

**MINUTES OF MEETING
LAKE ASHTON II
COMMUNITY DEVELOPMENT DISTRICT**

A meeting of the Board of Supervisors of the Lake Ashton II Community Development District was held on Friday, August 10, 2018 at 1:30 p.m. at Lake Ashton II Health & Fitness Center, 6052 Pebble Beach Boulevard, Winter Haven, Florida 33884.

Present and constituting a quorum were:

Doug Robertson	Chairman
Jim Mecsecs	Vice Chairman
Daniel Murphey	Assistant Secretary
Stanley Williams	Assistant Secretary
Carla Wright	Assistant Secretary

Also present were:

Darrin Mossing	District Manager
Jill Burns	GMS
Andrew d'Adesky	District Counsel
Alan Rayl	District Engineer
Mary Bosman	Community Director
Numerous Residents	

FIRST ORDER OF BUSINESS

Roll Call and Pledge of Allegiance

Ms. Burns called the meeting to order at approximately 1:30 p.m., called the roll and the pledge of allegiance was recited. All Supervisors were present.

SECOND ORDER OF BUSINESS

Audience Comments on Specific Items on the Agenda *(speakers will fill out a card and submit it to the District Manager prior to beginning of the meeting. Individuals providing speaker cards will also have an opportunity to speak prior to Board action)*

Mr. Robertson: For those who don't know, the people that signed up to comment, are allowed two minutes to speak before we vote. I have some speaker cards. The first one is from Bob Zelazny. Bob, do you want to speak now or under each individual item?

Mr. Zelazny: Under each individual item.

Mr. Robertson: The next speaker card is from Joseph Volpe.

Mr. Volpe: I had two items that I would like to speak on. The first is about the golf course. Only 25% of residents play golf here, but 100% enjoy the benefit of the golf course. Secondly, I don't know if residents are aware, but every Board member on the CDD has to file a financial disclosure form every year with the Supervisor of Elections. The Supervisor of Elections determines the precinct, whether there was a precinct polling place here, not the city or county commission. If you were to receive any type of financial compensation from any entity that does business with the Board, you could be in violation of state statute. I said "could be" because it would be investigated. I just wanted to clarify this, since some people are unaware that there is a disclosure process that you have to go through with the state of Florida. Thank you.

Mr. Robertson: Next is Ms. Gloria Crary-Leh.

Ms. Crary-Leh: I will wait.

Mr. Robertson: Diane Bensonburg.

Ms. Bensonburg: I request that the CDD Board revisit the rule requesting that lap ropes be up in the pool swim lanes during exercise classes. I refer to our Aqua Aerobic Class, which is scheduled on Monday, Wednesday and Friday for 45 minutes at 10:00 a.m. and 11:45 a.m. An average of 20 to 25 people attends this class all during the season and they are restrictive. I don't know why the Board chose to institute this rule, but two weeks ago, our class was interrupted by a Supervisor, who asked why the ropes were not up during the class, so the class was stopped. The ropes were put back up, but people in those lanes had to find another place to swim. Obviously, the Board takes this rule very seriously. My question is why? The class has always immediately put the ropes back, as soon as the class was over. I talked to people who swim laps. It is a wonderful exercise, but I can't understand why someone would want to do that, when 20 to 25 people are doing something else. One participant did go back in after class to swim laps. He's new to the class, so I asked him if he would mind if the ropes were up during the class, and he said that he would not be in favor of it. This is a wonderful facility and we are lucky to have it. I thank the Board for donating the time to help keep it this way, but I would ask that the lap ropes be in the pool, at all times. Thank you.

Mr. Edmunds: I freely admit that I've never been to a Board meeting before. We lived here two years. I heard two rumors that the two Boards don't get along too well. Frankly, I thought that the Lake Wales Board was not interested in debating the merits of the golf course issue. They withheld information and posed a personal attack on our Chairman, which was totally uncalled for, especially knowing how much work you have done to make this happen. At least get to the point of where you are going to discuss it. Secondly, this is a private community and I want it to remain a private community. I agree with you 100%, that we have to control the land, because if we control it, we remain a private community, unless we choose a vendor to run the golf course. I heard some comments that people might leave if we buy the golf course. Well 25% of us play golf. How many do you think will leave, if we don't buy the golf course? I guarantee you that I'm gone, as the main draw for a lot of people is the golf course. I don't want to lose the front of my house, and I'm not going to sit in my house 24/7 and play bingo at night. It's just not going to work. There are a lot of different activities here. There is a pool and pickleball. Out of all of those activities, the single most used activity is golf, but it is not the majority. More people play golf than pickleball or tennis or swimming, so you have to keep that in mind. Like this lady said, it's important for us to stay private, maintain control of our land and keep the golf course. The personal assassination crap that went on this morning disgusted me. Thank you.

Mr. Robertson: Next is Sandra Price.

Ms. Price: This is going to be a little repetitive. It is about the swim lanes. I'm asking you to reverse the rule made one-and-a-half years ago, to allow the lap lane ropes to come down during aerobics class. There have been no lap swimmers during classes, as noted on the signup sheets that we have to fill out each time we go to class. It has been said that 45 swimmers can use the available space outside of the lap lanes. We are not 6 feet tall. We cannot use the deep end. We need the entire pool to do our exercises. With the lap lanes being up, the people that are close to the lap lanes are hitting the ropes while we are doing our exercises. If we use the lanes when they are available to use, you are hitting the wall. That's all I have.

Mr. Robertson: John Velebir.

Mr. Velebir: I did want to talk about the golf course a little more. I think that it's an emotional issue for the entire community. What we have seen so far, has been a fair amount of wishful thinking and the presentations are not backed up by a lot of facts. I think that it would be beneficial if the Boards could convene a group. I think five people were in favor of the golf course. Provide a real business plan with an analysis, so that the residents can make a decision, not based on emotions, but based on facts.

THIRD ORDER OF BUSINESS

Approval of the Minutes of the Workshop Lake Ashton II CDD Meeting held on April 27, 2018, the Minutes of Lake Ashton CDD and Lake Ashton II CDD Joint Meeting held on May 11, 2018, and Minutes of the Lake Ashton II CDD Meeting held on May 11, 2018

Mr. Robertson: You have the minutes of the April 27th CDD meeting and the joint meeting and Board meeting on May 11th. Are there any comments?

Ms. Burns: Supervisor Williams provided me a correction on Page 28 of the joint minutes. The word "inherit" should be "inherent".

Mr. d'Adesky: You could approve the minutes subject to corrections and scrivener's errors.

On MOTION by Mr. Mecsics seconded by Mr. Murphey with all in favor the Minutes of the April 27, 2018 Lake Ashton II CDD Workshop Meeting, the May 11, 2018 Lake Ashton CDD and Lake Ashton II CDD Joint Meeting and the May 11, 2018 Lake Ashton II CDD Meeting were approved as-amended.

FOURTH ORDER OF BUSINESS

Unfinished Business

A. Ratification of Agreement with National Golf Foundation Consulting for Acquisition Feasibility Study

Mr. Robertson: We already approved the report and we just have to approve the expenditure.

Mr. Murphey: Was it \$26,000?

Mr. Robertson: Yes.

Mr. Murphey: Are we splitting it?

Mr. Robertson: Yes.

On MOTION by Mr. Murphey seconded by Ms. Wright, with all in favor of the agreement with National Golf Foundation Consulting for the acquisition feasibility study was ratified.

B. Ratification of Agreement with Polk County Property Appraiser

Mr. Robertson: Each year we need to ratify the property appraiser agreement?

Ms. Burns: This County, in particular, requires a new agreement each year.

Mr. d'Adesky: There is no possibility of negotiation.

On MOTION by Mr. Williams seconded by Mr. Mecsecs with all in favor the agreement with the Polk County Property Appraiser was ratified.

FIFTH ORDER OF BUSINESS

New Business / Supervisors Requests

A. Consideration of Resolution #2018-03 Designating Darrin Mossing as Secretary and Jillian Burns as Assistant Secretary of the Lake Ashton II CDD

Mr. d'Adesky: This allows Darrin Mossing and Jillian Burns to sign documents and proceed with the normal course of business for the CDD.

On MOTION by Mr. Williams seconded by Mr. Mecsecs with all in favor Resolution #2018-03 Designating Darrin Mossing as Secretary and Jillian Burns as Assistant Secretary was adopted.

**B. Discussion of Increase in Salaries in Line Item for Fiscal Year 2019
(requested by Supervisor Wright)**

Ms. Wright: We discussed this issue several times. I am seeing more people moving in. We have been operating with Marian and Karen for a long-long time, long before all of the homes and all of the new residents. It's time that we finally get full-time help for the front desk. They can be here every day, to do the scheduling, answer questions and learn the system, so that they can be a real help. Having someone part-

time is not working. We had two really good volunteers, but we need a full-time person at that desk. I provided qualifications and some figures of their vacation and personal days. Right now, we could have one person in this building working 40 days. If they take their vacation days together, we have 20 days with no one. The budget is for \$214,000, and the projected for this year is only \$183,637, so we are pretty much break even with a full-time employee. In anticipation of the fact that we are due to give some of our employees raises, I thought that we should probably add, at least, another \$5,000 to \$10,000 to the budget, to cover one new full-time person at the front desk and any raises. This is for the Board's consideration.

