

**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, April 13, 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
Brenda VanSickle	Assistant Secretary
Bob Ference	Assistant Secretary
Michael Costello	Assistant Secretary (by phone)

Also present:

Darrin Mossing	District Manager
Jill Burns	Governmental Management Services
Andrew d'Adesky	District Counsel
Rey Malave	District Engineer (by phone)
Christine Wells	Community Director
Matt Fisher	Field Operations Manager
Numerous residents	

FIRST ORDER OF BUSINESS

Roll Call and Pledge of Allegiance

Mr. Mossing 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: Audience comments on the agenda items. The first one I have is Tom Scali.

Mr. Scali: Tom Scali, 3084 Dunmore Drive. A suggestion for the restaurant since this is a Mom and Pop organization, I would include in their contract that they must close the Bartow facility when their contract expires in August. They cannot be in two places

at once. The second thing, a number of women have asked me to suggest that we implement the \$50 a month requirement for the restaurant. I understand the pros and cons but we have lost too many restaurants over the years and this may be a better financial solution. I personally am not that much in favor of it but that is what the women wanted me to say. If there is a proposal to replace the fencing around the pool then I would like to understand the rationale. In my opinion it doesn't look like it is in need of replacement. I think it is something that can be deferred. Lastly the bocce courts are in need of repair. We turned them over to the people maybe two or three years ago and I don't think any work has been done on them since then. The boards are starting to get loose. The pavers are popping. I ask the Board to please take a look at these and try to bring them back to where they were. I think that is it. Thank you.

Ms. Pontious: Ok, Dana Cunningham.

Ms. Cunningham: Good morning, everyone. I am Dana Cunningham, 4089 Dunmore Drive. I would like to speak a little bit about the restaurant. I looked up the word amenity and it is the quality of being pleasing with agreeable features and pleasant circumstances for present situations and present climates. Lake Ashton has many wonderful amenities beginning with beautiful landscaping that we have. Also the tennis and shuffleboard courts that are well maintained. The clubhouse is neat, clean, we have available craft rooms, billiard rooms, and a movie theater. I had to write them all down because there is so many beautiful things that we have here. The bowling alley, we had problems with the bowling alley, but we spent thousands of dollars to bring the bowling alley back up to par. The movie theater has been redone. Many things have been positives. Our pool is a big expense, but it is beautiful and used a lot. It has heating and lights. Of course the ballroom for all of the wonderful things we can do with it and rent it out, but the very best amenity that we have to offer is the restaurant. The restaurant is an amenity that can be used by every single person in this community and even outside of this community. I believe that it is not very good sense to try to charge somebody anything to run this amenity. We pay everybody else to keep their maintenance done and we pay a lot of money for the pool. We pay people to keep the grounds beautiful.

We pay people to keep the clubhouse beautiful. We should not charge people for this amenity when we are in need of the restaurant. The past history has proven, and no disservice to this Board, that the Board should not try and micromanage a restaurant. I propose that we have no charge ever to the restaurant management whoever it may be. Let them fail or succeed on their own. I don't care if they make \$5,000 or \$10,000 a month, let them do it on their own without interference from the Board. Thank you.

THIRD ORDER OF BUSINESS

Approval of the Minutes of Meeting held on March 23, 2018

Ms. Pontious: Ok, we have minutes for approval. Do we have any additions or corrections?

Ms. VanSickle: I have a few. On page 17 where I am speaking about in the middle of the page where it says, Pull the Rope Breakfast, it should be Pool Aerobics Breakfast. Then on page 21, again about halfway down it is Pull the Rope Breakfast again. It should be Pool Aerobics Breakfast. On page 30 up near the top of the page where I am speaking four lines down it says "I want to make too sure", it should be "I want to make sure". Then down a couple of lines it says "I am just sure" It should be "I am just not sure" You need to insert the word not. On page 37 clarification of a preposition. Carol was speaking and said "We need to do that and stay on top of it but I think we need to go back to the stability we had when we knew who we were working for and how it was working. We need to work on fixing what is wrong and not starting from scratch". I immediately said I agree and if you are making that motion I will second it. I must have misheard that because I took the word "for" for working "with". I need you to clarify. I know I said what I said but I am not sure what you said. If it is "for" then I need to clarify because I don't agree with that.

Ms. Pontious: Can I ask where you are?

