

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

The regular meeting of the Board of Supervisors of the Lake Ashton Community Development District was held on Friday, February 9, 2018 at 9:00 a.m. at the Lake Ashton Clubhouse Ballroom, 4141 Ashton Club Drive, Lakes Wales, Florida 33859.

Present and constituting a quorum:

Carol Pontious	Chairman
Borden Deane	Vice Chairman
Michael Costello	Assistant Secretary
Brenda VanSickle	Assistant Secretary
Bob Ference	Assistant Secretary

Also present:

George Flint	District Manager
Andrew d'Adesky	District Counsel
Rey Malave	District Engineer (by phone)
Christine Wells	Community Director
Alan Scheerer	Field Operations Manager
Numerous Residents	

**FIRST ORDER OF BUSINESS**

**Roll Call and Pledge of Allegiance**

Mr. Flint called the roll and established a quorum was present and Ms. Pontious led the pledge of allegiance.

**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*)**

Ms. Pontious: Thank you. We are going to do audience on specific items on this agenda. We have broken them apart. We have a couple that are not on the agenda. Those will be handled at the end of the meeting rather than at the beginning. We have some that we are going to defer primarily to the joint meeting so that all persons of interest can

hear it at that time. The first one is Patty Wallner. She would like to speak to us about bidding, or bidding of amenities I am assuming.

Ms. Wallner: Good morning. My statement is about the bidding of our amenities management contract to which I am strongly opposed. I agree with Mr. Ference's comment last month that if it isn't broken why are we trying to fix it. My husband and I have lived here for over 13 years and I have seen various changes in amenity management. When GMS came it has been exceptional. As many will agree we are incredibly lucky to have such a wonderful group of hardworking, devoted, pleasant and professional people providing these services. They make life at Lake Ashton more enjoyable for all of us each year. The actions of Tricia Adams and Gail Spence and the many things they did for residents above and beyond the call of duty is not fully understood or recognized by many but will be felt by most eventually. By virtue of the fact that GMS was the only company who last bid on our contract it seems a dangerous and reckless leap to bid out amenities management now and run the risk of being penny wise but pound foolish. If the scope of our requirement is changing why can't we just work with Mr. Flint to fine tune the areas that need modifications? For example as stated last month, if we want more activities coverage on the weekend that seems to be such a simple thing to remedy. There isn't a business in this country that doesn't practice that measure. Why jump to reinventing the wheel by bidding out the entire contract. If we send out RFPs I fear the bigger question. What if GMS decides not to bid again potentially leaving us with no one. I referred to Ms. Pontious's statement last month working for us can be a real trial and tribulation. We can only hope that GMS would choose Lake Ashton again. Additionally, if someone else bid and came in here there is no guarantee that they would do half the job that GMS has done let alone cheaper. You get what you pay for. GMS is honest, fair and does a fantastic job and it is thanks to them we have the incredible staff that we do. How would you like to be one of their great employees working here and have the constant stress of not knowing if you will have a job year to year or every couple of years because of the bid process? These are young people with families, children and bills to pay. They rely on benefits and steady salaries. They are nowhere

near the retirement life that we all enjoy at Lake Ashton. I would imagine GMS attracts the excellent employees they do because of hourly salary, benefits and job stability. When I was working that was everything to me. It is everything to any employee. I respectfully request the Board reconsider the decision to bid out amenities management and give prioritization and negotiation with GMS regarding scope of services a chance. I am one of many residents who are very happy with GMS and content with things just the way they are. Again nothing is broken and nothing needs fixing. Thank you.

Ms. Pontious: Mr. Daniel Storrs speaking on the restaurant.

Mr. Storrs: Good morning. My name is Dan Storrs and I live at 4016 Ashton Club Drive. I just want to make a couple of points. I don't know what is going on with the restaurant. There are all kinds of things going on about it but I just think we have a real gem of a situation over there and I hope that we can make it all work. I really feel that we should try and do this in such a way that the restaurant makes a profit and we gain in the process. Thank you.

Ms. Pontious: Mrs. Storrs will defer to the end of the meeting and, Tom, the golf course is on the agenda but we don't have time for lengthy now.

Mr. Tom Scali: I just want to say two words. You have a document received from Mr. Maxwell. I hope during your presentations today that someone will address the document and explain to us what it means.

Ms. Pontious: We have anyone else with items on the agenda?

### **THIRD ORDER OF BUSINESS**

### **Approval of the Minutes of the January 12, 2018 meeting**

Ms. Pontious: Approval of the minutes of the January 12, 2018 meeting. Do we have any additions or corrections? I do have one correction that I didn't get my fingers to quick enough on page 34. I believe Mr. Costello was speaking close to the bottom it says I would invite them to come and agree their case. I think it was probably argue their case. That is a very different meaning so let's change that one. On the back page when it says a resident was speaking I believe that was Mr. Ota, Frank Ota.

On MOTION by Mr. Deane seconded by Mr. Costello with all in favor the minutes of the January 12, 2018 meeting were approved.

**FOURTH ORDER OF BUSINESS      Engineer's      Report      and  
Consideration      of      Work  
Authorization Number 2018-2**

Ms. Pontious: Mr. Rey is with us by telephone and I think he has a report for us this morning.

Mr. Malave: Good morning to all. I only have one issue to bring forth to you all. I think it is two months back the Board approved the construction of shoreline restoration along Lake Ashton. The company proposal provided for the construction of it but did not provide for the permitting and approvals of that work. What we are bringing forth to you is an additional service for us to provide the coordination and the formalization of the permit application, processing of that permit together with drawings that maybe needed to provide the contractor so that we can go ahead and start this shoreline restoration effort.

Mr. Flint: Just for the Board a little bit of elaboration on that. In the past when we have done lake bank restoration it hasn't required a permit so really there hasn't been any engineering required for that. Because we are doing it on Lake Ashton, which is not a stormwater pond, it is a water body of the State, we actually need a dredge and fill permit based on the level of restoration that is required. They are going to be adding I think about 12 feet along that whole length from out here over at the pavilion. Because of the amount of material that would have to be dredged from the lake to do the restoration it requires permitting. That is what Rey's proposal is. It wasn't originally contemplated that we would have to do that. We did do some lake bank restoration before the hurricane and because of the hurricane it basically failed. It is not covered under warranty because they can't warrant a hurricane situation. Now we are coming back in and expanding the scope of that original restoration which requires permitting.

Mr. Ference: Rey, before you leave a month ago we talked about some road repairs especially around by the pro shop near the putting green as you turn up to go toward the

golf course. I thought that was going to be taken care of. It is still like it was. It needs repair. How are we doing with that?

Mr. Flint: Did you hear that, Rey?

Mr. Malave: No I didn't. Can you repeat that?

Mr. Flint: There was some roadwork Bob Ference mentioned. One instance is over by the pro shop on Dunmore where some patching is required. Have you had an opportunity to look at that?

Mr. Malave: I have not. I will have to look at that when I go out there again. I sent an email saying that it wasn't really an issue. Let me look at my notes.