Mr. Murphey moved to hire a full-time employee and Mr. Williams seconded the motion.

Mr. Robertson: Is there any discussion?

Mr. Williams: I don't know why we need to have a motion. At a prior meeting, we approved a full-time person, and that included someone to work on the weekends.

Ms. Wright: We only approved a part-time person to work three days at the desk. We had some miscommunication about who is responsible for assigning those duties and where that person would work. We need to clarify that. I don't think that we need office help here on weekends. If we have specific activities that require someone to be here after hours or on the weekend, they can work that out for themselves. They just have to adjust their hours per week in order to do that and not use overtime. They have been really good about doing that, but sometimes that means we are short at the desk again. Mary is responsible for this building and making sure that it is functioning, so she should decide when and where people are needed to work. We are not here enough and don't know the schedules enough to say, "*You come at 1:00 p.m. and you come back in the afternoon*". That's Mary's job.

Mr. Williams: I don't totally disagree, except that I believe if we voted on it before and felt that way, there should be somebody covering, at least part-time during weekends. It was in the minutes that we approved that, and I don't see any reason to

change it. I think there are people that utilize this facility during weekends. A number of people do, and I think, at least for some amount of time, we should remain open until 4:00 p.m. on Saturday and Sunday or something like that.

Mr. Mecsecs: Stan, I am not disagreeing that people have questions, but I was here on a weekend and there wasn't anyone around. The person had work to do, but it was just a waste of time for them to be here. I think whatever we do as far as scheduling, should be at our Community Director's and the Board's discretion.

A resident: As an ARC Secretary, I frequently visit the HFC, various times on weekends to check the ARC submission box. Believe me when I tell you, barring any specific event, occasionally being held on either Saturday or Sunday, the place is basically deserted, even during the season, as Mary Bosman's study reflected, but even more so, during the summer. Anyone who has ever had management responsibility, knows Management 101, advising personnel to be placed, where and when they are most needed. So, let's have that new warm body Monday through Friday, helping Mary and Karen when it's the busiest, with people coming in and out, asking questions, wanting copies to be made and phones are ringing, rather than having someone sitting there on weekends listening to the crickets.

Mr. Robertson: We have a Community Director that is responsible. Mary, do you have an opinion that you want to share with the Board?

Ms. Bosman: Karen and I work very well together. She is a stellar employee. She switches her schedule and I switch mine, but there are definitely times when you are better served by having another person, because there is a need Monday through Friday. I guess that's the simplest way to say it. In the same aspect, if there is a need to have someone here on the weekend, certainly, I will say, "*Don't come in on Wednesday, come in on Saturday*". With that in mind, I think we can make it work.

Mr. Mecsecs: I would like to offer an amendment to the motion so the timing of the hours be at the discretion of the Community Director.

Ms. Wright: I think we need to specify an amount.

Mr. Robertson: After the motion to hire a full-time employee, we can have a second motion on the salaries.

Mr. Zelazny: Could I just mention one thing?

Mr. Robertson: I think that would be appropriate.

Mr. Zelazny: Let me just say that staffing of the facility is very difficult. I think the Board should look to Mary for advice of how many people you need. Give her the dollars to support the hours that she needs and allow her to use it where she feels it should be best used. Thank you.

Mr. Robertson: There's a motion to hire a full-time person, primarily to work Monday through Friday, with the Community Director's authority to schedule staff on the weekend as needed.

On VOICE VOTE with Mr. Robertson, Mr. Murphey, Ms. Wright and Mr. Mecsics in favor and Mr. Williams dissenting, the prior motion to hire a full-time employee and authorize the Community Director to be responsible for scheduling all HFC staff was approved; passing 4-1.

Ms. Wright: Regarding the dollar amount of the increase, Mary and I discussed between \$5,000 and \$10,000. We don't want to be over-budget. An additional \$10,000, will cover any hourly rates. My motion is that we add \$10,000 to the "salaries" line item.

Mr. Williams: Is this \$10,000 for the full-time employee we are going to hire?

Ms. Wright: Yes.

Ms. Wright moved to add \$10,000 to the "salaries" line item and Mr. Mecsics seconded the motion.

Mr. Robertson: The idea is that this money is available, if needed for salaries, it is based on the Community Director's discretion.

Ms. Bosman: Our maintenance people are used to getting performance reviews, which make them eligible to receive a possible raise. It's just to cover us, so we don't have to come back three or four months from now.

Mr. Robertson: Is there any further discussion?

Mr. Williams: So any increase will not come back to the Board for approval?

Mr. Murphey: That's part of it.

Mr. Wright: Didn't we just decide that Mary was in charge of deciding when and where people worked? She can bring a recommendation back to us for an increase and hourly wage. I don't think we need to call a Board meeting for that.

Mr. Robertson: Do you want to set a maximum percentage cap?

Mr. d'Adesky: Yes. Part of the motion was to give authority to Mary to make discretionary increases on hourly wage, based on performance.

Mr. Robertson: Do you wish to cap it, so you can ask for modifications?

Mr. Williams: This is the first time that this has come up and I would like to think about it, not having looked at the numbers and the calculations. Is it a cost of living increase that we are talking about? I feel that I don't have enough information.

Mr. Robertson: The motion has been made and there's a second. Is there any further discussion?

Mr. Mecsecs: Yes. The way I read this, we are going to hire a full-time person at \$10 an hour, plus or minus \$21,000 per year. Correct?

Ms. Wright: Yes.

Mr. Mecsecs: Then we have money leftover that we will leave to Mary's discretion, as far as any cost of living increase, based upon performance.

Ms. Wright: There's already enough money budgeted, to pay for a full-time employee. The additional \$10,000 in the budget, needs to cover next year and any possible raises for the current employees, based on their performance reviews. Didn't we put a percentage on it? I think the raises were either 50 cents or \$1.00 an hour. That would be based on how many hours they are working and their performance review, whether they received a 50-cent raise, \$1.00 an hour raise or no raise.

On VOICE VOTE with Mr. Robertson, Mr. Murphey, Ms. Wright and Mr. Mecsecs in favor and Mr. Williams dissenting, the prior motion to add \$10,000 to the "salaries" line item and authorizing the Community Director to make discretionary increases on hourly wage based on performance was approved; passing 4-1.

Mr. Murphey: I agree with some of what Stan is saying. Maybe we can get some information before, rather than having to make a snap decision. I'm still a little confused.

Mr. Robertson: We will direct Mary to do that in the future.

Mr. Williams: I sent Mary an email. I looked at the job descriptions, and there were a couple of items missing, like the monitoring of who is in the building by employees. I would like to see those items added as part of the performance review.

Ms. Bosman: It is grouped under "*Essential Duties*" on the performance review. We will maintain a clean and safe environment. I'm not sure of the exact words.

Mr. Williams: Does it specifically say that we should be checking IDs? I forgot what the second one was. I sent you two different items.

Ms. Bosman: You wanted a written report.

Mr. Williams: No. I will get back to you on that.

Ms. Bosman: Okay.

Mr. Robertson: Are there any increases between now and the end of the fiscal year?

Ms. Bosman: No. James's review is in November.

Mr. Robertson: We can have Mary present a report at the next meeting. Carla is going to give us a budget update to make sure that we are on track with the budget.

Ms. Bosman: Is it okay to have James's evaluation, at the end of September or the beginning of October?

Mr. Robertson: We could do it retroactively.

Ms. Bosman: That will keep us on schedule.

Mr. Robertson: Does that sound good, Mr. Williams?

Mr. Williams: Yes.

Mr. Robertson: Thank you very much.

C. Discussion of Interlocal Agreements (*requested by Supervisor Mecsics*)

Mr. Mecsics: As I said at the joint meeting, we need to work together. Part of that, is having interlocal agreements and maybe a modification, so that we work together a lot more, because quite honestly, we are not working together.

Mr. Zelazny: The subject of the interlocal agreements first came up over a year ago, as a result of the Focus 20/20 study group that came out. There were three interlocal agreements; one was a cost sharing for the new facilities and amenities. The second was for protection of the current amenities, to make sure that either the East or the West didn't curtail an amenity that we want to have protected, because we all came in with a certain menu of amenities. The third was a maintenance cost sharing agreement. The facilities jointly use one, is in place right now. It's been a year, and now we are still talking about it, so maybe we should get to it. The interlocal agreement for the cost sharing of new facilities and the maintenance and sustaining cost, has to be in place before you even think about buying the golf course. But it's been over a year, and we have to get the interlocal agreements in place and move on. That's the way that we are going to get to a WE community, be it West and East. Thank you.