Ms. VanSickle: It is on page 37 in the middle of the page. I must have heard with, but it says for here and to me that makes a difference.

Mr. Mossing: Madam Chair, the clarification is that GMS works for the Board. The Board doesn't work for GMS. That is the clarification. I am sure that is what she meant.

We can go back and listen to the tape. Clearly GMS works for the Board of Supervisors and not the other way around.

Ms. VanSickle: On page 44 down near the bottom it says art shows I don't know where the art came from. Take the word art out. Up at the top the first line "this has been an ongoing issue from time to time". There should be a period, then capital "P" people come in. The third line it says "come in to go to is club, not sure what that was. Then further on it says "on slot". On slot the spelling just needs to be corrected to onslaught. That is all I have.

Ms. Pontious: I have one on page 49 under C, Discussion of the Lake Ashton CDD Feedback, it has me speaking and I am sure that was Christine. So we need to have that corrected. I have several other things that I already sent too, so we will take care of those, as well.

Ms. VanSickle: I guess I need to speak more clearly.

Ms. Pontious: I also think that it might be a good idea to have two recorders because sometimes there is a noise in the background and it is not picked up correctly so it might help us to have two.

On MOTION by Mr. Deane seconded Ms. VanSickle with all in favor the minutes of the March 23, 2018 meeting were approved as-amended.

FOURTH ORDER OF BUSINESS

Engineer's Report

Ms. Pontious: Alright we have Mr. Rey on the phone as well.

Mr. Malave: Good morning. How are you all doing? One thing that we are working on is the Lake Ashton shoreline improvements. As I reported last time after we had our meeting with S.F.W.M.D. they insisted that we needed to coordinate with FDEP regarding the state sovereign land line as a point that if we're infringing on that we would be required to permit to FDEP. We requested that through a letter with them. I have gotten a response that it is the ordinary high water level elevation is where that line is. We are trying to map it and also work with what our approved asphalt plans are so that we are not raising issues regarding where we are trying to do the work. As best we can

tell right now we are trying to come up with some options how to permit it to get that permitted and not create any question marks from any of the agencies. We haven't gotten there yet. We are still trying to correlate a story that we can put to justify what was done on the original edges and how that was done. Then we can come up with and say here is how we are going to permit it and here it what we need to do. It might take some other options on helping and assisting on the erosion on the shoreline and doing the one that the Board approved which is that fill in there because of what that might entail in permitting that. I know I am going around in a circle. We are trying to come up with an option that can help both provide the protection we need on that lake, restore it but at the same token not building some major permitting efforts that could cost more than doing the work. Second, not bring up any issues that could be there on that shoreline from the past. I will open it up for questions if you have any.

Mr. Ference: Rey, we are not trying to discover the wheel. This is not a problem that hasn't existed and been corrected here and there and everywhere else. Why are we having such a difficult time determining this erosion protection, the cost, etc.? This isn't new to lakeside living. Why are we having such a problem getting it resolved?

Mr. Malave: They have taken a different light on it on protecting it. They threw at us, show us where you have gotten permission and approvals to do what you have done before. We are working to document that to ensure that it was done through the right permitting processes and paperwork and then also the fact is because it has eroded and it is inside the sovereign landline it just throws a different way of how to permit it. There will be more costs because of that.

Mr. d'Adesky: Rey, one of the factors is that certain permits, especially the older permits, and this sounds like a ridiculous story that you made up, but some of the permits were actually lost in a fire. There was a fire in Polk County where it destroyed the records. We went through this a little while back when we were trying to get records working on a bond issuance so I know that some of the older stuff is sometimes difficult to approach.

Mr. Malave: That is what is causing some of the headaches, not being able to find some of those documents. I think within the next two weeks we should have a good story

and we can go meet with DEP with South Florida. Then this is our approach and we want to go at it. Hopefully we can get to a place where we can come up and just do the work. Sometimes when storms come a lot of issues get taken to a different level because of that from the environmental standpoint. It sounds like that is what is happening with S.F.W.M.D.

Ms. Pontious: Alright, Rey, thank you. We appreciate your input and explaining to us why it is taking longer than we expected it would.

Mr. Malave: I wish I could just go do it, but we want a document control over things with any agency. With that, I thank you all, and will stay in touch.

Ms. Pontious: Any further questions?