Mr. Ference: I gave you a drawing Rey, showing you exactly where the problem was. It is a big washout and very steep. It needs repair. Obviously just looking at it you can see it needs repair. It is a very sharp right turn up towards the pro shop. It is a month now and I just wondered why it hadn't been looked at before.

Mr. Flint: We will look at that also, Bob. I haven't seen that drawing either.

Mr. Ference: I gave it to Rey.

Mr. Flint: Ok. Alan and I can look at it too, in the meantime before Rey gets out to look at that. If it is a short piece of road between Dunmore, it runs along the side of the pro shop I don't believe that is Lake Ashton CDD road.

Mr. Malave: That is not ours. From the stop sign going towards the pro shop it is not our road.

Mr. Flint: The CDD boundary runs along the right side of Dunmore. That road is actually in Lake Ashton II but we will look at that.

Mr. Costello: You are talking about the intersection on Mulligan? A lot of the water has stacked up so drastically that is pushing up onto the people's property.

Mr. Flint: There has been a stormwater issue in that intersection for a number of years and the Landgrebes and the Wallners, they live right there on the end. So we are aware of that issue. Rey has looked at that issue in the past. We have had that stormwater pipe cleaned. Rey has come back with a proposal to run an additional pipe parallel to the existing pipe. I think it was \$50,000 to \$60,000. The Board had a lot of discussion

about it on several different occasions and I think you all decided because it only happens every few years and no structure has actually been flooded that you were not interested in spending the \$50,000 to \$60,000. So that's where that was left if it is the flooding issue. If it is a pavement issue, that is something else.

Mr. Dean: I believe it is a pavement issue George. There is actually what looks like a sink hole in the concrete. It is a pavement issue.

Mr. Flint: Ok, we will look at that then.

Mr. Malave: We will look. I have been called to that intersection numerous times and have not noticed anything really of a concern. I will definitely look at it again.

Ms. Pontious: Ok. We need to return to the Dewberry work order. It is actually three segments. The first one is 501 at \$3,000. The second one is 502 at \$2,000 and the third one is 503 at \$3,000 for a total of \$8,000. Apparently that is going to pick up some of the work that has already been done and moving forward. We need a motion.

Mr. Deane: I make a motion to accept authorization Work Order #2018-2.

Mr. Ference: Second.

On MOTION by Mr. Deane seconded by Mr. Ference with all in favor Work Authorization Number #2018-2 for \$8,000 from Dewberry Engineers was approved.
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Mr. Malave: Thank you much, we will do it. With that I don't have anything else unless you have any questions or comments.

Mr. Flint: Thank you, Rey.

## **FIFTH ORDER OF BUSINESS**

### **Unfinished Business**

#### **A. Consideration of RFP for Amenity Management**

Ms. Pontious: Ok we have some unfinished business with looking at the RFP for the amenity management. Concerns or comments?

Ms. VanSickle: I don't think it is ready to go out by any means. I think there is still some errors in here. I don't think two weeks is adequate. If we are going to put this out I would like to see us do it properly. I don't think it is ready. I don't think you are going to be able to reach the people you are going to want to in two weeks. It says it is going

out on the 16<sup>th</sup> and it has to be in by March 1<sup>st</sup>, I just think that is unrealistic. I think there are some other errors still within it.

Mr. d'Adesky: Just so you know those were suggested dates based on other RFPs we put out. It is totally up to the Board on what dates they want to put out and what time you want and how long you want to take on it. Brenda, I tried to incorporate all the comments that you sent me into the body. If you have any more just like before, send them right over and I will integrate them.

Ms. Pontious: I think the one obvious one is the activities assistant on the last page. It says that we are asking for two and I think we are just asking for one?

Mr. d'Adesky: I think the subject, the topic that really is prime for discussion is that last page. What positions you want, at what hours you want because that is the material schedule that needs to go so much, sure we are doing apples to apples to make sure we are getting the same thing from everybody who is coming before the Board.

Ms. Pontious: There is also no job descriptions attached to that.

Mr. d'Adesky: We had to get them typed up. It was only in a pdf and they weren't fully transcribed but we had the comments from the previous Board on each of those descriptions that the Board reviewed at the previous meeting and those would be attached to the end. We just need to transcribe them.

Ms. VanSickle: Under number 5, Basis for Compensation and Payments where it says such monthly payments should be made on or before the 30<sup>th</sup> day after each quarter end. We are not on a quarter basis anymore. So that wasn't making a whole lot of sense to me. We haven't been on a quarterly basis with GMS ever to my knowledge.

Mr. d'Adesky: We can change that to monthly. It is up to the Board.

Ms. VanSickle: It says monthly after quarter's end. That's what I didn't understand.

Mr. d'Adesky: We will just change it to monthly all around.

Ms. VanSickle: Further back under Administration Operations Program 5.2 Basis for Compensation. It has the statement about due to timing of the Polk County Tax Collector's Department there is a potential for the contractor maybe required to carry three to four months of invoices and receipts for services rendered within the Lake

Ashton Community Development District. Have we ever done that with GMS? So I don't think that needs to be in there.

Ms. Pontious: I think I saw several of these things too. There is a fine line between the lawyer's legalese and use being able to understand what he is telling us and knowing that people that have to read not only this contract but any contract have to be able to understand it as well. I would be willing to go through it again. Maybe we can take some of Brenda's comments and anyone else who would like to submit comments and maybe we should defer this a month and get it right. I am uncomfortable sending out something that doesn't represent what we really want.

Ms. VanSickle: This is major. I think we have to do it right.

Mr. d'Adesky: And I think the three months just to be clear after discussing it that was to represent the carry forward between when taxes are actually received by the District and when the beginning of the calendar starts. There is a gap.

Ms. VanSickle: That doesn't impact our payment to GMS does it? We have enough money in reserves that isn't an issue. I think you are going to deter people from bidding based on that. Have we ever done that to you, George?

Mr. Flint: No, that language was in there back when Lake Ashton Management had any reserves. That language was in there just in the event there was not adequate cash flow. That has not been an issue in the last eight years or so.

Mr. d'Adesky: So we will strike that.

Ms. VanSickle: I think those need to be very accurate. Like I said this is major, we need to do it right.

Ms. Pontious: I am willing to work on it. Maybe we can find a third party willing to work with us because we can't work together.

Mr. d'Adesky: Brenda sent comments directly to me and I made them to the documents the best I could. I am doing this independent of GMS so this is totally without any shadow of improprieties. I am trying to keep them out of the process, which is why I am kind of relying on getting comments from all of you. If you directly email them to me I will make the comments. If anybody else has comments send them to me.



Ms. VanSickle: I would like to see the updated job descriptions before they go out.

Mr. d'Adesky: Absolutely. I will try and get those as soon as possible. One last thing, this is kind of a larger issue when I looked back at the contracts, this is something we have to decide. Alan's contract technically falls as part of the onsite amenities management. That was not included in the package as of yet. Different communities do it differently. Some of them consider that part of the management sort of cycle as in the District Manager and field services kind of going together. Some of them put that onsite so I really want a direction as to whether or not the Board desired to have field service included or not included. That is management of your landscaping contracts that could be viewed as something different or as one and the same. That is up to the Board.