Mr. Williams: We talked about that before. The Board asked me to look into it and talk to CDD 1 about that. I talked to a number of members over there. They were not interested.

Mr. Mecsics: Stan, we tried. I think we now have it where two people are designated. We are accountable to both Boards to bring something back at the joint meeting and that's what we are going to do.

Mr. Robertson: I have a Sunshine Law question for Andrew. At this point in time, because Mr. Zelazny is not a Board member, will he be allowed to participate in this process until he's elected?

Mr. d'Adesky: Jan alluded to this when she was talking about the Candidate Forum. The Sunshine Law attaches the night of the election, so even though Bob won't assume office until the second Tuesday, technically the Supervisor of Elections certifies those results the first Tuesday in November, and the Sunshine Law attaches to potential Supervisors, such as Mr. Zelazny or any other Supervisors. Of course, it attaches to any Supervisor that is a current Supervisor that's running again. At this time, potential people running for office, can speak with individual Supervisors, if they so choose.

Mr. Robertson: Mr. Zelazny, would you like to participate?

Mr. Zelazny: Certainly.

Mr. Robertson: Wonderful. Thank you. Now we have two on our side. I know that you are very enthusiastic and I look forward to receiving some good results.

D. Discussion on Requesting Golf Course to Resume Mowing Areas Previously Cut (*requested by Supervisor Mecsics*)

Mr. Mecsics: That was another item from our joint meeting. We had a meeting and discussed sending a letter, not only to the golf course, but to the City of Winter Haven, requesting them to resume cutting, and asking the city council to assume that responsibility. We voted on that and Andrew is going to write that letter. Our friends in the East, decided to do the same thing.

Mr. Zelazny: It has come to my attention that some of the property across from the CDD has golf course property behind the homes. My last discussion with Mary was a couple of weeks ago. Did we instruct Yellowstone to cut that grass?

Mr. Robertson: No. There are two different pieces. The piece that's right across the street, is part of the tee box. The golf course owner agreed to cut that and have now started cutting it. We cut it once or twice, and now the golf course owner acknowledges that they would like to see that cut. It's a benefit to them as well. I also asked them to cut a piece of property on the pond, the piece that is not adjacent to any house. He is not interested in cutting behind any individual home, but understood that cutting that piece was appropriate. He agreed to cut that piece and the piece of grass by the golf cart path. Behind the tennis courts, there is a part that the CDD owns, which we are cutting. The part that is not owned by the CDD, we are not allowed to cut it, but he agreed to. He made a small concession to look after those three areas on our behalf.

Mr. Williams: When you say "He", who do you mean?

Mr. Robertson: Mr. Lee.

Mr. Murphey: So we are not cutting in between these two new houses, right across the street?

Mr. Robertson: No.

Mr. Williams: But we did a couple of times.

Mr. Robertson: We did.

Mr. Murphey: I've been out of contact, and I asked Mary whether it was appropriate that we cut it, because there are probably two dozen other homes that we probably would have to cut their grass too?

Mr. Robertson: Right. It's just a small strip. We are undertaking to communicate our displeasure with the lack of cutting, saying that there are security and safety issues. We are expending that at this point in time. I guess S.W.F.W.M.D.'s position is that it is natural and allowed to be there. We are going to try to encourage them not to do that. In those three areas, we convinced them. The rest is to be determined as we get more data.

Mr. Murphey: That will help some, because there are six houses by the ninth tee box. Some people are cutting and some are letting it go. I pointed out to Mary a month ago, that I was looking at the plat and it turns out that the area behind the tennis courts and pool is CDD property. That grass was getting high. It looked like it belonged to the golf course, but it turned out to belong to the CDD. I think they started to do some work there, because it was rather scraggly in there.

Mr. Robertson: Yes. There is one more piece that's part of this discussion. Now that the north phase is open, there is one pond in the north that is being largely ignored. We are going to have to start maintaining it, because it grew wild for a while. It seems that all of the lots around that north phase are being paid for right now. The developer is paying \$1,885 per lot and saying, "*I've paying for all of those lots to have them maintained properly, so I'd like to see the pond maintained*". That's something we are going to have to start moving on, to get a bush hog in there, to get it to look like the other new ones.

E. Discussion on Board of Supervisor Operations (requested by Supervisor Murphey)

Mr. Murphey: I have a couple of different items to cover. The first is just a little background. My buddy Jim and I were first elected to the Board almost four years ago. This was the first time that the residents actually had control over the CDD Board. As you all probably know, the developer has not been paying assessments for this building

and a lot of things have to be done, a lot of emergency things. In order to expedite getting a lot of those repairs done, without having to go through an extra meeting or Board approval, we gave our Chairman the authority to spend up to \$5,000, to expedite things that need to be done immediately. The roof and windows were leaking, so we gave him the authority to do that. I think the Board, Chairman and everybody has done a good job, getting all of this work completed, and now that we are in good shape, I don't think we need to have that authority anymore for the Chairman, so I wanted to make a motion that we rescind that spending authority and just go back and approve contracts, or in cases of an emergency, have a community director. Basically, my motion would be to terminate the approval that we gave the Chairman a couple of years ago, to approve contracts up to \$5,000. That's it.

Mr. Murphey moved to rescind the prior motion for authorization for the Chairman to spend \$5,000, and Mr. Williams seconded the motion.

Mr. Murphey: We had a need for that a couple of years ago, but right now, I don't see a lot of emergencies. If there are emergencies like broken windows or something malfunctioning, I think Mary can take care of it, but I'm not sure if Mary has the authority to make decisions up to a certain amount. For future contracts, I think the Board should be more involved, other than just leaving it to one person to do that.

Mr. Williams: I understand. The concern that I had, was that someone needs to approve \$5,000 to keep normal business going, but if there's a new item, it should come to the Board. For example, the foyer. There were new rugs, new chairs and new chandeliers. We have no idea what the total cost was. They were done in multiples. It looks great. Don't get me wrong, and I wouldn't have done anything different, but going forward, I think we should bring new items to the Board.

Mr. d'Adesky: From a logistical standpoint, if you were to fully rescind someone's authority, no one would have the authority to purchase anything during the interim, so you would have to call another meeting. Currently, Mary is not delegated with that authority. Certain contracts prefer the officer of the District to be assigned

that authority. Most Districts have a spending threshold of \$500 or \$1,000. From an authorization standpoint, that might necessitate a meeting to approve items, which obviously has a cost.

Mr. Zelazny: What can I do in the East?

Mr. Williams: You would need the manager to do that.

Mr. d'Adesky: I believe that the District Manager and Community Director have a spending threshold of \$2,500. She has a minimal amount of spending authority.

Mr. Williams: I think Christine does.

Mr. d'Adesky: Correct, as well as the Chairman, so the Chairman would be the one to execute it.

Mr. Zelazny: You are correct. That spending limit could stay the same; however, for those circumstances, if we're doing something that's above and beyond, we can bring that to the Board and just re-affirm that.

Mr. Robertson: If things were brought up that approaches the \$5,000 limit, I always brought that to the Board, such as the heaters for the swimming pool, which were \$2,900. You don't want to have to call a Board meeting to get approval for that. I agree with you on the furniture. I think things were requested, that were \$100 here and \$250 there, but other than that, I can't think of anything. The same thing on the windows, I forced you to come back to the Board to put in the new shutters, because I didn't feel that it was adequately explained. I tried to be sensitive to that issue; however, I'm perfectly willing to go along with any recommendation.

Mr. Mecsics: I don't think that there's one person on this Board that would complain or criticize you or any of us, on what we did. Quite honestly, there are some people on this Board who paid out of pocket for things, because the CDD didn't have the money. A lot of people don't know that; however, we are evolving. The Board is a government, not an HOA. I think we should amend that to allow the Chairman to spend up to \$5,000, but only for exigent circumstances. If something happens, he's going to let us know anyway. Would you agree to that amendment to your motion?

Mr. Murphey: I guess so. There have been some contracts that I was never informed about. That's the problem. I get phone calls from people asking what was happening. No one told me about it. I feel like I'm being left out. There's one particular project that upset a lot of people, which was the installation of the fence posts, marking the buffer zones. I knew nothing about that and it took me weeks and weeks to get a straight answer. Mary can confirm this. When work is scheduled to be done, other Board members should be informed, so we are not blindsided by residents.

Mr. Mecsics: I agree with you. We should put it out to everybody, but there are going to be extenuating circumstances, such as getting fined by S.W.F.W.M.D.

Mr. Murphey: It was brought up by Mr. Williams that an email blast went out to residents that appeared to be from the entire Board, but it really wasn't. I never saw it before. It explained about the buffer zones. I talked to S.W.F.W.M.D. and they did not direct the CDD to install metal fence posts. Again, when these email blasts go out to residents and appear to be from the entire Board, people call us and ask what we are talking about. I don't know because I never had a chance to see this. I think when anything goes out, like that, from the Board, it should be discussed by the Board before it goes out, so at least we are aware of it. That's the bottom line. What I'm getting at, is that we are doing some things without letting other Board members know what's going on. At least let us have a chance to comment on it.