Mr. d'Adesky: Thank you, Rey.

Ms. Pontious: Darrin, would you just give a brief summary for people to hear that didn't hear what he was saying as to what is happening out there.

Mr. Mossing: The District Engineer is having trouble finding some of the prior permits that the S.F.W.M.D. is requesting for the documentation. He is trying to work under our existing permits that we have. He is running into some difficulties and doesn't want to present further problems with the agencies and run into significantly more costs.

FIFTH ORDER OF BUSINESS

Unfinished Business

A. Consideration of Restaurant Operations and Lease Agreement

Ms. Pontious: Ok next on the agenda is restaurant operations and lease agreement. Mr. Borden has been working with this.

Mr. Deane: I have had several meetings with the owners of Nini's. They have agreed to all of our terms with a couple of modifications, which I believe the lawyer has put in the lease. They have agreed to a three year lease, not a one year lease. They have agreed to no rent the first year and a \$1,000 a month the second and third year. The reason for the \$1,000 a month is not to make money. We have over a \$10,000 a year tax bill for just having the restaurant. That is why the \$1,000 a month rent. We are not trying to make money on the restaurant. We are trying to get the restaurant to cover expenses directly attributed to the restaurant. I believe that is only fair. They are ready to sign a

lease. With regards to Mr. Scali's question, they will be closed in the airport the day they open this restaurant. The reason why they are not here today is they have a catered event this evening for around 100 people and it is the last event that they are catering at that restaurant. They are getting ready for that, which is why they are not here today, or they would have been here at this meeting. Other than that, a lot of the work is what we have to do on the restaurant so they can move in. We are going to go over those things later in this meeting. We have quotations for cleaning and new equipment, etc. etc.

Ms. VanSickle: Do we have a timeline?

Mr. Deane: The timeline is they said they hoped to be open by the middle of May. At the latest the first of June. As soon as they have the signed the lease they have the papers to go get the liquor license. They are all drawn up. You cannot present papers to get a liquor license until you have a signed lease. That is what the holdup is there.

Mr. d'Adesky: Just to review quickly the three minor changes that went into the lease between what was given to you in the agenda there were some changes that they came back with. Christine received them, sent them to me. I made them to the updated version. Number 1, there is a staggered payment of the security deposit. \$2,000 upfront, \$2,000 in 30 days and \$2,000 in 60 days. Number 2, there was an update to a typo in the exhibit. One of the exhibits referenced Fire. That is incorrect and was switched and the third was an update to their address. They request that we had a different mailing address for them in contact information. We updated that. Everything else is as Supervisor Deane suggested and he reviewed those changes and agreed to them, correct?

Mr. Deane: Correct. Those were their changes not ours.

Ms. VanSickle: When will they get a copy of this lease?

Mr. Deane: I am hoping to take it to them today after the meeting and get it signed.

A resident: Is this a seven day operation?

Mr. Deane: They are operating seven days and they are going to talk to the Bingo people. They hope they will operate a minimum of six days, plus Sunday. They will have breakfast and brunch on Sundays only. Other than that they will have three meals a day, breakfast, lunch and dinner.

Mr. d'Adesky: Was there a motion?

Mr. Deane: No, there hasn't been a motion yet but I want to make a motion to approve the lease as amended so we can get it signed and move forward.

Ms. VanSickle: Second.

Ms. Pontious: We have a motion from Borden and a second from Brenda to approve the lease. Further discussion?

Mr. d'Adesky: Mike, do you have any comments on the lease?

Mr. Costello: My only question is because I have been asked about it before, I realize what Borden is saying as far we need to get some money out of it for the tax purposes. My only question is, was there any opposition to the \$1,000 a month?

Mr. Deane: None whatsoever.

Mr. Costello: Ok. Like I said that is my only question.

Mr. d'Adesky: Thanks, Mike.

On MOTION by Mr. Deane seconded by Ms. VanSickle with all in favor the restaurant operations and lease agreement with amendments was approved.

SIXTH ORDER OF BUSINESS

New Business and Supervisor Requests

A. Approval of Restaurant Cleaning Quotes

Ms. Pontious: You have some quotes for us to consider.