Ms. Pontious: He gets his paycheck from GMS so I'd think it is part of the bundle.

Mr. d'Adesky: Then that is going to go in there.

Mr. Costello: I make a motion that we defer this for one month while the five of us review it and send you any comments that we have and take it up again next meeting.

Ms. VanSickle: Second.

Mr. d'Adesky: Thank you everyone.

Ms. Pontious: We have a motion from Mike and a second from Brenda to defer this a month until we have a better transcript to get it where we would like to see it.

ON MOTION by Mr. Costello seconded by Ms. VanSickle with all in favor motion to defer the RFP for Amenities Management for 30 days for further review was approved.

## **SIXTH ORDER OF BUSINESS**

### **New Business and Supervisors Requests**

#### **A. Discussion of Restaurant Operations and Lease**

Ms. Pontious: The next item on our agenda looks a whole lot different to me than it did when it was put on the agenda. This is a discussion of restaurant operations and the lease. As of this week they did give us notice that they would be finished in 30 days. Not only do we have to move forward, we do with this topic as well.

Mr. Ference: I think most of the folks are not familiar with, we just got that email. Would you read that so they know what is in there and tell them what was said to us?

Ms. Pontious: If you have it, you read it. I don't have the email with me.

Mr. d'Adesky: I can look it up quickly on my phone.

Ms. Pontious: It was very short and sweet and concise.

Mr. d'Adesky: Here it is. Hi, Christine. As per our lease agreement we will be giving notice that our last day of operation at Lake Ashton will be March 9<sup>th</sup>. Of course we will need a few days after that to remove all of our food products/alcohol etc. and surely leave the restaurant clean and tidy. Also can we prorate the rent for March as we should be totally out by March 11<sup>th</sup>? Please let me know if you need anything from us. It has been a pleasure working with you. I wish you success and I also hope that the restaurant will find success for the residents. Thank you, Brett Hill.

Mr. Flint: We have reviewed the lease agreement and it does allow the 30 day. I believe initially we were asking for 30 days to terminate and we were asking them for 60 days to terminate. They came back and wanted the same termination provisions that we had. The Board agreed if they were not happy and we were not happy we didn't want to impede the ability of either party to get out of the agreement. Thirty days is short. I personally wish they would have their lease, it is up June 1<sup>st</sup>, but they were not interested in continuing to operate through June 1<sup>st</sup>. They wanted to exercise the 30 day notice. You all found out the day before yesterday when I forwarded that email so for the audience this is something new. It wasn't something that has happened and we haven't informed the community yet. It was so close to the Board meeting that we felt it would be better for the Board to have discussion before we sent information out to the community.

Mr. Ference: George, did they indicate why they were going to not renew the lease? Did they complain about our behavior or give any reasons why they were leaving?

Mr. Flint: Well there has been discussion over the course of the lease but I think their 30 day notice speaks for itself. I really don't want to tread a conjecture beyond that.

Mr. Ference: They gave no reason? Just that they are not going to renew the lease?

Mr. Flint: They have the legal right to do that.

Mr. d'Adesky: We did shortly before ask them to attend the meeting and they said they weren't going to attend. I don't want to read into whether that has any relevance.

Mr. Flint: They were asked to be at today's meeting and they said they weren't available. That was a couple weeks ago.

Ms. Pontious: Suggestions on how to move forward?

Ms. VanSickle: I guess we need to do another RFP. We have talked about the lease as the best arrangement. Do we need to hire a restaurant manager? Maybe we need to discuss this. What we are doing is obviously not working or we haven't gotten the right restaurant.

Mr. Costello: I think that most of the residents would like to see a restaurant maintained. We do have an obligation to the homeowners to try and find somebody who will run the restaurant. Like Brenda said we need to put out another RFP and find somebody who is going to maintain the restaurant.

Ms. Pontious: Have we not in the past talked about RFPs that included both lease and employment?

Ms. VanSickle: I think the route to go is list it as a lease, but we haven't had a lot of success with a lease so I'd like to see it offered both ways and see what we get. We need to make this work. We want a restaurant, but we are doing something wrong.

Mr. Ference: An anticipation of moving forward with the golf course etc. etc. would it be consistent that the people who operate the restaurant Eagles Nest would find some reason and motivation to want to run this restaurant as well so that we would have a consistency in ownerships for restaurants? I was just wondering, they seem to be very successful from what I understand. I know it is a different operation.

Mr. Costello: They are very successful and people have jokingly said would you consider running the restaurant. Apparently the answer was no. There was no doubt she has no desire to run this restaurant. I do feel we should find somebody to run it.

Mr. Ference: Maybe that was before it was available for them to run it. It might be one thing to say I don't want it because someone is there already but now the circumstances have changed. We are anticipating the golf course and it may behoove us.

Mr. Deane: That is so far down the road there is no sense even mentioning it.

Mr. Costello: We could approach them. There is no harm in asking somebody with them leaving if they would like to take over the restaurant. All she can do is say no.

Ms. VanSickle: We have a room full of people. They all like to go out to eat I am sure. Start checking out restaurants. Start talking it up. Who would you like to see come in here? We need to get as many responses so we have a good choice.

Mr. Costello: How many of you would like to see a restaurant in here? That is what I assumed.

Mr. Ference: But you know what someone told me and it is so true that this restaurant depends on a large nature for public participation but because we are a golf course community. I belong to and many of you have as well where as members of a golf course community we pay \$50 a month or \$100 a month towards our use of the restaurant which guaranteed the restaurant income which also allowed us to maintain it as a private place. Not that it wouldn't be open to the public, but the public is not supporting it. Then does it behoove us to support it if we all paid \$50 a month and ate \$50 a month. The restaurant would know that they have an income and certainly we would use the restaurant. I am just throwing that out just as a possibility. Whether we were to poll the community to see if they would be willing to accept a monthly fee.

Mr. Costello: I would want to make that contingent on the fact that both CDDs come into an agreement that their residents dedicate "X" amount of dollars a month. It should not be a thing where Lakes Wales is paying or Winter Haven is paying. Everybody should pay.

Mr. Ference: I have no problem with that. I am just wondering if that may not be a way to ensure the restaurateur will have income and we will have the service of a restaurant.

Ms. VanSickle: One thing you have to be very careful is that in any business there has to be some motivation. If you take away all that motivation you are going to lose their effort. We have enough people in here to support a restaurant. We are already subsidizing a restaurant with utilities and everything else. I don't see charging the residents a fee. We have restaurants where I didn't want to eat in there. I would hate to have to pay \$50 or \$100 for something when I would rather spend my dining dollars elsewhere. The community is already subsidizing them. How far do we have to go? They need to step up to the plate. Any decent restaurant should be able to earn their keep.

Mr. Ference: What luck have we had with that?

Mr. Deane: You are talking between \$600 and \$1,200 additional assessment a year to everyone. We have a lot of people in here that are living on fixed incomes that may not have \$600 to \$1,200 to pay for a restaurant. We are already paying for all the utilities and everything else to operate the restaurant. I have never been in a restaurant before where we supply everything but the food. We supply everything but the food for them. The overhead for that restaurant is next to nothing compared to a normal restaurant.

