigation Section. The Department requested that USACE reconsider its previous FUDS (formerly used defense site) ineligibility determination. Based on the physical evidence of multiple sources of buried military debris within the South Patrick Shores subdivision, along with interview statements of dumping up to a half-mile south of the former BRNAS, the site was used by the Department of Defense (DoD), or by its agents, and therefore should be eligible for funding per paragraph (1) (c) of the Department of Defense Manual (DoDM). The U.S. Environmental Protection Agency, in cooperation with the Department, has committed to reassessing SPS to determine if hazardous substances have been released to the environment, and if so, evaluate the threat posed to human health.

## BREVARD COUNTY REPORTS

- Brevard Delivers, Brevard County Government's quarterly newsletter, is now available. The newsletter can be found at this link: <http://www.brevardfl.gov/brevarddelivers>
- IRL Health Update See maps, scores and report: <https://savetheirl.org/irl-health-update/2018-irl-report/>

## MUCK DREDGING NORTH GRAND CANAL PROJECT

Concerns about muck dredging in Lake Shepard, Sleepy Lagoon, and the canal area west of Jolly Roger (between Port



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Royal and St. Georges) in the Moorings are being addressed as follows from Brevard Natural Resources:

- The information in those figures (County website) date a number of years back and have not been updated. As it currently stands, the County does not have regulatory authorization to dredge the canal between Port Royal and St. Georges. That being said, the County will be pursuing authorization to dredge this particular canal since we have seasonal closures for the entire project area. This authorization will be sought concurrently with the expansion of the project footprint in anticipation of dredge waiver authorizations (signed waivers to be solicited from residents allowing dredging closer to docks an/or sea walls).
- The County Commission approved the advertisement of the the dredging project which will move the project forward to go out to bid in the near future. The results from muck

sapling will be reviewed prior to any dredging. The plan view figure of these three areas noted above, and as presented in the October 9th County Commission agenda item, is not part of the construction drawings, which total over 125 pages. The bid package is still in draft form and is well over 800 pages, so we opted not to include the package in its entirety. The figure provided is simply intended to show the location and outline of the proposed project area. The plan view sheets from the permit drawings that show muck thicknesses for Sleepy Lagoon and Lake Shepard were presented. The County intends to dredge down to the natural bottom in each of the areas, as it currently stands.

#### BREVARD COUNTY SCHOOLS

**Armed Guards Well-Trained for Elementary Schools:** Specialists have been hired for 27 positions to be deployed

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at Brevard Elementary Schools. Sheriff Wayne Ivey stated that the training of the school security specialists had even higher standards than law enforcement in their training. The specialists received 140 hours of firearms, defensive tactics, diversity, and mental health training. In addition, training was conducted by instructor corps, and all of them were Florida Department of Law Enforcement certified trainers.

The new security guards will be placed at those County's elementary schools without dedicated school resources officers. Currently, all of the middle schools and high schools in Brevard have armed school resource officers (SROs) stationed on school campuses. Most of the cost of training and equipment, including the guns and tactical vests issued to the specialists, were reimbursed by the Florida Department of Education with money earmarked for the Guardian Program, which was \$863,475, which also paid for liability insurance. In addition, the school district has budgeted some \$1.2 million to \$1.4 million to hire the school security specialists. The guards will be paid \$40,431 annually, plus benefits and will be employees of the school district. That money will not be reimbursed by the state.

**Changing School District Policies:** One of the primary functions of the School Board is to adopt policies that are important for the efficient operation and improvement of the school district. The Board is in the process of reviewing all District Policies and approving subsequent revisions as needed. By statute, each policy suggested for change comes before the Board three times before being approved. The

policies that are up for a final vote at the December 11, 2018 School Board meeting, first came before the Board on October 23, (which was the first opportunity for public comments) and these same policies are on the Information portion of the agenda for the November 20th, meeting. The public will be provided an opportunity to address the proposed revisions before the Board makes a final decision at the December 11th School Board Meeting.

#### **CONSTITUTIONAL AMENDMENT RESULTS**

On the ballot this year were twelve proposed Amendments to the Florida Constitution. All but one of the proposals received the required 60% vote in its favor required for adoption.

- No - Amendment 1: Increase Homestead Exemption, received 58% approval
- Yes - Amendment 2: Property Tax Assessments, 66% approval
- Yes - Amendment 3: Voter Control of Gambling, 71% approval
- Yes - Amendment 4: Voting Restoration for Felons, 64% approval
- Yes - Amendment 5: Supermajority Vote to Raise Taxes, 66% approval
- Yes - Amendment 6: Rights of Crime Victims, 62% approval
- Yes - Amendment 7: First Responder Survivor Benefits, 66% approval
- Yes - Amendment 9: Prohibits Offshore Drilling and



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Vaping, 69% approval

- Yes - Amendment 10: State and Local Government Structure, 63% approval
- Yes - Amendment 11: Property Rights and Criminal Statutes, 62% approval
- Yes - Amendment 12: Lobbying and Abuse of Office, 79% approval
- Yes - Amendment 13: Ends Dog Racing, 69% approval