Ms. Wells: I sent a memo outlining quotes for restaurant cleaning. There were three quotes provided. One was provided by Fire Prevention Systems Inc. They included all the cleaning services that were requested, which were carpet cleaning in the dining room, tile scrubbing in the bar and kitchen, cleaning all wall surfaces in the kitchen, hood exhaust cleaning, including all of the cooking and refrigeration equipment in the bar and kitchen. The first quote like I said was from Fire Prevention Systems, Inc. They quoted \$2,595 for all services. Estimated cleaning will take approximately one to two days to complete. The next quote we received was from Service Masters. It also included all the cleaning services requested except for hood exhaust cleaning. Their quote was \$2,728. They estimated also that cleaning would take about one to two days to complete. The

final quote we received was from Serve Pro and it also included all the cleaning services requested with the exception of hood exhaust cleaning. They estimated it would take about five days to complete. They quoted \$12,275 for all services. I believe their quote is a little higher. They are an emergency cleanup crew so I think they plug it into a system and it generates like an emergency cleanup quote. Yes, there was a rather large variance.

Ms. Pontious: I don't think they want to do this.

Mr. Ference: Christine, have we used any of these folks before to clean the kitchen?

Ms. Wells: We have not, but the Fire Prevention Systems was a recommendation by the fire suppression company that we had come out and evaluate equipment. We did evaluate references for Service Masters and they were recommended by the references they provided.

Mr. Ference: Thank you.

Mr. Deane: I would like to make a motion that we accept the Fire Prevention Systems quote of \$2,595 to get this done as soon as possible.

Mr. Ference: I will second the motion.

Ms. Pontious: Ok we have a motion from Borden and a second from Bob to proceed with Fire Prevention Systems at a cost of \$2,595. Is there any further discussion? Those in favor.

On MOTION by Mr. Deane seconded by Mr. Ference with all in favor proposal from Fire Prevention Systems, Inc. for \$2,595 for restaurant cleaning was approved.

Ms. Wells: We just want confirmation from the Board that this is to be deducted from the damage deposit that is on file which is \$6,000.

Ms. VanSickle: Absolutely.

Ms. Wells: I believe in my director report I put \$8,000 but it is actually \$6,000 that is on file. That was verified with our South Florida office as to what we received and what was in their lease agreement, both lease agreements.

Ms. VanSickle: I would like to wait until after they are done cleaning in case anything else further should show up that might have been missed originally before any refund is made.

Mr. Mossing: Under the lease there's a provision that the deposit refund would be refunded within 30 days of their leaving the premises. The 30 days is today or Monday so we were prepared to remit that payment today.

Mr. d'Adesky: You should do it in accordance with the lease. It is required.

Mr. Deane: I think we have to go forward according to what the lease says. We realize they didn't operate with the lease, but we should.

Ms. VanSickle: I will agree with that. My concern was that during the cleaning it might be more extensive and it might cost us more. I sort of felt they should cover that with the mess that they left that kitchen in.

Ms. Wells: I am comfortable with the quote. Matt and I met with them and we went through every single thing. He spent a good amount of time here. I am comfortable with the quote he provided that it is going to take care of all the issues.

Ms. VanSickle: Ok.

B. Approval of Additional Restaurant Equipment

- 1) Upright Refrigerator
- 2) Salad Bar
- 3) Soup Station
- 4) Griddle

Ms. Pontious: In meeting with them there has been some equipment recommended for purchase. Do you want to talk to us about that, as well?

Ms. Wells: I also provided under separate cover a restaurant equipment purchasing analysis with corresponding quotes with the equipment that was requested by the kitchen manager with Nini's. It is an upright refrigerator, a 48 inch griddle with an oven, a salad bar and a soup station which would be consistent with two soup kettles that they would need for that. We received quotes from Central Food Equipment, Sysco and then I also checked an online source to give us a third comparison. For Central Food Equipment they quoted \$2,105 for the upright refrigerator. Sysco quoted \$1,957.73. The

online sources quote was for \$1,996.55. For the 48 inch griddle with an oven Central Food Equipment quoted \$6,120 for that piece of equipment. Sysco quoted \$6,843.42 and the online source I found was \$6,803.60. For the salad bar which would include a portable salad bar with railings on each side would be \$2,040 from Central Food Equipment, \$2,325.24 from Sysco and the online source was \$2,297.43. Then finally the two soup kettles that would be soup station from Central Food Equipment was \$170, Sysco \$140.12 and the online source I found was \$205.02.