Ms. Pontious: Well I think the RFP is going to address those issues. We have had people with proposals come talk to us before and it was decided we didn't want to do it at that time but that doesn't negate us from doing it now if it appears to be a better offer.

Mr. Ference: I didn't make this a commandment. I just raised a question, Borden.

Ms. Pontious: I have peace with bringing both then it would be up to us to decide how we want to handle it.

Mr. Costello: Mr. Flint, have we had any inquiries as far as running the restaurant?

Mr. Flint: No, not that I am aware of.

Ms. Pontious: So do we have a motion to submit an RFP?

Mr. Deane: So moved.

Mr. Costello: Second.

Mr. Deane moved to begin the RFP process for restaurant service and Mr. Costello seconded the motion.
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Ms. Pontious: We have a motion from Borden and a second from Mike to begin the RFP process for restaurant services. Discussion?

Mr. Flint: Do you want me to use the RFP basic format we used last time until I get authority from one of the Board to sign off on it? Otherwise we probably need to bring the document back to you. If you are going to do something different you can always continue this meeting if you want to. I think that the previous document did lend flexibility to a straight lease versus a management contract. It left it kind of wide open for them to come and propose what they believed what the structure should be.

Ms. Pontious: We had some proposals last time of people who wanted to charge us to run it.

Mr. Flint: There are companies out there including the consultant we hired to evaluate the last proposals who operate restaurants but you pay a management fee.

Ms. Pontious: Can you send it to us and let us review it and get it back to you rather than waiting the full month to look at it?

Mr. Flint: Yes, if the Board is ok with that. I would still like one Board member to be designated as the person saying it is ready to be issued.

Mr. Costello: Since Borden was in the business I think if he would be willing to take it we need it sent to him. You can get any other contact from anybody else yourself.

Mr. Deane: I would be willing to do it.

Mr. Flint: Ok so the motion I think then would be amended delegate authority to Borden to sign off on the form or the document.

Ms. VanSickle: We would all get to see it and send back comments to you correct?

Mr. Flint: Yes.

Ms. Pontious: Ok so refresh my memory, who made the motion?

Mr. Flint: Borden made the motion and Mike seconded it.

Ms. Pontious: Borden's motion, Mike second and the only change to that is an amendment to have Borden review it and act on our behalf.

On VOICE VOTE with all in favor the prior motion to begin the RFP process for restaurant services was amended to delegate authority to Mr. Deane to work with staff and review and approve the document.

#### **B. Discussion of Items on Joint Meeting Agenda**

Ms. Pontious: The next item is to prepare for the joint meeting that is going to be held following this one. We wanted to make sure there are no topics we needed to talk about on that agenda. So do we have any other suggestions for items on that agenda?

Mr. Flint: Does everyone have the joint meeting agenda? The reason I put this general item on here is because I didn't want to necessarily want to relist everything that is on the joint meeting. But to the extent you all want to talk about anything just as Lake

Ashton I Board in advance of talking as a joint Board we put this item on here. The golf course being one that you may or may not want to talk about it in advance of the joint meeting. There are other items as well.

Ms. Pontious: Any comments or are we good to go with the joint meeting? Ok I guess we are good to go.

## **SEVENTH ORDER OF BUSINESS      Monthly Reports**

### **A. Attorney**

Ms. Pontious: Monthly Reports. Andrew, do you have anything else for us?

Mr. d'Adesky: Nothing additional.

### **B. Community Director**

Ms. Pontious: Alright, Ms. Christine. I just want to commend this lady. We have dumped an awful lot in her lap. She has done a super job.

Ms. Wells: I included the community director report in the agenda packet. Does anyone have any questions? There was a list of potential public safety messages and corresponding dates for the messenger service we approved so I just wanted to see if we could move forward with establishing those messages and move forward with the service.

Ms. Pontious: Anything else to add to that? There were some things that I spoke with her about that we are still working on. Our roof estimates and patio fence panel estimates are still coming in so she is working on some things. The shuffleboard resurfacing is in someone else's hands so those things are being attended to. She got very good information from Tricia before she left about what she needs to continue with. We are just very proud of her for taking this step forward. Darrin also has been working in the background so we appreciate what he has been doing to learn this business. Things are running as smoothly as we could expect. We thank you very much.

Ms. Wells: Thank you.

### **C. Field Operations Manager**

Mr. Scheerer: Good morning. The field manager report was included as part of your agenda package. I did speak with Brenda briefly this morning about the shuffleboard court. We will have that stenciling on by the end of this month. I confirmed

with Jimmy Bock. He is going to handle the stenciling for us. Please do not walk on the courts and hopefully that will put most of that to rest. They are also having a company come out and take a look at the courts to see if they notice anything that was missed by the previous contractor. The previous contractor states that they feel that the work was complete and that they have no other obligations to that. There is some other concerns that were raised by the shuffleboard group we are trying to get addressed, as well. They say it is a court issue, not a restriping issue so we trying to work through some of that right now. I can answer any questions if you have any. Thank you.

Mr. Ference: Alan, before you leave is there anything outstanding that we have overlooked as you go through and do your surveys? Can you foresee that we are going to have a problem anywhere? How are things looking to you?

Mr. Scheerer: I think the community looks great. I know when I pull in I see that the landscaping is coming along nicely. We are starting to grain up. The new roof on the clubhouse really just sets it off. If you noticed maybe the fountain out front is off. We have had some extremely windy days. That is chlorinated water. It is kind of taken a toll on the turf so I have asked Matt to please keep the fountain off for the time being. We are going to allow the grass to recoup and it is coming along nicely. I think Applied Aquatic is doing a good job. I was inspecting the ponds Wednesday with Archie. We did a complete thorough inspection of the CDD stormwater ponds. They are in good shape. We have some minor algae as we start to warm up. You will probably see a little more algae, but like I said Applied Aquatic treats the ponds monthly. If there is any retreatment there is no expense to the District and they can do it within a fourteen day period. Other than that I think the CDD stuff has been looking really good.

Mr. Ference: Can you address the issue with not cutting grass on private property, the golf course grass that we talked about?

Mr. Scheerer: I may need some help with that from George, but I know that I have been asked a couple of times whether or not some of these ponds that are maintained by the golf course are being maintained. My initial inspection here is we are in the slow grow season so you are really not seeing any effects of a fully mowed pond, you are only



mowing a couple times a month usually right now. I did notice on the edge of the ponds that some of those areas are not being trimmed. I don't know what obligation the District will have to mow ponds on private property unless it affected the efficiency of the pond or the ability for the pond to perform its function as related to stormwater.

Mr. d'Adesky: Alan just stated the law very clearly. If it is related to stormwater functions and it is impeding the function of our stormwater system then you can go in and maintain it to the level that is needed for stormwater purposes.

Mr. Ference: The golf course has discontinued cutting the grass that supports on either side of the pond but is on our private property side, is that the point?