Mr. Mecsics: There will be times when hurricanes or something is going to cause us some trouble. I wish we didn't have to deal with those things, and I wish everybody abided by the law, but that doesn't happen.

Mr. Robertson: Let's give some detail on that. Someone from S.W.F.W.M.D. came down after the hurricane and was asked to look at whether we could remove a tree. They gave us direction that we weren't allowed to move it. At that time, she observed that we were cutting into our buffer zone. She had a choice at that point, to either put us into a legal situation that caused us to be fined or allow us to try to rectify that problem. She agreed to allow us to rectify the problem, so then we followed her direction. She wanted the buffer zones left alone, so we did that. We put stakes in as

required, but the grass continued to be cut beyond the stake line. I got direction from District Counsel saying that it is a felony if it continues. People knew about it and it was directed that we cut to the old line and no one would know the difference. That was an extreme violation. We were warned, put on notice and we did it anyway. At that point, it was discussed with District Counsel that we needed to put in stakes. The Board discussed whether to comply. We had a 4 to 1 vote in favor of complying with the buffer zone. I'm sorry that it wasn't a unanimous decision. So, that's a sensitive subject. We would've been in deep trouble if we continued to mess with S.W.F.W.M.D. At this point, they consider us to be cooperative and we are trying to keep it that way.

Mr. Murphey: I agree with everything that you said. We have to be in compliance with S.W.F.W.M.D., but the e-blast that went out, said that residents were continuing to trespass into this area, so phone calls went out. When I heard that people were trespassing, I'm thinking that I can't even walk in there, so it's very misleading. Our S.W.F.W.M.D. contact, Tasha said walking and passive recreation in these areas, such as hiking and bird watching, is not prohibited, but reading the email that went out, I heard a lot of people saying that we are not allowed to walk down there. Then we were putting up fences if they didn't comply. Again, her response was they have not made this requirement in Lake Ashton as long as we are in compliance. The point that I was making, was once those stakes are up and Yellowstone starts cutting only where they are allowed to, it's going to be very obvious, because we are going to have 3-foot-high grass. At this point, you aren't going to move those stakes anymore. When its cut, since it's a hazard, they have to mow around these things and it's a pain to have to avoid them. I think at this point, we don't need the stakes, because it's very obvious where the grass needs to be cut, but I continue to receive complaints. Some people have no buffer at all at the end of their property line. There are at least two or three houses like that. Their buffer line goes right up to their property. Most people have 30 or 40 feet, but then I heard people say they have 200 feet.

Mr. Williams: That has nothing to do with the \$5,000 spending authority. I don't know how we digressed.

Mr. Murphey: We digressed into things getting done without our knowledge. This is very frustrating. It took me two months to find out what happened. I even emailed the District Engineer and Mary and asked what was going on. I couldn't find any information on it for two months.

Mr. Williams: Eventually you received a call.

Mr. Murphey: Yes. It comes down to who has the authority to approve contracts. I'm sorry, but in a roundabout way, that's what was done.

Mr. d'Adesky: Right now, the status is that you made a motion and Stan made a second, so you would both have to agree to rescind or modify the motion.

Mr. Mecsics: Are we going to have a \$5,000 limit for exigent circumstances?

Mr. d'Adesky: For items that are a health, safety emergency.

On MOTION by Mr. Mecsics, seconded by Mr. Williams, with all in favor, amending the prior motion to authorize the Chairman to spend \$5,000, in exigent circumstances, was approved.

F. Discussion on Yellowstone Scope of Work (*requested by Supervisor Murphey*)

This item was previously discussed.

G. Public Hearing to Adopt the Fiscal Year 2019 Budget

1) Motion to Open the Public Hearing

Mr. Mossing: At your May 11 meeting, this Board approved the preliminary proposed budget for fiscal year 2019 in accordance with Florida Statutes. At that time, you scheduled this date as the public hearing to formally adopt that budget and levy your operating and maintenance assessments for Fiscal Year 2019. I will briefly cover the different budgets and make a few comments, and then we will open it up for public comments. The first and most important thing is that the assessments are proposed to not increase from the prior year. There is an overall increase in some of your expenditures of approximately \$20,000 in your field expenditures. Certain items increased for various reasons. Your first quarter operating reserve is \$205,000, which is roughly two-and-half-months of expenditures that we need to retain, prior to you

receiving your assessments from the Tax Collector. We are proposing to transfer \$113,000 to your capital reserve fund. There was an earlier motion to increase "Payroll" by approximately \$10,000. I recommend that you decrease the \$113,000 to \$103,000, as part of your motion to amend the budget, to accommodate your prior motions. We structured the capital projects budget differently this year, to try to give the Board a better idea of where you are at, as it relates to your actual projected balance at the end of this fiscal year, and then at the end of fiscal year 2019, based upon the funds being transferred in and your proposed expenditures. For the remaining three months, we projected no additional expenditures, which should leave approximately \$600,000 in your capital reserve fund at the end of fiscal year 2018. Based upon \$177,000 of capital project expenditures that are in that budget, you are expected to have \$535,000 at the end fiscal year 2019. Unlike the other District, you don't have a formal capital reserve study to compare that to. You also have your debt service fund budgets for Series 2005 and 2006. The assessments on those bonds are all fully collected and those bonds are no longer in default. You are in a very strong financial position.

Mr. Robertson: Thank you. That's good news.

Mr. Mossing: I need a motion to open the public hearing.

On MOTION by Mr. Mecsics seconded by Mr. Williams with all in favor the public hearing on the fiscal year 2019 budget was opened.

2) Public Comment and Discussion

Mr. Mossing: Do you want to have any Board discussion or take public comments?

Mr. Robertson: We have a comment from Mr. Zelazny.

Mr. Zelazny: I want to commend Carla, for all of her efforts to get the budget straight this year. The difference between the last two years and this year is night and day. It is very easy to read. I know she said that she still has a lot of work to do, but it has worked out very well, I think. She answered most of my questions, but there are a couple of things that I would like some clarification on. For "Building/Grounds Maintenance Supplies" we overspent by \$60,000 this year. I understand that a lot of it

was hurricane related, but I would like to know where that came from. Under "Plant/Tree Replacement" \$4,500 was spent, but since that is not included in Yellowstone's plant replacement, I would like to know where that \$4,500 goes, because there's \$50,000 in the budget for this year. Also, the majority of capital projects, were completed. The sound system and sandblasting the patio furniture should come out of the budget. There is a large amount budgeted for LED lights, but at the last two Board meetings, we talked about how many lights were already replaced this year. I would like to know how many lights we still have to replace and what the cost is. I think two new projects need to be on that list; one is the repair of the fence along #6 and #11. There are three posts.

Mr. Murphey: There are six.

Mr. Zelazny: Six by the bathroom. I also think we need to budget funds to resurface the tennis courts. They are supposed to be re-coated every four years, since they were built, but they haven't been done yet. This is a prime example of how well the Board worked over the past 10 or so years, because if you go out there, there are 100 patches. Somebody tried to maintain the tennis courts as best they could. We have the money now, so we should clear coat it to prolong the life of that tennis court by another 5 to 10 years. That is not a very expensive item. For roadways, \$75,000 was budgeted last year, and you spent \$25,000. That \$75,000 did not transfer down to fiscal year 2019, but it should. There needs to be money set aside for road repairs. If you drive along Pebble Beach Boulevard, you can see the effort that's been going on this year, but Lake Ashton Club Drive, the main road, is going to be a big expense this year, so I would ask you to put \$75,000 into the budget. Thank you.

Mr. Robertson: I think the fence by #6 is golf course property, as opposed to ours.

Mr. Mossing: The good thing about the capital projects fund is for the most part, its fully funded now, so the Board has the flexibility to move money, add money to those budget expenditures and re-prioritize as deemed necessary throughout the fiscal year.

Mr. Robertson: Bob, you said that that \$75,000 is earmarked. What we said, Bob, is that we try to set aside a certain amount of money each year for roads that had to be

repaired. We are not going to spend \$75,000 every year. Setting aside \$25,000 a year was our objective. We spent approximately \$5,000 this year. That should accumulate, so when we have a major event, we don't have to look at assessments or anything else. There's money set aside for that.

Mr. Zelazny: I know, but it didn't transfer out. That's all I'm saying.

Mr. Robertson: It should have. We should see an amount of money set aside for roads and see that growing over time.

Mr. Zelazny: It's just not in the budget.

Mr. Robertson: Good catch.

Ms. Wright: We will fix that.

Mr. Robertson: Is there anyone who wants to come up and ask questions about the budget, at this time?

Ms. Wright: I have some figures that I worked out on the overage for "*Building/Grounds*" that will bring that back down to where it's supposed to be.

