

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

An emergency meeting of the Board of Supervisors of the Lake Ashton Community Development District was held on April 27, 2018 at 11:00 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

Also present:

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

FIRST ORDER OF BUSINESS

**Roll Call and Pledge of
Allegiance**

Mr. Darrin Mossing, Sr. 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: We have a one-item agenda and I have one request to speak from from Mr. Don Feliks.

Mr. Feliks: Good morning. My name is Don Feliks. I live at 4109 Dunmore Drive and I have been a resident of Lake Ashton for about 12 years. I want to address the issue

of flooring in the restaurant. I can understand the Board's concern of trying to reduce costs because putting down flooring would be certainly more cost-effective than replacing the carpeting every three years. However, there are some negative factors that need to be considered when you go to tile. The first thing I think, it will ruin the ambience of the restaurant. It is going to look more like a cafeteria when you put all tile down. It actually kind of reminds me of an army mess hall. As you know the acoustics in the restaurant right now are terrible. If you get in there on a full night, you can hardly hear anything. You put sound buffers on the wall but they really did nothing. Any carpeting you put down is going to have acoustical benefits. Tile does not. You cannot find tile that has acoustical benefits. I had an experience at a country club years ago where we had the same situation. We had a restaurant with carpeting and tile floor much like around the bar area for a dance area. We went and put down tile. It totally ruined the acoustics in there, especially if a band was playing. You couldn't talk, you couldn't hear yourself think, and I think that if you do that in this restaurant, the same thing is going to happen. The acoustics will bounce off that tile and the walls and ceiling and it is going to be terrible. Once you put the tile down, the only way to correct it is you can put carpet back down over the tile. You could be making a very big mistake by doing that. The other issue I would like to address is I know we put in lighting for swimming at night, and that is well and good, but why don't we have a timer shutting those lights off around 10 o'clock at night? I live there and I look at the pool at 5 o'clock in the morning and the lights are still blaring. I think we are wasting a lot of electricity by doing that. Thank you very much.

Mr. Ference: Don, before you leave, do you want to make or mention of the fact that you called an acoustical person in from Orlando and share that discussion with us?

Mr. Feliks: I talked to an acoustical engineering company. I don't know the name of it, but I mentioned this to Bob. They said that there is no tile that you are going to find that has acoustical characteristics. Tile is tile. He said we could call him free of charge and he would evaluate our situation, give us some recommendations if you want to go to tile, I am sure he will come up with that. So I have his name and number if you are

interested. He seemed very helpful and it wouldn't cost you anything so it is something I think you need to consider very carefully because you can ruin that room. If you put the wrong kind of tile down, the sound starts bouncing and people won't even want to go in there at night, especially if you have a band in there. Then it really gets bad.

Mr. Ference: So the consensus from the fellow you talked to is that there is no way we can escape the noise except by putting carpet down to prevent it?

Mr. Feliks: There is no tile that has acoustical value. All carpeting has acoustical value. It absorbs some sound. The best way to do it is acoustical ceilings, but of course that is not practical in that room.

Mr. Ference: Did he mention what kind of carpeting is best suited for restaurants?

Mr. Feliks: No, I didn't get into that discussion.

Mr. Ference: Thanks for taking the initiative for calling someone to talk about it and the pros and cons of acoustics.

Mr. Feliks: Well I was hoping maybe he would say yes, there is new tile on the market right now that is great for acoustics, but he said there is no such thing.

Mr. Ference: Very good, sir. Thank you, Don, for your interest and commitment.

Ms. Pontious: Thank you. Let's solve that one little problem first. Matt, are there timers on those lights?

Mr. Fisher: I just texted Ron to ask if they are on timers. There are timers on there. I will identify that later.

Ms. Pontious: So we need to check the timers then. We would appreciate that. Thank you.

THIRD ORDER OF BUSINESS

Discussion and Consideration of Options to Replace Flooring in the Restaurant

Ms. Pontious: Let's do some updates first on information we gathered maybe and share that with ourselves and the audience, and then we can move on from there.