Mr. Deane: They are saying there is another piece of equipment which we haven't gotten quotes on. That is the automatic toaster. They want an automatic toaster which is for the breakfast business. I believe that should be purchased also.

Ms. Wells: I can get quotes on that, as well.

Ms. VanSickle: Can we go ahead and authorize that now so that we can get this done so that we are not waiting until another meeting so we can get the restaurant up and running?

Mr. Ference: Christine, can we get all this from one vendor or must we shop for a better price from a different vendor?

Ms. Wells: It is completely up to the Board. My preference would be to utilize to maximize our budget so I would want to get the equipment that was quoted cheaper from Sysco and Central Food Equipment and just kind of deal with those two vendors and get whatever is the least expensive from each just to maximize our budget.

Mr. Ference: There is no advantage of getting a package deal from anyone? No one wants to bid them all out?

Ms. Wells: It is a possibility. It was not told to me when I received the quotes.

Mr. Ference: Very good.

Ms. Wells: I spend it like it's my own money.

Mr. Deane: Yes, you do. I would like to make a motion to authorize Christine to make the purchase for the restaurant as necessary using her discretion as to who supplies what.

Ms. VanSickle: Is that including the toaster?

Mr. Deane: Including the toaster yes.

Ms. VanSickle: Second.

Ms. Pontious: We have a motion from Borden and a second from Brenda to authorize Christine to purchase all of the recommended pieces of equipment at the lowest price from each vendor. Further discussion?

Mr. Deane: I would like it known that we have almost \$15,000 in the budget and this comes, including the toaster, nowhere near what is in the budget to spend at the present time.

Ms. VanSickle: Was this all the equipment that they were requesting right now?

Mr. Deane: That is all that they requested.

On MOTION by Mr. Deane seconded by Ms. VanSickle with all in favor authorization for Christine Wells to purchase all the recommended pieces of equipment for the restaurant at the lowest price from each vendor was approved.

Ms. VanSickle: Just for the record, Borden, I have a note given to me so I did not forget, would you address the grill?

Mr. Deane: We have addressed every piece of equipment. We have tested the grill that is on the porch and it is operable and it will be cleaned when the equipment is cleaned. It will be used and I was told by the people who are leasing the restaurant that they will be operating that grill several days a week in the summertime for the pool people and anyone else that wants to have a hamburger or hot dog type of operation.

C. Discussion of Surplus Items

Ms. Pontious: Alright, last we have some surplus items.

Ms. Wells: In the agenda an inventory surplus list was provided. It includes a piece of equipment that is on the patio that was from two tenants ago that is rusted out. The door doesn't stay shut so we are requesting to surplus that piece of equipment. The other piece of equipment that is on the list, I just listed that how it was, listed in the inventory. Our 10 inch fry pans, 14 inch fry pans, 8 inch fry pans, 12 inch fry pans and then various size quart pots, the pots have been in inventory since 2002. The fry pans have been since 2014 so we are just requesting those to be surplus.

Mr. d'Adesky: Once again, just for everyone's education, we have to dispose of property pursuant to Statute 274, is the one that regulates this which is the disposal of tangible property. By declaring something surplus you are saying that in the best interest of the District that the property is obsolete, uneconomical, or inefficient, or serves no useful function. Those are the findings that you make by declaring it surplus.

Mr. Deane: Christine, what about the baking pans that are in the back, half of which look like they couldn't be used again, the sheet pans I am talking about?

Ms. Wells: That wasn't something I noticed, but I can look at those again. I didn't look at every single sheet pan, but I can. Those were the items that I saw that definitely needed to be replaced. I can evaluate the sheet pans as well, and present that to the Board at the next meeting if you would like.

Mr. Deane: I think you are going to need some sheet pans also.

Ms. VanSickle: Can we designate authority to Christine to purchase smaller items made up to a certain amount. What would you consider reasonable because I don't want to hold anything up to another meeting.

Mr. Deane: We have it in the budget to do it. We have the money there that can be used for those items. That is not a problem. Once we get the lease signed, Herb is coming over here to give us a list of what he requires as far as spatulas, pans, and that type of thing.

Mr. Ference: Well Christine has discretion to make those decisions as to what needs to be surpluses or not. We don't have to itemize them now and wait for another meeting to determine that they are or are not qualifying.