Mr. Robertson: If there are no further comments, we need a motion to close the public hearing.

A resident: Why are we paying for the repaving of roads in The Groves? It doesn't make any sense to me.

Mr. Robertson: I will explain that. The way that this community was set up with CDDs, is that they agreed with the cities that the roads would be public, but we would be responsible for the maintenance. That's how the developer set it up. We are responsible for maintaining them, but they are public roads.

A resident: Is it something that we can talk to Winter Haven about?

Mr. Robertson: No. It's not a discussable item. When the cities set these CDDs up and agreed to the permit, they figured out all of the cost benefits of the entire system and said that legally you can create the CDD and ask the homeowners to pay for the roads and they will be public roads, but if someone comes in and buys a property, they agree to all of these rules, which are disclosed during the initial purchase of the house.

A resident: When I bought my house, we were under the impression that it was a gated community.

Mr. Mossing: They can take your gates down.

A resident: It doesn't make sense to me that you are able to come in here whenever you want, and I'm sure that it doesn't make any sense to anyone else.

Mr. Zelazny: I would like make a suggestion. After so many meetings over the last four years and all of your questions, I think when the new Board comes in, even though its only one or two members, I suggest that you hold a workshop for all of the newcomers and some of the people that don't understand what a CDD is. Just to let them know, that their tax money is being used to take care of the roads, water management system, etc. It was set up for the benefit of the homeowners. It keeps track of your tax assessments going up so much. They can still raise your taxes, but your tax money is controlled by the Board. In addition, Chapter 190.6 on the Sunshine Law, only allows the Board to do so much. If all of these guys get together quietly, say that Bob and Jim talk with each other, we should know what they are talking about. Don't get mad at these people or CDD 1 or the state or Polk County. Come to these meetings and learn about what the CDD does. Thank you.

Mr. Robertson: Is there any further public comment?

A resident: When we bought in here, we weren't given a packet of CDD rules and regulations. I came from a community that had an HOA, and you were given a copy of the HOA documentation. That doesn't happen here.

Ms. Burns: There are no CDD regulations.

A resident: I don't know what there needs to be legally.

Mr. Robertson: There's Chapter 190.

A resident: As a potential owner, you should be given a copy of the CDD rules.

Mr. Mecsics: In the sales office, there is a newcomer's information packet with an information sheet on what a CDD is. If you haven't received one, I will make sure that you get one.

A resident: It should be given by the sales office, prior to signing a contract.

Mr. d'Adesky: Everyone that is on this Board is a resident. No one represents or works with or deals with the developer, so we can't control, as a Board, what they have to disclose. That being said, there was a statute passed fairly recently, that requires the sales contract to have a disclosure that there is a CDD here. We can't say whether or not they did that. If they didn't, they may be violating state law, but we have nothing to do with that. That's with their sales team, so we can't comment on what they are doing.

A resident: So we would have to know to ask for that prior to going to contract.

Mr. Robertson: Yes. Is it correct that when you purchase a property, you get a copy of that document?

Mr. d'Adesky: Yes. You can ask for it. I don't know what their sales and marketing people do.

A resident: What you are telling me is that there is no legal responsibility for the builder and seller to give us a copy of a document, prior to going to contract with them.

Mr. d'Adesky: They should've disclosed the fact that there was a CDD here.

Mr. Mecsics: You can get a copy if you ask.

A resident: I know that you can get it, but they don't offer it.

A resident: I didn't have a comment, but I have enough experience in real estate to know that if you buy a condominium, they have to give you that document. They have to disclose that to you. If staff is not doing that, someone needs to tell them and legally request that any CDD documents are available to these people. If the realtors are not doing that, that's a violation.

Mr. Robertson: Thank you.

Mr. Brown: Claude Brown, 5265 Green Drive. My question is for the attorneys. Isn't it true that when the developer creates a community and the streets in that community, when the development is complete, the streets are dedicated to the cities. In our case, did the city refuse to accept the dedication, because the streets were too narrow?

Mr. d'Adesky: That's a very good question. I don't represent the developer or work for the developer. I wasn't even out of law school, by the time this CDD was established, but I represent CDDs where the city owns the roads. If they are wide

enough and meet their codes, all of the regulations, curb standards, the city accepts them. That's negotiated during the planning phase. When you are developing and planning a community, you ask who is going to take the roads. It could be the city, the CDD or HOA. In this case, for this CDD, when this community was planned, the agreement was that the CDD would own and maintain the roads. That's not the same in all of the CDDs, but that's the way it was done here.

Mr. Mossing: The gates are security gates.

Ms. Burns: The city won't take them.

Mr. d'Adesky: Right, so it's not just the narrowness of the streets. The gates are another element. That would prevent the city from accepting them.

Ms. Wright: I just wanted to make a clarification because I've noticed that people don't seem to understand this at the various meetings that I've attended, we may have gates and consider ourselves a gated community, but these are public roads, and anybody can come to the gate, but cannot be prevented from coming in. In fact, before we lived here, we went to the restaurant and drove all over the community. They got my first name and the license plate of the car. Anybody can come into this community.

Mr. Robertson: We aren't legally allowed to ask to see somebody's driver's license. You can ask, but they don't have to give it to you. They can come in and be rude and belligerent and we have no choice, but to let them in. We are allowed to record their license plate and call the roving patrol to report an aggressive person coming through the gate, but we cannot stop them. There's a legal term for what would happen if we tried to stop them.

Mr. d'Adesky: When a lot of people are driving by and see a gate, they assume that it's an HOA and its private.

A resident: I apologize, but I missed the first portion of the meeting, so you may have covered this. When I told my veterinarian about some of the issues that we have with S.W.F.W.M.D., he said that we can purchase the area that S.W.F.W.M.D. owns, and do whatever we want with it. I don't know, but that's what my veterinarian said. I just want the Board to consider that idea.

Mr. Rayl: Nothing about that is correct. The CDD actually owns wetlands and buffers, but we are not free to do what we wish with them. There are jurisdictional wetland lines that have been delineated and platted, along with those buffers. We have the ability to get permit modifications to the buffers, which other communities have done. Traditions has done that on Lake Ruby. That was a client of mine. I helped assist with that. They did a planting plan for their buffer. We are not free to do what we want with them, even if we possess the ownership of them, because those are jurisdictional lands. I can't really speak to what he's referring to.

A resident: I'm sorry. Maybe I didn't make myself clear. Across from Hogan Lane is Lake Hart. They control all of that property, all the way to the shoreline. I was under the impression that the developer purchased that, when he purchased the land. You are saying that he did, so how can they go over the shoreline and we can't?

Mr. Rayl: Those lots are owned fee simple all the way to the lake. In this case, we have fee simple lot ownership and the CDD owns the portion to the lake and a portion of the lake as well. Those particular homes own all the way down to the buffer line. I don't know if they were developed as part of an overall subdivision development, or if they were done individually, or in small scale subdivisions that preceded S.W.F.W.M.D. regulations. I don't know any of those facts. I know that those homeowners own all the way to the wetland boundary of the lake.

A resident: Are the homeowners on Hogan Lane that face Lake Park, legally not able to purchase that property from S.W.F.W.M.D.?

Mr. Rayl: S.W.F.W.M.D. doesn't own it. The CDD owns it. It's all drainage.

A resident: The bottom line is how do we get rid of S.W.F.W.M.D.?

Mr. d'Adesky: That's the million-dollar question. I think what Alan might be referring to, is something that S.W.F.W.M.D. has called the uniform mitigation assessment method. If you own property that happens to be in a wetland or road buffer, you can go to S.W.F.W.M.D. with a plan to fill in or change parts of it and can go to mitigation banks and buy mitigation credits. In essence, you would shift the wetland

preservation elsewhere. That's probably what your veterinarian was talking about. Yes, the CDD could do that, but I don't have any idea what the cost is.

Mr. Robertson: Are there any other budget items to discuss? Hearing none,

On MOTION by Mr. Mecsics seconded by Mr. Williams with all in favor the public hearing on the fiscal year 2019 budget was closed.

3) Consideration of Resolution #2018-04 Annual Appropriation Resolution

Mr. Mossing: Enclosed in your agenda package are two Resolutions. The first is Resolution #2018-04, the Annual Appropriations Resolution, which formally adopts your General Fund, Capital Projects Fund and Debt Service Fund Budgets.

On MOTION by Mr. Williams seconded by Mr. Mecsics with all in favor Resolution #2018-04 Annual Appropriation Resolution was adopted.

4) Consideration of Resolution #2018-05 Levy of Non-Ad Valorem Assessments

Mr. Robertson: Resolution #2018-05 levies non-ad valorem assessments. The assessment hasn't changed.

On MOTION by Ms. Wright, seconded by Mr. Murphey, with all in favor, Resolution #2018-05 Levy of Non-Ad Valorem Assessments, was adopted.

5) Motion to Close the Public Hearing

This item was discussed previously.