Mr. Flint: The ponds themselves and the bank up to the top of the slope is all owned by the golf course. Those ponds do fall under a water management district permit that is held by the CDD. The CDD maintains the stormwater system in general but we don't own those ponds. We have an easement over those ponds to the extent we have to go in and maintain something that preserves the stormwater system but the lake banks themselves, the mowing of that is more of an esthetic issue. It doesn't impact the functionality of the pond. Actually probably water management would say taller grass would even be better for the functionality of the pond because it is going to filter anything going into the pond. We are prevented from maintaining private property as a government unless it is deemed that there is an issue where the permit is going to be violated. Then we can step in and do it. It is a little bit of a difficult situation for us and for the homeowner. I have not gotten an official word from the golf course owner that they have changed any level of service on their maintenance.

Mr. Ference: Well they have because I am on the water and it has not been cut. I can see that along the whole property line. My neighbors have said to me, Bob, should we pay our own lawn man to cut the grass down to the lake?

Mr. Flint: That is an issue between them and the golf course owner because it is golf course property.

Mr. Ference: So is it up to us individually to call the golf course and say can I cut my grass or does the CDD do that?

Mr. Flint: We don't really have a role in that.

Mr. d'Adesky: The issue is we can't spend public funds on private property. What I am saying is if a private individual wanted to go out there and to contact the golf course that is a private transaction. The golf course said go ahead and do it. That is totally separate from anything the CDD would be doing. We just have to make sure it is clear the distinction between what somebody who is private can do and what the CDD can do.

Mr. Ference: I understand, but would we be in violation if I were to do that, would the golf course sue me for being transgressive?

Mr. d'Adesky: We can't comment on that.

Mr. Flint: I would be happy to call Jim Lee and ask him what their position is on the maintenance of those lake banks.

Mr. Ference: My neighbors are asking me and I don't know what to tell them.

Mr. Flint: It is not necessarily a CDD issue, but we do have communications with them right now on the potential acquisition and other things, so I can try and find out what their position is and if they have changed. I can let the Board know that.

Mr. Ference: Ask him if it is alright if private individuals can cut?

Mr. Flint: I will ask him, but each individual is going to have to get that permission.

Mr. d'Adesky: What we don't want to do is seem like we are giving an opinion that everybody has the green light, everybody out there has a green light to go ahead and do it because we simply can't do that.

Mr. Scheerer: Thank you.

Ms. Pontious: Thank you, Alan. There is a lovely map in the office up there that shows all the water bodies and who owns what so if anyone has a question about that it is a good resource map in the office.

Mr. Flint: I think it is on the website, as well.

#### **D. CDD Manager**

Ms. Pontious: Do you have anything else for us, George?

Mr. Flint: No, that is all we have.

## **EIGHTH ORDER OF BUSINESS**

## **Financial Reports**

### **A. Approval of Check Run Summary**

### **B. Combined Balance Sheet**

Ms. Pontious: Alright, we are ready to do the check run summary then. Do we have any comments or concerns about the check run summary?

Mr. Deane: Motion to accept the check run summary.

Ms. VanSickle: Second.

Ms. Pontious: We have a motion from Borden and a second from Brenda.

On MOTION by Mr. Deane seconded by Ms. VanSickle with all in favor the approval of the check run summary was approved.

Ms. Pontious: Would you like to talk to us about the combined balance sheet?

Mr. Flint: You have the unaudited balance sheet and statement of revenue and expenditures through December 31, 2017. This reflects the first three months of fiscal year 2018. The statement of revenue and expenditures shows you the adopted budget, prorated budget, and actual expenses. We have collected \$1.47 million of the \$1.57 million in assessments that we certified for collection on the tax roll. We have through the end of March for people to pay their tax bills on time. We have traditionally been 100% collected on those assessments. We are in good shape as far this time of the fiscal year. We are right on target on our administrative expenses prorated versus actual. We are higher on our maintenance expenses and that is primarily due to the storm damage. You can see there we have a line item called storm damage with \$113,000. The good news is we do have insurance. We do have a deductible on a named storm of 2% so we will be using insurance proceeds to reimburse us for a lot of those costs. We have exposure for example on the roof of this building. This building is valued at over \$3,000,000 so our deductible is between \$70,000 and \$80,000. The cost of the roof replacement was approximately \$300,000 so we will see on the revenue side and the insurance procedures line items some revenue offsetting those expenses. Otherwise if there is any questions I will be happy to answer those.

Ms. Pontious: Any further questions?

## **NINTH ORDER OF BUSINESS**

## **General Audience Comments**

Ms. Pontious: Alright we are ready for audience comments. I do have one from Jane Storrs so if she would like to go first and then anyone else who would like to speak we will be happy to listen.

Ms. Jane Storrs: Good morning. My name is Jane Storrs. I live at 4016 Ashton Club Drive. I will start on a positive note. I think we can all agree that the CDD Board did a good job sending out a survey to us last year. It was quite extensive. When you are dealing with a large group of people a survey can be one of the valid ways of gauging the positives and negatives that people find in their community. My concern is and was is that we have gotten the results of that survey. I did speak with Brenda and I did speak with Christine and they told me that the survey results are about 90% compiled and will be available. My thought is as I remember I thought we filled it out in March of last year. So some of those things may still be relevant and some of them may not. I think that if we can somehow get the results of the survey out to us a little quicker I would certainly recommend that. Also as we move towards maybe not combining but our two CDDs working together, I would hope that any other surveys that go out would include both communities. Perhaps the CDDs could work together to formulate a survey and also to be able to compile the results in a little timelier manner. In speaking of I know you are going to be sending out information on hopefully finding another restaurant perhaps it might be a good idea to find some type of a simple survey to what you people want in a restaurant so that you can then give that feedback so we would all work together to find a restaurant that is going to serve the community the way we want to be served. Some will be happy, some may not but at least we will have some kind of goal in what we want as a restaurant. I think rather than a lot of rumors and complaints going on a simple survey might serve a good purpose in finding a new restaurant. Thank you.

Ms. Landgrebe: Good morning. Debby Landgrebe lot 71. So in view of what is going on with the restaurant I don't know when the contract with GMS expires but I am going to suggest maybe extend that contract to work on the restaurant because those are two big issues. Going forward I would suggest 90 days out instead of the 30. I did some

math assuming \$50 a household and I assume 950 homes on the east and 703 for the west. That might be a little far out but assuming 950 homes on the east that is \$570,000 a year and for 703 homes with the west that is an additional 421 homes. That is between \$600,000 and \$900,000 almost a \$1,000,000 potentially if we choose to do per household. Just bear in mind ok. Thank you.

Mr. Ron Destefano: Good morning. I live at 4231 Birkdale Drive. Full disclosure I received a ticket for rolling through the stop sign here on the corner and I did it. I spoke to the police officer as I was picked up and I asked have we had accidents. No. He said over the last hour I have gotten 20 people. I said 20 people, I couldn't conceive of that. That is 3 minutes a person to write up a ticket. Over the course of the time that they were here they had to have written 200 tickets, a \$30,000 fine on this community, which would perfectly be acceptable if it improved the life we have here or whatever. It does not. The biggest issue with me is quality of life. I had my kids come down this past weekend. Instead of telling them to go to the clubhouse and enjoy themselves, I had to tell them to make sure they stopped and locked their wheels and didn't cross the white line. I heard some bizarre rumors. I heard one that we invited them in. Two that we may have paid for it. Three that people are getting tickets for not having their driver's license in their golf carts. Four that they get it for crossing the line. Five for they get it for stopping on the line. It just goes on. This is a quality of life issue besides being a money issue and I spend my time worrying about it. I have never gotten a moving violation in my life. So I spend my life now worrying about when I am going to get the next one. I really think that was disservice to the community frankly.