Mr. Deane: As you know, I have been working with the restaurant pretty closely. On Thursday we had an inspection by the state, and they have obtained the license to

operate this restaurant. It has all passed. With regards to the liquor license, they have all of the forms filled out, but they couldn't go to the liquor board until they had the license from the state. They are going today or Monday to the liquor board and have been told that there were licenses for this location and as long as their criminal checkout works, they would be issued the liquor license for this location that wasn't originally in the name of Lake Ashton CDD. It was changed through individuals several years ago, but there was a liquor license for this location and as long as they have no criminal record I guess, or whatever the state requires, they will have the liquor license within a week or so. Hopefully we can get open as soon as possible once we get the flooring situation taken care of. I also had an interesting conversation with the inspector who is the head inspector for Polk County. He stated that there is not a restaurant opening or that is taking carpet out of a restaurant that is not going to wood or vinyl flooring because of the cleaning process and the smell. The smell also is in the carpet. Our restaurant right now stinks literally from the smell in the carpet. There is no way to basically clean up spills in carpet. Most of the stains in our restaurant are under where the tables were, not the walk area. So if somebody spilled something and sat there for 45 minutes while they had their dinner, it is in the carpet before they got up. If it is a liquid it goes right into the carpet and there is no way to clean it up, particularly if someone is sitting there. That is why I think we should look hard for what we are going to put on the floors there. That carpet has only been on the floor for three and a half years. To spend close to \$10,000 every three years to replace that carpet in my mind is ridiculous.

Mr. Ference: Well perhaps the carpet has not really been cleaned in three and a half years. We don't know what servicing that carpet received or didn't receive, but going forward if we were to determine that every 60 to 90 days, or whatever the traffic will bear or people in the business would recommend as a routine cleaning of the carpets, etc., etc., would certainly make a big difference. We know there has been terrible neglect in the kitchen and in our restaurant so the condition of that carpet is not a natural condition or what normal restaurant carpets really do look like. I think we must face that issue because we had a very negligent restaurateur so the carpet suffered because of that.

Going forward, we can correct that by having regular maintenance and whatever that maintenance schedule may be will be determined by the people who know those things. I don't know that that should keep us from avoiding the acoustical problem because we can always clean the carpet, but once we get tile and have acoustical problems, we are stuck. So I think going forward we might consider that a problem that we can deal with by cleaning the carpet as opposed to being committed to the tile and then also having to deal with the noise factor. I appreciate the information that you have given us, but I think there is an intermediate step between either or. The question is not what kind of floor do we want, but what kind of restaurant do we want? We want a restaurant to encourage people to sit and enjoy the ambiance and conversations, etc. I think we all see that with a hard surface with acoustical tile, we are not going to get that. So it is not the floor we should be worried about, it is the restaurant, and I think an intermediate step between switching to tile would be to try carpet again because of the value of the ambiance and see how it works out. And if it doesn't, we can always go to tile.

Ms. VanSickle: My concern is when I go to a restaurant, my number one thing is cleanliness. I agree, we have had problems with acoustics in the past, but that carpet is very out of shape, and yes, I realize it was neglected, but a lot of restaurants are going to tile. It is easier to clean and I think that has got to be our priority.

Mr. Ference: When we go to a cafeteria we just want to eat. I think people come to restaurants like ours though because they want to enjoy one another, the conversation, the ambiance, the whole experience. I don't know that we come here just to eat necessarily. Here I think it is different. What kind of restaurant do we really want?

Ms. VanSickle: I think our people have spoken loud and clearly when we did a hand vote on the two restaurant choices. They want to eat.

Ms. Pontious: Christine, on another note, would you tell us what has been done so far to tidy up, clean up, fix up, etc.?

Ms. Wells: We had to really clean the restaurant. At the last Board meeting you approved the cleaning of the flooring in the kitchen and dining room area, as well as the cleaning of the equipment. Believe it or not, the flooring in the dining room has been

cleaned, the floor in the kitchen has been cleaned, all of the equipment has been cleaned, the walls have been cleaned, the stainless steel appliances have been cleaned, sinks, the walk-in cooler, the ice machines, refrigerator equipment, all of the condensing coils and fans have been cleaned. There is still some work that will be finished on Tuesday. The hood vents were replaced with a stainless steel vent versus an aluminum vent, which will make easy cleaning. You can actually see your reflection in those vents now. I feel like that is everything right now. We are still working on cleaning some of the shelving in there, cleaning the walls of the walk-in cooler, and tidying up the back patio area. All of the LED lights have been changed in the restaurant. The lights have been cleaned.