H. Discussion on Pebble Beach Dog Park (*requested by Supervisor Mecsics*)

Mr. Mecsics: There was a request for the CDD to own the Pebble Beach Dog Park.

Ms. Soberman: My name is Myrna Soberman. I'm the President of the Lake Ashton Pebble Beach Dog Park. I wanted to make sure that you have a copy of our proposal. The Pebble Beach Dog Park was attained by the CDD in April 2018 and needs immediate rehabilitation. The Dog Park Association has plans to rehabilitate and enhance the park to Lake Ashton standards, as an example of providing excellent amenities for new residents. The Dog Park Association has already received private

funding for new improvements. We are requesting \$4,500 from the CDD to fund additional rehabilitative efforts for the park, such as additional pavers, parking at the entrance and providing ADA accessibility. What we have done so far with our money is, we purchased 23 new chairs, 4 trees, repaired the fence and helped to provide wheelchair accessibility. We saved the CDD a lot of money, by removing our own stumps. We also purchased and planted the four trees by ourselves to save money for the CDD. We will add new pavers at the entrance and a small section. I have an estimate from Unlimited Property Solutions for \$4,106, to provide 756 square feet of pavers and install existing pavers that we collected. Four years ago, I sent you a copy of our least expensive bid on the same project, which was \$6,700. We also had proposals for \$9,000 and \$11,000. Because its summertime, we received a good deal if we take advantage of it. We currently don't have that much money, because we have done all of this other work, but we think that it's important that we go ahead and get it done, so it will bring all dog parks up to standard. That is what we are asking for. We think it's a great price. We would appreciate it if you would give us \$4,500.

Mr. d'Adesky: Structurally, just to make sure this is legal, in the past, the developer owned it, so you didn't have to worry about all of these legal issues, but now this is our park, so we have to worry about public use issues. We should be doing this from a public standpoint. In terms of structuring the deal, I'm not making a comment about whether the Board should spend the money or not, but logistically how this should work, is just like for other projects. If a private entity wants something, they should give the money to the CDD, so the CDD could contract to do the work. We can do it cheaper, because we don't have to pay sales tax.

Mr. Robertson: There is a fairness issue that we have to address. How much money have we spent on the other dog park? My recollection is that we paid \$800.

Ms. Wright: That was the last one. Did we pay for pavers before?

Mr. Robertson: Before that, we paid \$1,500 towards the improvements, prior to the hurricane. We need to research that.

Ms. Wright: We need to get the numbers together and see where we are.

Mr. Robertson: We should confirm how much we spent on the other dog park. I don't think we are going to get up to \$4,500, so I will make a motion to give the same amount that we gave to the other dog parks.

Mr. Williams: As long as we are doing the work.

Mr. Robertson: They would give us the money and we will contract the work.

Ms. Wright moved to allocate the same amount for other dog parks for the Pebble Beach Dog Park and Mr. Mecsics seconded the motion.

Ms. Soberman: In the 2019 budget, there is a line item for "Dog Park", so we have the means of keeping back the finances on what we are spending on dog parks from here on out.

Mr. Robertson: We will try to allocate the same amount as the other dog parks.

Mr. Williams: If we didn't approve up to the \$4,500 that they need, what happens? Do they have to raise the rest of it?

Mr. Robertson: Yes.

Mr. Williams: Would we contract for just our part of it?

Mr. Robertson: No. We would contract for the whole thing and they would pay the difference. If there's \$3,000 worth of paving and we said that \$1,500 was appropriate, they would give us a check for the other \$1,500.

On VOICE VOTE with all in favor allocating the same amount for other dog parks for the Pebble Beach Dog Park was approved.

Ms. Soberman: Excuse me. I paid the bill and the CDD gave me the check for \$1,500.

Mr. Robertson: Thank you for clarifying that.

Mr. Mecsics: I have one more issue, before you go to staff reports. A year or so ago, we made a mistake. We voted for the removal of the pool ropes. I recommend that we allow the placement of those ropes, at the discretion of the Amenity Manager, which would allow anyone to swim laps.

Mr. Robertson: That was a big discussion.

Mr. Williams: There is no sense going back into it. I just want to make sure that we are not just doing this for one group.

Mr. Robertson: No.

Mr. Williams: It's for any group that wants to come back, and schedule an exercise activity. The only thing that I would suggest is to put a time limit on it, such as the morning, but you want to have the lap lanes open for a time.

Mr. Mecsics: Exactly.

Mr. Mecsics moved to rescind the policy for the removal of the ropes from the pool lap lane, at the discretion of the Community Manager and Ms. Wright seconded the motion.

Mr. Williams: What was the actual motion?

Mr. Mecsics: To allow the Community Manager the discretion to place ropes in the pool lap lanes.

Mr. Robertson: If someone wants to use the pool at the same time as the exercise group, Mary would accommodate them. That's part of the agreement. It's still a shared resource. If anyone wants to share, it will be wide open for maximum pleasure. Is there any further discussion?

A resident: That suggests that it's a shared resource. If an exercise class is going on and someone wants to swim laps, you are going to let them swim. How many events can you schedule?

Mr. Robertson: I'm sorry, but there's a public portion and a non-public portion. The Board has to discuss this.

Mr. Mecsics: If someone wants to use the lap lanes, they can discuss that with the Community Director, and she can discuss it with the group. I was the only one that investigated it. I was in my swimsuit with all of these ladies. It was a pleasure. I saw that the implications and the impact that it has on them. If there's a problem, Mary can work it out with them.

Mr. Williams: If there is anyone in here from the other group that came in the winter, I apologize for all of the angst that we caused. You are welcome to come back and we would like to see you come back.

On VOICE VOTE with all in favor rescinding the policy for the removal of the ropes from the pool lap lanes at the discretion of the Community Manager was approved.

Mr. Robertson: We said that we would give a report on the golf course purchase. We need to assign the responsibility to continue the discussion and work with the attorneys and the seller, to come up with accurate information on the purchase price, and write up all the details to proceed.

Mr. Mecsecs: We agreed to designate one person to work with Mike Costello, the attorneys and the management company to discuss the numbers. I will come back with a report on everything.

Mr. Murphey: I would like to nominate Stan for that, if he's willing to do that. He's done a lot of work gathering information, spreadsheets, and so on. He seems interested and knows what he is doing.

Mr. Mecsecs: We looked at that as well, because someone asked me about that, but there was some concern about, no due respect, having a non-developer as our representative.

Ms. Wright: Are we actually going to take the two people who have been working on this from the very beginning and not use them anymore and start all over with somebody else?

Mr. Williams: Yes.

Ms. Wright: I'm sorry. That doesn't make any sense to me.

Mr. Williams: If you want someone who is not a golfer, I think that we should designate Jim. I think we need to change the dynamics. I believe that there is, for whatever reason, disconnect between Lake Ashton and Lake Ashton II, with what's taken place so far. There's been too much discussion and talk, so I do believe that it needs to change. I would say that the Vice Chair step up or Dan. I am gone for a

couple of weeks in September, but I would be willing to do it. Mike and I worked well together the last month. I really believe that we need to change the dynamics. I think choosing Mike Costello was the right thing to do.

Mr. Mecsics: I agree. I have had people come up to me, because of the concern about non-golfers having a say, so I would do that.

Mr. Murphey: I am only on the Board for another two months. Jim is running again, but he may not be reelected. This is going to be an ongoing process.

Mr. d'Adesky: The scope of this particular delegation was to discuss the terms and come back. This is not a long-term engagement. The mission is to get terms so we can get a firm offer that's concrete and come back and develop that. It's not in perpetuity, so if the Board wanted to make a change going forward, on behalf of those terms, the Board would be free to do that.

Mr. Mecsics: In that case, I am willing to work with Mike. I'm not a developer.

Mr. Williams: Okay. You and Mike work well together.

Mr. Zelazny: Am I allowed to comment?

Mr. Williams: Go ahead.

Mr. Zelazny: I think Doug has done a great job so far and I hate to lose that momentum. We are at the 90-yard line and have 10 yards to go. Let's allow him to finish the project. Doug has invested so much time, so I recommend allowing him to push us over to the finish line. That's all.

<p>On MOTION by Mr. Williams seconded by Mr. Murphey with all in favor the Board authorized Mr. Mecsics to work with Mike Costello on the golf course acquisition.</p>
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SIXTH ORDER OF BUSINESS

Staff and Board Reports

A. Attorney - Discussion of Notice to Cease and Desist Activities in CDD Wetland Buffer Area

Mr. d'Adesky: The cease and desist letters, were authorized by the Board. I sent those letters out. I will answer any questions.

B. Engineer

Mr. Rayl: I will go over a few things. For the pickleball project, the landscaping is completely installed. The hedge was relocated closer to the fence. There is an oak tree that looks sad. I let them know today and they are going to swap that out. They would like to hear from us that we are okay with the work that was done. I can pause right there, if you would like to talk about it.