Mr. d'Adesky: You can delegate authority for maybe \$1,000 or \$2,000 perhaps for minor items.

Mr. Ference: Whatever it takes.

Mr. Deane: A couple thousand dollars.

Mr. Ference: Let's not delay it another month. Let's give her that.

Ms. VanSickle: Is \$2,000 reasonable, Christine?

Ms. Wells: I believe it is. I believe with the surplus, but I could be wrong, that it has to be approved by the Board.

Mr. d'Adesky: Yes, to approve that is one motion. The second one is to give authority to purchase them.

Ms. Wells: Ok, I just wanted to make sure I understood.

Ms. Pontious: Ok, we already approved the surplus correct?

Mr. Deane: Yes.

Mr. d'Adesky: Who made the motion?

Mr. Ference: Does it need a motion?

Mr. Deane: Yes it needs to approve the surplus items. I thought I made that.

Ms. Pontious: I thought you did. You and Brenda.

Mr. Deane: And we voted.

Ms. Pontious: Alright.

On MOTION by Mr. Deane seconded by Ms. VanSickle with all in favor the inventory surplus list for disposal was approved.

Mr. Deane: I make a motion to give Christine authority to purchase the small wares necessary for opening the restaurant up to \$2,500, which is probably more than enough.

Ms. VanSickle: Second.

Ms. Pontious: We have a motion from Borden and a second from Brenda to authorize Christine to purchase whatever small wares are necessary within a \$2,500 budget. All those in favor.

On MOTION by Mr. Deane seconded by Ms. VanSickle with all in favor, motion to authorize Christine Wells to purchase small wares up to \$2,500 for the restaurant was approved.

Ms. Pontious: Ok have we covered all our bases?

Mr. Deane: We have covered the restaurant. Now we just have to get it open.

Ms. Pontious: Thank you for your work and enabling that to happen.

SEVENTH ORDER OF BUSINESS Staff Reports

A. Attorney

Ms. Pontious: Andrew?

Mr. d'Adesky: Not much, we are just primarily working on the lease agreement. I know that Mr. Lockwood is here to speak on the Earl matter as I informed everybody. I believe he intends to present during the general audience comments at the end. You are all briefed on that issue so we have spoken on it and delegated that as a Board previously.

B. Community Director

Ms. Pontious: Alright, community director's report.

Ms. Wells: I included the community director report in the agenda. Working on some capital projects once I can get past the restaurant. The restaurant has been number one priority right now. If you have any questions please let me know.

Ms. VanSickle: I would just like to say we appreciate all that you have done because this has been a very busy time and you have really stepped up to the plate. I appreciate that. Thank you.

Ms. Wells: Thank you.

Mr. Ference: You did put a lot of time in too, Borden, and we thank you for that as well. Thank you.

Mr. Deane: You're welcome.

C. Field Operations Manager

Ms. Pontious: Our next report is from Matt.

Mr. Fisher: Good morning. Included in the agenda was the field manager report. If there are any questions, I would be happy to answer.

Mr. Deane: Thank you for stepping up, Matt.

Mr. Fisher: My pleasure. One thing I would like to clarify is the bowling alley air conditioner, the whole unit was replaced, not just the handler. That was probably my error. As residents will begin to notice patches of dead grass in the northern part of the clubhouse, some Bermuda has infiltrated the St. Augustine so Yellowstone has sprayed that area. We will have it all completed with new grass installed by the 25th tentatively.

Those are the big items. The place is looking beautiful. The pressure-washer is being serviced at Home Depot right now, but there are some pressure-washing items that we are going to take care of. That is where we stand on that. Thank you.

Ms. VanSickle: Thank you.

D. CDD Manager

Ms. Pontious: Do you have anything for us?

Mr. Mossing: I have no special report unless the Board has any questions for me.

EIGHTH ORDER OF BUSINESS

Financial Reports

A. Approval of Check Run Summary

B. Combined Balance Sheet

Ms. Pontious: We are on the check run summary then. Any questions from that?

Ms. VanSickle: Move to approve the check run summary.

Mr. Deane: Second.

Ms. Pontious: I have a motion from Brenda seconded by Borden to approve the check run summary. Any further discussion?

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

Ms. Pontious: Combined balance sheet.