Mr. Brad Myerson: My name is Brad Myerson. I live right across the street, the second house from the bank. On the same issue I just want to say a few words about the police presence, as well. First of all I do compliment the citizens of Lake Ashton that they are respectful safety conscious people. People follow the law and make Lake Ashton a great place to live. I read the meeting minutes online and the meeting minutes talk about the stop control options like speed bumps. They talk about highlighting the stop signs. They talk about rumble strips. The minutes talk about various stop sign problems being

discussed over the past three years. The minutes seem to quickly move to no warning write tickets. The Lake Wales Police that we also apparently have talked to, like they said they capped it at \$50 an hour we are subsidizing the police with the CDD money. Over 5,000 hours maybe 7,500, again there is no discretion and I am one of the people that received a ticket right down here on Dunmore and Lake Ashton. In fact I stopped. I live right across the street so I see all these police cars and all the activity so I stopped. I stopped past the white bar one car past the white bar and I am looking for the cop car not expecting to see a cop car sitting there and surely he was. I sat there put my hands on the steering wheel and I looked at him for ten seconds before I moved. As soon as I started rolling through that intersection he turned on his lights, the little siren thing going, the lights are going. I got a \$164 ticket so I made a \$164 check, sent them a check this week. You can go to court if you want. One of my friends also got the same ticket. He did go to court this week. The clerk kind of made a lot of fun of it and said you have to be kidding. A golf cart ticket for \$164? So a lot of people are really upset about this. I have also talked to some state policers officers retired living here. I talked to a couple of them. If you run these stops signs you should be ticketed but when you are just rolling through a stop sign? Are you kidding me? You get a \$164 ticket?

Ms. Pontious: Please be respectful of our time we need to make this brief.

Mr. Myerson: This needs to be addressed. I think a few made these decisions without the support of the community. I think we need to call out this attack on the residents. We need data. Who are they stopping? Is it just guys in golf carts? Cars? Is it the workers? We need to have this addressed and shared. There are no bulletins, no warnings. We just need to be a little bit clearer and work with what we want to do with the community here. What we are doing is discouraging to everybody.

Ms. Pontious: Let me just address a couple of things before you go on. As of this morning there had been 80 citations, 13 warnings, 1 warning for no seatbelt, 75 citations for running the stop signs, 4 for expired tags and registrations. We have been addressing this speeding and running stop sign issues for years. Years. If you run the stop sign and you hit the person on the bicycle coming from the other way you will never forget that.

You have had ample warning. We have talked about it in the news. We have talked about it at the meetings. We have talked about it in LA Times. It is time to do something about it and we wouldn't have to do that if you would do what needs to be done. So you want things to be done that is fine.

Ms. VanSickle: Just for the record we have not been paying the police department. We were willing to but I talked to the police chief and he said he is well aware of the amount of taxes that Lake Ashton pays so we are owed some police services. We are hoping that this will remedy it but I do a lot of walking on Lake Ashton Club and it is dangerous out there. I carry a little noodle with me to the pool. My noodle got hit one day. I was walking facing traffic so that car came up behind me and hit my noodle. It could have been me. We have had two hit and runs of our dear sandhill cranes. You may think that is just an animal, but anybody that would hit one of those sweet cranes it could be somebody else. We have people on walkers, we have people unsteady out there. We need to be very cognizant and very respectful of our community. We want a safe community. We are talking about quality of life. Stop at the stop signs. We have a resident that has a video camera and she sent us a copy and she sent a copy to the police and people just completely roll right through that stop sign. The law is to stop. So please stop. Tricia put it out I don't know how many times in the newsletter. Carol announced it at Monday Coffee that the police are going to be in here, please stop at the stop sign. That is all we are asking.

Ms. Cheryl Winchester: Good morning. My name is Cheryl Winchester. I live at 5453 Hogan Lane. I am here to ask a couple of questions and speak to the CDD Board about Gail Spence who I, along with many other residents in the community, feel that Gail was and should still be an extremely important asset to Lake Ashton. We have attended more events that you can count that were organized by Gail. She has made my and many other residents experiences here priceless. So my first question is why does this CDD Board allow or accept Gail's resignation without giving us residents any notice. It is very hard for many of the residents here to understand why the CDD did not disclose to us the possibility of losing Gail. We all agree that we vote you in to represent us for

many decisions however when the ultimate decision that you make will affect thousands of us residents we should be informed and possibly even have an open forum to express our opinions on that matter before things get out of hand. For example your non-transparency on this matter has led to gossip of why and how Gail resigned. The biggest rumor or maybe the truth is that Gail was being paid \$12 an hour and asked for a raise which was denied. Gail was an employee who always showed up to work and showed up with a smile on her face. She was an employee who always made each person who stood in front of her to be the most important person at that moment. Gail searched out to find it was an amazing entertainment series, movies, meeting from Monday Coffee, she set up some travel excursions, she created and cut every ticket for events by hand and honestly the list can go on. After discussing Gail with other residents here at Lake Ashton I know I speak for many of us when I say that we feel a raise should have been given. Let's be fair and honest here, most of the country believes even the minimum wage should now be \$15 an hour. We understand that Gail was working for us through a management company, however we are in belief that the CDD hires that management company and can oversee certain changes such as hiring and firing of individuals. If this is not the case then there clearly needs to be more communication to us the residents. So I stand here in front of you this morning along with many residents who have attended the meeting to ask you kindly to consider being the bigger group reach out to Gail to discuss with her the issues that led to her resignation with the hopes that this will create the possibility of you rehiring Gail. Whether through the management company or directly through the CDD. I personally believe that she would love that and would be open to this possibility. That being said, let us be very clear and trust us when we say that this is no way or intended to reflect any negativity on any of the other employees. The employees here mean a lot to us at Lake Ashton. This is probably why we feel we need to go to bat for Gail. My husband and I had such an easy decision when we decided to move into Lake Ashton. We didn't do it just for the activities which we love, we did it for the sense of the united community. Right now with all the division in our country I am so proud to be part of a united community like this. I was hoping some of those



divisive feelings in the world would not creep into Lake Ashton but I feel it is starting to happen. So my last question to you is which is also the question that I placed in front of some other groups within Lake Ashton is why can't we all play in the sandbox together. Why can't we support one another and keep our community strong rather than letting an employee like Gail get away who had such an impact here. Thank you for listening and one last time I appeal to the CDD Board to consider rehiring Gail. Make this community feel that something they stood for united was a success and worthwhile.

Ms. Pontious: Let me clarify a couple things that she had on her paper before we move forward with an additional topic. Gail is an employee of GMS so he is not going to discuss personnel issues probably. However she submitted her resignation, gave us two weeks notice. She told us she intended to move on and that is what we had to respect. The ball was all in her court. We have to move forward.