Mr. Robertson: Are there any landscaping issues?

Mr. Williams: When was the hedge moved?

Ms. Bosman: In the last couple of days.

Mr. Williams: That's why I didn't see it.

Mr. Rayl: It was moved earlier in the week.

Mr. Williams: Is it right up against the fence?

Mr. Robertson: Yes.

Mr. Williams: Okay good.

Mr. Rayl: They are going to be submitting a revised invoice. I will let Mary know when we receive it.

Ms. Bosman: Very good. Thank you.

Mr. Rayl: I received an email about having lighting in the parking lot at the pickleball courts. It's never been discussed or brought up. We have carriage lights in the parking lot at HFC, but there is nothing in this parking lot. There is lighting on the pickleball courts that are adjacent to me. This was brought up as a concern, so I'm bringing that to your attention. We are also going to be providing a sketch to Yellowstone on the irrigation lines and battery powered clocks. We coordinated with the electrical contractor to put all of those on hard wire, because the batteries are dead by the crab grass. Finally, I am going to circle back to the City of Winter Haven to make sure that they are okay with everything that we permitted and are satisfied, because we've done what we said we were going to do. I was asked by the Board to place some stakes on a few buffers. We re-staked the areas where some of the stakes disappeared or changed position. For the most part, those buffers are now being observed.

Everything is now completed with the dog park. The S.W.F.W.M.D. permit was transferred, which covered the unpermitted wetland impacts in the original development, which was the golf course's responsibility. That was rectified and permitted. Any issues on title was cleared up. We took title to it and transferred the S.W.F.W.M.D. permit to our ownership, so everything is put to bed on the dog park. That's all I have, unless the Board has anything for me.

Mr. Murphey: Did the same company that did the walkway, pave the parking lot or was that a different company?

Mr. Rayl: It was all under Varsity's contract.

Mr. Murphey: Did they do the asphalt for the pickleball court and the parking lot?

Mr. Rayl: That's my understanding.

Mr. Murphey: Is that the company that we had trouble with, when we asked them to take dirt over the ponds and spread it out? They didn't do it and got someone else to do it.

Mr. Robertson: That was a separate contractor. The person who did the dirt work was the same person that did most of the developer's work. We ended up switching to another company.

Mr. Murphey: Regarding the parking lot, I am seeing a lot of deterioration already. There is one handicapped spot there that is already crumbling. I'm just wondering if something should be done there, before it gets any worse, like a top coating or something like that. You look puzzled. It's very obvious.

Mr. Rayl: Are there surface imperfections or is it a structural failure?

Mr. Murphey: I don't know. It looks like loose gravel, instead of a solid surface.

Mr. Rayl: I will take a look at it.

Mr. Murphey: Take a look around, particularly around the edges.

Mr. Rayl: I've been out there quite a bit and hadn't noticed any quality or integrity issues.

C. CDD Manager

1) Consideration of Proposed Fiscal Year 2019 Meeting Schedule

Ms. Burns: We need to set our meeting schedule for the upcoming fiscal year.

The schedule that's in your agenda package, is the second Friday of October, December, February, May and August, with a workshop in April.

Mr. Murphey: Did the other CDD change their times?

Ms. Burns: Yes to the third Monday. I don't know if the Board wants to keep their existing schedule or has interest in changing so that they meet on the same day as the other Board.

Ms. Wright: If it's the third Monday, the meetings better be shorter.

Mr. Williams: Especially when it's a joint meeting. If we run into time constraints, it will cause more problems for staff. They have to come two different weeks in a month.

Mr. d'Adesky: It will cost more because we are not splitting the cost.

Mr. Williams: Do we know what that extra cost would be?

Mr. d'Adesky: It would be \$300 per meeting.

Ms. Wright: Why did the other District change their meeting schedule?

Ms. Burns: I think it was due to the timing of the financials. We are running a month behind and they moved to Monday. They thought that they would have better attendance, if they held it after Monday Morning Coffee.

Mr. Mecsecs: When are our meetings?

Ms. Burns: The second Friday of October, December, February, May and August, with a workshop in April.

Mr. Williams: You know we are going to have at least a couple of joint meetings.

Mr. Mecsecs: Do we have any inclination to change it around?

Mr. Williams: I don't care either way.

Ms. Bosman: At the joint meeting, you voted to discuss when that workshop was going to be. On September 24th, you said that you would discuss it at this meeting.

Mr. Mecsecs: No. That was the candidate forum.

Mr. Williams: Is there any conflict to hold our meetings on the third week, versus the third Monday?

Ms. Bosman: We have to check.

Mr. Williams: We need to know that.

Mr. Mecsecs: We should stay the same.

Ms. Wright: Are there any classes on Monday afternoon?

Ms. Bosman: We have a very large event that people start coming in for, around 4:15 p.m. on Mondays.

Ms. Wright: I mean routine events on Monday afternoon.

Ms. Bosman: No.

Mr. Robertson: So our schedule will stay the same for the time being. We can always change it.

2) Discussion of Financial Disclosure Report from the Commission on Ethics

Ms. Burns: It looks like all Board Members filed their financial disclosure forms. That was all that we had.

D. Lake Ashton II Community Director

1) Monthly Report

2) Consideration of Landscape Proposals

3) Consideration of Tile Proposals

Ms. Bosman: I distributed my report. The city requires an annual fire sprinkler assessment. It's been completed and everything is working properly. The plantation shutters were installed. Many residents were very pleased with them; however, they would like to see more of them, so I asked for a quote. I have that material if you would like to look at it. Wind screens for the pickleball courts have been ordered. It should be in early next week. We already received a reimbursement check from the Pickleball Association. We received the final printed copy of the Florida Wildlife Commission permit. We had a number, but did not have the actual certificate. Now we have the certificate. We had not had one request to apply. Exercise instructors including myself have been re-certified for the next year. We did get bids at the request of Mr. Robertson

for new tiling in the bathrooms. It would be directly on the other side of the sports court. I have those for you. One was from Jim's Floor Depot, in the amount of \$7,278. That includes both the ladies and men's bathroom, product installation, grout, tile in the ladies and men's restrooms and in the hallway. It will be a little on the slippery side. We have mats in there now to prevent problems, but a smaller tile will be even more secure, so that was the motivator for those. Besides the quote from Jim's Floor Depot, we received a quote from WCM, which is Todd's company. It was significantly higher. In fairness to Todd, he was taking a guess, so my recommendation would be to accept the quote from Jim's Floor Depot.

Ms. Wright: What was the amount from WCM?

Ms. Bosman: \$16,275.

Mr. Williams: Was this a safety issue?

Ms. Bosman: Yes. It's a potential safety issue; however, we have had no reports of any injuries.

Mr. Robertson: We had no injuries, but we had slips. We received a recommendation that a smaller tile would be better.

Mr. Mossing: For fiscal year 2018, you have a large lump sum item called "*Other Capital Projects*" for \$540,000. We can re-allocate the funds.

On MOTION by Ms. Wright seconded by Mr. Murphey with all in favor the Jim's Floor Depot proposal for new bathroom tiling was approved in the amount of \$7,278.

Ms. Bosman: Unfortunately, our beautiful Boulevard has been affected with a Texas tree disease that is affecting a lot of the palms in Lake Ashton. Its incurable and it spreads. If someone uses the same cutters from a diseased tree to cut your tree, your tree will get infected. Our trees on our Boulevard are infected, so I was tasked with getting quotes to remove all 15 palm trees. There are only 13 left. All of the quotes in front of you, include stump grinding. They were all given the same criteria, but some provided an estimate for 13 trees and some estimated 12. That might be indicative of how well they listen to instructions. I'm not sure. There are some good quotes. One

goes even as far as replacing the soil and checking on the irrigation system. The question is what to put in place of the diseased trees. You can't put another palm tree in there. Even the queen palms are somewhat resistant. It's affecting even some of the patio palms. Is there anything that you can do to prevent it? No. It's kind of like a stomach flu bug. It could come in here and affect a few people, but not everybody. That's the way it is with the palms. This week, I saw our tree trimmers, trimming the diseased palm trees, so I asked them if they were aware that the trees were diseased and they said yes. It was part of their contract requirements. I wondered why they were making them look pretty, when they were dying, so we saved some money by stopping that. As you can see, we need to replace the trees. I made a lot of calls. I am a master gardener. The recommendations for the most part is for Crepe Myrtles. I understand that the white Crepe Myrtles were replaced in the pickleball area. There are various types of Crepe Myrtles. I feel bad about the palms too. I wish we could get a palm tree, but the consensus was that the safest bet for your money, was Crepe Myrtles, at this point in time. They have yet to find a cure for those. If you stick something in the ground that is not resistant to that disease, it's going to happen again and you will lose whatever money you invested in those trees. You have pictures of some types of Crepe Myrtles. I have an article from the Florida Extension that says: *"The Crepe Myrtle is one of the most beautiful and popular flowering trees in Florida. They are called the "Lilac of the South". This plant is touch adaptable and showy. Its blooms are large and long lasting, up to 100 days. The tree has great fall cover and attractive bark. It prefers a sunny, well graded site and is relatively pest and disease free"* so there's no spraying. They are a pretty durable substitute. The type that I thought about getting is the Lagerstroemia, which are a nice color. They are pink. That would be a nice contrast coming in the entryway. They get about 20 feet tall. They are not the small ones that you see in some front yards. They don't need to be cut. There is a misconception about Crepe Myrtles. They even termed it *"Crepe Murder"* by cutting them back too far. If you let a Crepe Myrtle grow, specifically the one that I'm recommending, they normally grow about 20 feet tall. That would create a nice canopy coming up the Boulevard. My job was to find out details for

you and do some research, so that's what I'm presenting. My recommendation would be to go with a Crepe Myrtle. They all have the same instructions and meet all of our requirements. Are there any questions?