### CHRISTMAS TREE HISTORY

A Christmas tree is a decorated tree, usually an evergreen conifer such as spruce, pine, or fir or an artificial tree of similar appearance, associated with the celebration of Christmas. The modern Christmas tree was developed in medieval Livonia (present-day Estonia and Latvia) and early modern Germany, where Protestant Germans brought decorated trees into their homes. It acquired popularity beyond the Lutheran areas of Germany and the Baltic countries during the second half of the 19th century. The tree was traditionally decorated with "roses made of colored paper, apples, wafers, tinsel, and sweetmeats". In the 18th century, it began to be illuminated by candles, which were ultimately replaced by Christmas lights after the advent of electrification. Today, there is a wide variety of traditional ornaments, such as garlands, baubles, tinsel, and candy canes. An angel or star might be placed at the top of the tree to represent the Angel Gabriel or the Star of Bethlehem from the Nativity. Edible items such as gingerbread, chocolate and other sweets are also popular and are tied to or hung from

the tree's branches with ribbons.

Additional sources offer a connection between the first documented Christmas trees in Alsace around 1600 and pre-Christian traditions. According to the Encyclopædia Britannica, "The use of evergreen trees, wreaths, and garlands to symbolize eternal life was a custom of the ancient Egyptians, Chinese, and Hebrews. Tree worship was common among the pagan Europeans and survived their conversion to Christianity in the Scandinavian customs of decorating the house and barn with evergreens at the New Year to scare away the devil and setting up a tree for the birds during Christmas time."



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• Please nominate your neighbors for YOM.

## AREA 3 ►

RICK MARIANI interim • 501-4080 • rmariani@spranews.com

• Drivers have adjusted to the speed hump on Berkeley Street and are once again dangerously speeding along the roadway. This threatens children playing, bicyclists, and pedestrians.

• The distance between SR A1A & South Patrick along these three roadways, Ocean Blvd., Sea Park Blvd., and Berkeley St. is nearly 4,000 feet. All of these east/west connectors have Stop Signs near the middle.

• Travel Time: Driving over 40 mph, which is twice the posted speed limit, does not save a driver even one, single minute (60 seconds) in travel time.

• While speeding on residential streets like these saves little time, it does endanger lives. Please slow down. Don't put people's lives at risk.

• Area 3 needs an Area Director. Please consider getting more information if you reside in this area.

## AREA 4 ►

MARILYNN COLLINS • 773-8490 • mcollins@spranews.com

KREATHA HASTON • khaston@spranews.com

• Keeping our water issues in mind, please remember to only water

your lawns once a week until the return of daylight savings time on the second Sunday in March, adjust your sprinklers so that the water does not run into the street, and only water when needed, and not between 10 AM and 4 PM.

• The Lift station at Lake Shepard entrance is looking great with the clean-up and landscaping in place.

• We wish all our residents a happy and peaceful holiday season.

• Nominations for Yard of the Month are welcome. To nominate, email Marilyn or Kreatha.

## AREA 5 ►

BOB CAHALL • 779-9282 • bcahall@spranews.com

• Nominations for Yard of the Month are needed.

• This will be my last area report, as I am retiring after 10 years as Area 5 director. I will continue to be active in our community but feel it is time to pass the torch and give someone else the opportunity to become area director. As your neighbor, I welcome your phone call any time at 321-779-9282.

• From me and my family to you and your family, may you be blessed with all the love, joy, and blessings this Holiday season and with a wonderful, healthy and prosperous New Year.

• Area 5 needs an Area Director. Please consider getting more information if you reside in this area.

## AREA 6 ►

DONNA MORRIS • 321- 253-2305 • donnamorris1@live.com

• SPRA welcomes our new area 6 director, Donna Morris.

• Yard of the Month recommendations are welcome.



**Paul & Beth  
Frommann**  
TEAM

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Yard of the Month winners are entitled to a FREE MOWER BLADE SHARPENING courtesy of A-1-A Lawnmower Shop. Be sure to bring the newsletter with you when you visit the shop.  
**Please contact your Area Director to nominate a yard for Yard of the Month.**



### ~ AREA 1 ~

Anna Jayne & Stacy Jayne, 119 Ocean Blvd.

### DECEMBER/JANUARY 2018 YOM

**AREA 1:** Anna Jayne & Stacy Jayne, 119 Ocean Blvd.

**AREA 2:** Patricia Dooley, 145 Sea Park Blvd.

**AREA 3:** Bernadette Paul & Alan Schaub,  
491 Third Ave

**AREA 4:** David & Marcia Hutson, 458 Nautilus Drive

**AREA 5:** Terrence & Sharon Fore, 303 Ibis Lane

**AREA 6:** Michael Leon, 475 St. Georges Court



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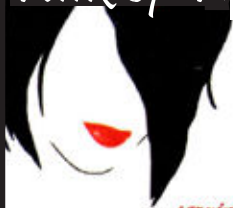
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