Audience: No.

Ms. Pontious: Don't tell me no. I saw the resignation letter.

Mr. d'Adesky: Thank you for those facts Carol, but I would just advise the Board before there is any more conversation, once again this is a personnel issue for GMS and in order to avoid certain liability for the District we should minimize discussion as a Board matter. Once again I have discussed with the other CDDs of some of the benefits of having a management company versus not having a management company. One of the benefits is when you have an employment dispute all that liability is on GMS. If they did something wrong, that is on them.

Mr. Costello: As much as you say it is on GMS, it still comes back to us. Quite honestly two months ago when I had asked about it and I was told we are not going to hire our own people. GMS is going to. I see a lot of people here today because they are aggravated with what happened. Normally we are lucky if we can fill four tables here. I liked Gail. I thought she did a great job. She did submit a resignation according to what she told me, but I do also believe, like Cheryl said, she would like to still work here.

Ms. Joyce Hanlon: I am Joyce Hanlon corner of Dunmore and Tralee. A resident here of almost 14 years. This is referring back to the restaurant problem. A few years

ago when this was open for the same situation, we spoke to a restaurateur that was one of the most successful ones in the area, the Sizzling Grill down the road and I know it is one of your favorites because we favor that restaurant once a week and we see people from Lake Ashton. When this was open we spoke to John, the manager, who is also a friend of ours, about coming here to Lake Ashton and doing our restaurant. He was very interested, checked it out and said the size of that kitchen is not sufficient to support a restaurant of this size. So I think that maybe we should take this item into consideration when we are making the change this time and I would suggest you look into it. If it means rearranging some of the facilities on the other end or making an addition or whatever it takes we have a problem that we need to solve whatever it takes.

Mr. Bob Bink: My name is Bob Bink: I live at 4307 Ashton Club Drive. I wanted to speak regarding the traffic enforcement. I have not received a ticket and I am not going to receive a ticket. Regarding the safety of Lake Ashton, everyone here agrees with that. Everyone in this room thinks we want a safe community. You people have to know that all we are asking that you use some common sense.

Mr. Doug Robinson: Doug Robinson, 4309 Dunmore Drive. I am also the Chairman of Lake Ashton II CDD. We are in the process of working on our pickleball courts and our parking lot and I have done a survey of our streets on our side to patch and do repairs. I obviously noticed the one on Dunmore Drive by Eagles Nest so when I was having my crew go up and assess it I actually went over and said, would you also give me a quote to get the piece done on Dunmore by the green and the Eagles Nest and they offered me a quote of \$300 which I was going to pass onto you to get it done while I am getting the other stuff done. I have that problem solved if you want to take me up on it.

Mr. Ference: I make a motion we get that done.

Mr. Scali: I have two comments. One, I was disappointed that the Board did not discuss the piece of paper that was provided by Mr. Maxwell so that we would understand what it said prior to the next meeting. Two, Joyce Haylen raised a very interesting point. If we do consider the real estate we may have a lot of extra room and maybe we can move the gym to something across the street and potentially open up the

restaurant kitchen area in that area there. It would cost money, but I think it would be something that we could manage and effectively use. Lastly, I did not get a ticket, but the police are telling us that the Board said no warnings, tickets only. If that is true I am very disappointed. I agree safety is the paramount here but when you stop and then just roll just a little bit over the white line and then get a ticket for rolling over the white line that is ridiculous. The police should not be condoning it. The Board should not be insisting tickets only, no warnings.

Mr. Costello: We have no control. Writing a summons is in every state I have ever heard of is at the officers discretion.

Mr. Scali: You were told no warnings, tickets only.

Mr. Costello: And writing a summons is at the discretion of the police officer.

Mr. Scali: You know well they are out there to collect money and that is it.

Mr. Costello: Why didn't they take the \$5,000?

A resident: I have a one question. How many tickets have been written up on the commercial trucks and vehicles that whisk through here at 60 mph?

Mr. Deane: We know they issue tickets. We don't know who they issue them to.

A resident: Somebody said they know exactly how many.

Ms. Pontious: All we were given was a list of how many citations were issued. We could ask, but we have no idea.

A resident: I have a home on Litchfield Loop and one on the corner of Hogan. I would like to speak to the issue of the restaurant. I would like to suggest that a community or consulting group from the residents be formed since you tried so many times through the Board to put a restaurant in there and it hasn't worked. Perhaps even hooking up with a school of restaurant management to use as a not-for-profit facility for training their students. It has worked very well for other associations. I would volunteer being on that committee if you put one together. Thank you.

Mr. John Castelli: John Castelli, lot 8. I feel that we need to have police out here for the Bingo night or in the evenings when we have big weddings. That is when we need to have them out here, not to ticket us. We support these communities and we do

look out for each other. I feel if you want to bring the police out here let's get it in the evening when we have these big events and we have people from outside. They don't care if they ride on the lawns or on the drain covers. They park on both sides of the street. Let's get them out here at those events. Thank you.

Ms. Dorothy Wade: I am Dorothy Wade. I live on Birkdale Drive, lot 357. We talk for months and years about the restaurant. This has been going on, I have been here almost 14 years and out of the 14 years this has been a subject every year for 12 years. People want to keep it but how many come here and use this restaurant. How many come here at least once a week and use the restaurant? Very few hands. I don't object to the police being here if the Lake Ashton CDD does some reimbursement for gasoline tax and having the police here. They are going about it the wrong way with petty stop signs. Stop signs is not the problem, it is the speeding on the streets. They should be watching how many miles an hour they are going over 20 mph. The other thing about the property that is going to be discussed it might be nice to have the gym across the street but things that need to be considered is how much is it going to cost to get it. Number two what is the upkeep on it every month. Number 3 what is the real estate tax on it that we will be charged per family. If they don't think there is another room to do your exercise or whatever with what we have then join a gym it would be cheaper. Thank you.

Mr. Marlon Nettleton: I am Marlon Nettleton. I live on Ashton Club Drive. I did not get a ticket, my wife got a ticket. I will tell you, she is one of the safest drivers I know. She came up to the stop sign here at Lake Ashton Club Drive. She could not see to the left so she pulled up and came to a complete stop beyond the white line. Saw the police. She got pulled over. They are telling people they were told to give tickets not warnings. They are right, they have the discretion. In fact they have been and harassed my wife for not having a driver's license. She said I am on my way to the golf course I don't take my driver's license and they said I can give you a citation for that. I found it interesting since we have advertised that 14 year olds can drive carts around here.

Mr. Costello: I found the same thing interesting and the police received a copy from somebody who lived on the corner had a camera out there, there were cars that

quite honestly seemed like they accelerated going into the stop sign. I understand that stopping on the line couldn't see, pulled up. If I was her I would be in court. I would fight that summons because any reasonable judge is going to say at that point it is at the judge's discretion. I do believe that any reasonable judge is going to dismiss that.

Mr. Nettleton: In addition, she was harassed by the police to see do you have that cart license? She said no. Nobody has their cart license. They said we are kind of overlooking that but I could give you a citation for not having a driver's license.