Mr. Mossing: Those financial reports were included in your agenda packet. If the Board has any questions I will be happy to address them. The assessment receipts showed that we are at 93% collected.

NINTH ORDER OF BUSINESS

General Audience Comments

A resident: I don't recall if any of the discussions with the new restaurant, are we still going to be bound to not be able to use any community functions here. Must we use the restaurant or can we bring in our own food?

Mr. Deane: The restaurant would like the first option with regards to catering. They do catering at the present time.

A resident: That is not my question. If we don't want to have a caterer, say we have a potluck or something?

Mr. Deane: We can still have our functions. They are not objecting to any of that.

A resident: Ok, that was my question.

Mr. Deane: They are not objecting to our potlucks that we have every month or anything like that.

Mr. Hines: Hi my name is Phil Hines, 3028 Dunmore Drive. I am President of the Tennis Association here at Lake Ashton. We have a request that the Tennis Association would like to purchase a ball machine. We have requested that this be paid through the CDD Board. The purpose is to promote more tennis activity. What we would like to do is start holding lessons and drills from people that are experts in this area, Dotty Miller, Mike Holden, Debby Lawder, and myself. We aim to help promote our Tennis Association and increase the membership. The tennis ball machine would help us in our drills and it would be open to everybody to be used. The machine would have to be introduced to the people that are going to use it. That would be my job to do that, as well as some of the other people that have volunteered. It would be electrical. There is AC already out at the shuffleboard building. We would store it in the shuffleboard building. We would lock it up with a combination lock. People that would be instructed by me or some of the other people would get the combination lock so that they could use it. It would be open to everybody. So that is the reason that I am up here just to ask for the amount of money. The amount of money I am estimating to be around \$1,600. That is my request.

Ms. Pontious: Would you define the anchor to the black wall?

Mr. Hines: The anchor is just to put an anchor into the wall so that you could put the combination lock around the machine so that somebody couldn't take it unless they broke the combination lock.

Mr. Ference: That seems very reasonable. I make a motion that we accede to the request made by your association and purchase this ball machine for \$1,532 or whatever quote is equal to that when it comes due.

Mr. Hines: I don't know if I was going to be charged for sales tax. I forgot to ask them that.

Mr. Deane: If the CDD buys it there is no tax.

Ms. VanSickle: Is there a delivery charge?

Mr. Hines: It said free shipping.

Ms. VanSickle; I will second your motion Bob.

Ms. Pontious: We have a motion from Bob and a second from Brenda to purchase a spin shot tennis machine. Any further discussion? We do have a picture of it here and Mike has explained the need for it. All in favor.

On MOTION by Mr. Ference seconded by Ms. VanSickle with all in favor, request from Tennis Association to purchase Spin Shot tennis ball machine in the amount of \$1,532 was approved.

Mr. Lockwood: Good morning, my name is Doug Lockwood I am an attorney here in Winter Haven representing Richard Earl. I just wanted to thank you for the opportunity to briefly address you. I received a notification from your attorney, Andrew, indicating that he would, with representatives of the Board meet with us and try to resolve the issues regarding Mr. Earl. As you know he is a long time resident of Lake Ashton, a disabled veteran. There was issues relating to his utilization and others at the swimming pool, which precipitated in a number of events. He believes he was never provided the opportunity to respond to the various accusations made against him. His privileges were suspended. Again, I appreciate the opportunity to try to work this out. It is something that I think is achievable and I just want to assure the Board that we will do everything possible to resolve this in a way that is fair to everyone. I have here a packet of the notifications and letters that I sent Andrew. I have copies of these for each of the Board members to acquaint yourself with it. I understand that when we meet with the representatives of the Board that it will of course be a private affair. I just wanted to assure the Board that we are going to work towards a resolution that is fair for everyone. Thanks very much.

Ms. Pontious: Thank you.

Mr. Ference: Andrew, is this standard operating procedure when we do have a confrontation?

Mr. d'Adesky: Yes.

Mr. Ference: Alright. Thank you.

Ms. Pontious: Do we have any other general audience comments for today?
Alright.

TENTH ORDER OF BUSINESS

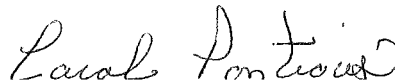
Adjournment

There not being any further business,

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



Assistant Secretary/ Secretary



Chairman/Vice Chairman