Mr. Williams: Let's start with the removal of the trees. It looks like it will cost \$12,000 to remove them, along with the stumps.

Ms. Bosman: The work is extremely labor intensive.

Mr. Williams: I'm looking at some of these other estimates. I thought I saw one for \$3,500 to do the same thing.

Ms. Bosman: We can piecemeal it, if you so choose.

Ms. Wright: Can we study this until the next meeting?

Mr. Williams: I would say so.

Ms. Bosman: The trees are not going to fall over.

Mr. Robertson: The toughest thing is that our palm Boulevard is not going to be a palm tree Boulevard any more.

Ms. Bosman: It was a rite of passage. It's a sad thing that's not uncommon.

Mr. Robertson: What we want everyone to realize, is that in all likelihood, the disease will spread and we will have to replace them with something else.

Mr. Williams: Is there a possibility that it could spread to other trees in the area?

Ms. Bosman: Absolutely.

Mr. Williams: So we should get rid of them as quickly as possible. Right?

Mr. Robertson: Yes.

Ms. Bosman: If a bug is feeding on a diseased plant and hops on to a live one, it will infect it.

Mr. Williams: That is only for certain types of palms. I don't think we have any of those.

Ms. Bosman: Yes, you do. Not in the median, but we have the patio palms right in front and several queen palms.

Mr. Murphey: We have to remove them.

Mr. Robertson: Let's get started by getting rid of them.

Mr. Williams: I'd try to find someone who will give us a price for the same trees.

Mr. d'Adesky: Do you want a not-to-exceed of the current bid amount and have her go out and get another bid?

Mr. Williams: There are three proposals for removing the diseased trees; one for \$2,900, another for \$3,500 and a third for \$5,350. The one from Evolve is \$12,000.

Ms. Bosman: Evolve is also checking the sprinkler systems and replacing soil.

Mr. Williams: They all say that they are removing the palms, grinding the stumps and removing debris.

Ms. Bosman: Yes, but if you look on the second page of Evolve's quote, it adds replanting and checking the sprinklers. I think we need to look at the most economic and thorough price for complete removal. Will the Board make a decision at the next meeting for replacements?

Mr. Robertson: I understand that they are grinding stumps. They just grind to the terrain line and then they are done, but if we are going to put new trees in, grinding is not enough. They have to take the entire root out, so the lowest price of \$3,500 is just to take the trees out, grind the stumps to the ground and then leave. Then we have to take out the old root structure going forward.

Ms. Bosman: I know from personal experience, if you cut them one chainsaw blade, you are lucky, because they are very thick.

Mr. Williams: Every one of these just say stump grind.

Mr. Robertson: I'm just worried that if we pay \$3,500, it may involve having to dig further.

Mr. Williams: We really don't have the quotes that we need.

Mr. Robertson: I want quotes to remove the old ones and be ready for a new tree.

Ms. Bosman: They were all given that information.

Mr. Robertson: They didn't bid it that way.

Ms. Bosman: Correct.

Mr. Mecsics: We need to know what type of grinding they are doing.

Ms. Bosman: Normally it's below the ground. Otherwise, it's just a cut.

Mr. Williams: Would all of these be cut that way?

Ms. Bosman: So many proposals came in. I just received a couple yesterday.

Mr. Williams: I think we need that information.

Mr. Mecsics: I recommend we hold off so staff gets more information; although there is a risk of spreading. Bring it back in a month and we will make a decision.

Ms. Bosman: That's fine with me.

Mr. Robertson: Put this item on the agenda for the next meeting.

Ms. Bosman: Thank you.

SEVENTH ORDER OF BUSINESS

Financial Reports

A. Approval of Check Run Summary

Ms. Burns: The check run through July 31st for the general fund is \$292,532.27 and \$43,275.96 for the capital reserve fund.

On MOTION by Mr. Mecsics seconded by Mr. Murphey with all in favor the Check Run Summary was approved.

B. Combined Balance Sheet

Ms. Burns: These are the unaudited financials through June. No actions are necessary by the Board and we would be happy to answer any questions.

Mr. Robertson: Do we want to discuss the elections? We need one of the members to find a moderator for the candidate forum.

Ms. Wright: We should have a joint one.

Mr. Robertson: Could we designate you to find a moderator?

Ms. Wright: Yes.

EIGHTH ORDER OF BUSINESS

Public Comments

Mr. Robertson: Are there any public comments?

Mr. Velebir: Yes. If I'm reading Chapter 190 correctly, relating to the elections of Supervisors, it says that after June 1, the Board will announce, at an open meeting, the number of qualified electors in the District. Since this meeting seems to be drawing to a close, are we going to do that?

Mr. d'Adesky: That happens every year in June. That's when the Supervisor of Elections tells you how many people live in the District. Every year, we've announced the number of registered voters.

Ms. Burns: I think that was done in May.

Mr. Mossing: They provided the number of registered voters as of April 15th.

Ms. Burns: We have to send a letter to the Supervisor of Elections, designating the number of voters, as of April 15th and it has to be announced by June 1st.

Mr. Velebir: How many do we have in this District?

Ms. Burns: I will check the minutes and let you know.

Mr. Velebir: The important thing, is that it's over 250. The reason why it was put there in the first place, is once it gets over 250, the Board transitions to resident control, versus developer control.

Ms. Gordon: Hello. I'm Janis Gordon. I am a participant in the water aerobics class. You may remember that I spoke to you a year-and-a-half ago. I would like to commend Jim Mecsics for admitting the Board's mistake and revisiting the decision. I thank the Board for changing the policy and for Mr. Williams's apology and invitation. However, I would like to request that the Board contact the 8:30 a.m. water aerobics leader who was not at this meeting, and extend the apology and invitation directly to her. Thank you.

Mr. Mecsics: I will do that.

A resident: A while ago, Alan made a statement about lights in the parking lot. The Board didn't discuss that at all. Are there any plans to put lights in the parking lot, because it is very dark at night? We have to use flashlights to find our cars.

Mr. Williams: I guess we better consider that then.

Ms. Wright: Is that on the capital project list?

Ms. Burns: Yes.

A resident: The other issue is that when security is here for an event, do they drive around and tell the people, that are there for the event, that they can't use that facility. It seems like that they go out and do anything they want.

Mr. Mecsecs: They were tasked to check on the guests and do spot checks.

A resident: Does the money that they pay for using this facility, go into a fund to use for the HFC building?

Mr. Robertson: No, it's a separate fund.

A resident: You need to consider lights for the parking lot.

Mr. Robertson: We are getting some streetlights. And when we have big events, we are going to turn on the pickleball lights to see if that will do the job.

A resident: That would help.

Mr. Robertson: We already set that up as a policy. We only use the parking lot for big events. If that becomes adequate, we will use that, but if not, we will consider adding more lighting.

A resident: Thank you.

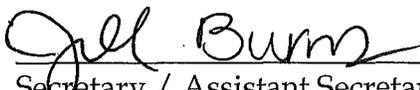
Ms. Crary-Leh: Gloria Crary-Leh, 5172 Pebble Beach Boulevard. I'm here because of the city moving the stakes on the buffer zone. I went to every single one of those meetings and I feel very strongly that those stakes have to remain. They were needed to begin with, because some people don't understand the word "No". It is putting our community at the risk of being fined. Should the CDD ever get fined, I would expect the CDD to sue those individuals and get the money back, because this is so childish and ridiculous. I can't even believe that it's come to this. It's a disgrace.

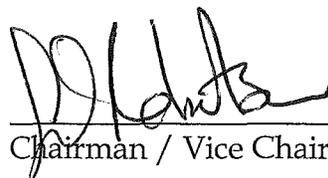
NINTH ORDER OF BUSINESS

Adjournment

Mr. Robertson: If there are no further comments from the public, then I will entertain a motion for adjournment.

On MOTION by Mr. Murphey seconded by Mr. Williams with all in favor the meeting was adjourned.


Secretary / Assistant Secretary


Chairman / Vice Chairman