Mr. Costello: On that point I would go talk to his chief. As a police officer, I don't believe any police officer has the right to harass anybody.

Mr. Nettleton: So he gave her a ticket for going over the line, harassed her for not having a driver's license, said I could give you a citation for not having that cart license, and do you have liability insurance, which we have. The only reason I'm telling you is because to let you know what is going on. You can say you didn't tell them certain things, but this is what they are telling people they stop. They are stopping the wrong people.

Mr. Costello: Well at this point I think what we should do is get on the phone with the police chief and tell him that his officers don't have a right to come in here and harass people. That is wrong.

Mr. Nettleton: We have an issue and I agree I am worried that someone is going to get hurt mostly for speeding but running over a white line is not warranted.

Mr. Costello: I agree with you. A month ago there was a police officer, he was a police chief and I think that in the 32 years that he served I don't think he ever wrote anybody for going over a white line as long as they stopped. The only thing like I said in most states it is at the officer discretion. Whether they were told no warnings, I don't know because I didn't speak to the police. Tricia did. She is not here to answer that question. Like I said it would be up to the police chief to say it is at the officer's discretion.

Mr. Nettleton: They are telling people they were told to give tickets not warnings.

Ms. Landgrebe: I just want to say in regards to all the tickets and stuff at Monday Coffee two weeks ago there was an officer here. I really felt that we should have had a forum as opposed to the officer getting bombarded but he made it very clear, and I was

very surprised at this, if our tires touch the white line we have not stopped at the stop sign. He was very clear about that. So now I am stopping back here because if your tires just touch them we have run the stop sign. I never heard that before.

Mr. Bink: I am Bob Bink again and I am not going to make a big deal out of this but you said that we should go to the judge and complain about it. We are here today to tell you people and Mr. Deane in the minutes it states you explicitly said no warnings, tickets. That is what the minutes said.

Mr. Deane: I didn't argue with anyone when they said that, did I?

Mr. Bink: I appreciate that. Mr. Costello indicates that we should do it with the judge. That might be the thing to do but we are here today because you are our governing agent here. We expect you to go to the police department and tell them that the complaints you are getting and ask them to do it right.

Mr. Deane: I planned on doing that.

Mr. Allen Goldstein: I am Allen Goldstein. 4324 Heathland Lane. I promised myself I wouldn't get up this morning, but listening to all this I think I have to. I was one of the supporters of bringing the police. I know Chief Velasquez very well. He is very honorable. I think if he looked at the tickets that have been written, 90% of what everybody is mentioning about rolling past the stop sign, giving tickets for golf carts etc. comes to one officer. I think that by bringing this up to Chief Velasquez without even asking that question he would look at it. This police department serves this community and does not want to cause a disruption. So I think if we could invite Chief Velasquez to the next meeting or immediately to the Monday Morning Coffee he would come up and straighten this out. Why do we keep fighting with the CDD or fighting amongst ourselves. We need law and order in here. We don't need to be overcome by an overzealous young police officer. The other thing that I would like to mention about the restaurant, the Fire Restaurant again Mike Costello, Brenda, Borden all know Carol that I was one of the big supporters about bringing the Fire in here. The agreement was never kept. The contract as written was never honored by the Fire. The management, the ownership of the Slice and Fire Restaurants promised this Board and promised this

community that this restaurant would be open 6 days a week. It hasn't been. It also promised that the ownership would be here once or twice a week every week to follow-up. They are never here. This restaurant has been a failure. One suggestion I would like to make, and I think Brenda brought it up, maybe we should consider hiring a restaurateur himself and make this restaurant strictly for the CDD and the community to run it. It can be very profitable. Thank you.

Mr. Flint: On the issue with the communication with Lake Wales Police Department, it might be good so there is one point of communication from the Board, not multiple Board members call so that we all understand who is going to communicate with them. I don't think it is the concern of enforcement, maybe it is the concern of the level of discretion that is being used in borderline situations. Again as Mike indicated my experience has been you can't dictate whether an officer is going to write a citation. It is fully in their judgement based on the record of the driver, maybe their attitude when they are pulled over. There is a lot of things that go into it. One of the things the city asked though when we asked them if they would come in here and do this is that we would support them when this very situation occurred. So we have a good relationship with Lake Wales Police Department. They have been very responsive and supportive whenever we have had issues. I think we want to continue to have a good relationship with them. It would probably be good to just have, we don't want to appear reactive, but I think we want to communicate with them that we appreciate their effort and presence however we would like more focus on speeding, less on stop signs. Maybe some more discretion on stop sign enforcement and see how that works rather than asking them to totally pull out because you may not get them back here again if you do it that way.

Mr. d'Adesky: Like Supervisor Costello said and also like George said at the last meeting, we don't have the authority or the power to direct them to give a ticket.

Mr. Costello: I remember you saying that. Like I said I have been working with law enforcement people all my life. It is at their discretion.

Mr. d'Adesky: Exactly, so it is something that needs to be said and it needs to be made clear for the record that we really don't have the authority to tell them to even if

somebody did say to do it, even if it was said during the meeting, that still doesn't mean we had the authority to do that.

Mr. Costello: I think we had a young police officer who apparently was a little bit overzealous with this ticket book. I do believe that we should contact the chief but as far as having contact with the thing of bringing in people for speeding I think that they were in here. Most of these cars have radar units, so they would know what the problem is with speeding. Let them take care of their job.

Ms. VanSickle: I just want to make sure that we let them know we appreciate them for being attentive. We asked them to come in. I think we have gotten everybody's attention. Hopefully people will be more cognizant. Like I said I do a lot of walking up and down Ashton Club and I have seen people stop. That was all that we were ever after. I think we need to show our appreciation to the chief, but like George said maybe now concentrate more on the speeding. We want to keep that relationship good because they have done an excellent job for us.

A resident: Good morning. All I have to say to about all of this driving, we are all retired. We are here on a so-called vacation but who has to drive so fast that the police has to stop you? My golf cart goes very slow and I see it on Berwick when I get passed up by all those cars. If you are on a time limit, then get up earlier. They are posted with 20 mph so what is your problem? Thank you very much.

Ms. Pontious: Mike, are you willing to make that contact with the chief?

Mr. Costello: Would you like me to call him?

Ms. Pontious: Yes. I think that we should appoint just one person to do that rather than multiple people calling about it.

Mr. Costello: Sure. If you would like for me to do so, I would be more than happy to talk to him.

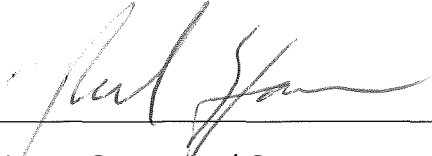
Ms. Pontious: I think it would be a good idea. Thank you. Alright, everyone. We are going to take a short intermission at this time, but we are going to reconvene at eleven o'clock for the joint Board meeting. We hope you will be with us at that point and thank you for your input today.



**TENTH ORDER OF BUSINESS**

**Adjournment**

On MOTION by Mr. Ference seconded by Mr. Costello with all in favor the meeting was adjourned.

  
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Assistant Secretary / Secretary

  
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Chairman / Vice Chairman