Mr. Costello: What needs to be done at this point? I know we have new equipment coming in. What is the projected time for when it will be completed as far as everything in place? I know I am asking a lot, but what do you think?

Ms. Wells: The projected time keeps changing because when we go to do something, we uncover something else that needs to be taken care of. I am really hoping by the end of next week as far as cleanliness and getting everything kind of situated is done. The equipment, I got a confirmation that the 48 inch griddle top was shipped out yesterday, so that should be coming soon. I did put in a purchase for the conveyor toaster, so that should be coming soon. I did get a confirmation on ship time for that, as well as the refrigerator and the soup kettles. The salad bar they are working on because it is a custom item. He is supposed to be getting back with me on that. I am thinking that we should have equipment next week, but as they update me, I can let you know.

Mr. Costello: Okay. The one other thing I would like to mention is that the guys who cleaned the kitchen, I was in there the other day, they did a phenomenal job and they should be congratulated.

Ms. Wells: They have been doing some of the extra things that weren't included with the quote before.

Ms. Pontious: I think both Christine and Matt have had kind of a one item kind of life for the last couple weeks here. We thank you for all that you have done and I am sure the activities people are keeping up on what they can do to help you on anything

that you have gotten behind on while dealing with all of this. We appreciate all of you. Okay, any other questions in general? We won't have microphones there, but I think we need to take a field trip to the restaurant and take a look at the samples. Is there any discussion we want to do with the microphones before we go?

Ms. Wells: I can go over the pricing, warranty, and timeframe for each option if you would like me to.

Mr. Deane: Yes.

Ms. Pontious: Okay.

Ms. Wells: For the luxury vinyl tile, we received four quotes. The first one is from Lakes Wales Flooring. The overall price is \$12,432. The warranty on the product and labor I have not received yet from them. The timeframe to complete the project is estimated about one week to receive the product and two to three days to install. We have not previously used that company for installation or product. The next two I am going to mention are actually on the state of Florida contracts that we can piggyback on. The first one is Spectra. The overall price was \$10,615.33 and the warranty is 12 years for product and one year for labor. They will take one week to receive product and about one day to install. We have not used them either. Mohawk is actually the only company we have used of the four quotes we have received. The overall price from Mohawk, again a state of Florida contract that we can piggyback on was \$11,222.18 and they have a 10 year limited for product and two years for labor. They will need one week to receive product and one day to install. The final one was Interior Concepts Flooring. They have a different flooring, which is slightly different from the other products Mohawk and Spectra provided. Their overall price is \$10,757.10 and their warranty is 15 years structural and one year labor. They had said they will take three days to receive product and install. We have not used them either.

Ms. Pontious: Where are they located?

Ms. Wells: Lakeland. We also have carpet tiles. We received three quotes for carpet tiles. The first was from Lake Wales Flooring. Their price was \$10,298. They didn't provide a warranty in time for the meeting. Timeframe to complete is one week to receive

and about two to three days to install. Spectra had an overall price of \$7,712.74 and they reached out to me when the meeting first started saying they have a 15 year product warranty and one year labor and about one week to receive product, one day to install. Mohawk's overall price is \$9,604.92. They have a limited lifetime warranty on that product and two years labor. They estimated five weeks to receive the product and one day to install. And again, they installed the ballroom and current restaurant carpet tiles.

Ms. Pontious: Any additional questions? So we can adjourn to the restaurant so she can show us the products. Take your handouts with you so we can refer to the warranties and we will be good to go.

Ms. VanSickle: Everybody is welcome to come, right?

Ms. Pontious: Yes.

Ms. VanSickle: You need to make that announcement and make sure everyone is aware of that.

Mr. Darrin Mossing, Sr.: We are going to go look at the restaurant so I am going to shut off the recorder.

The record will reflect that a brief recess was taken at this time when everyone went over to the restaurant and Ms. Wells discussed flooring options, showed the Board samples, and a brief discussion took place.

Mr. Darrin Mossing, Sr.: Okay. The recorder is back on.

Ms. Pontious: And we have returned from our field trip. We are ready to go.

Mr. Ference: I make a motion that we consider separating the two areas of carpet to one and tile to another. So the first decision is not to do one product for all, but to have two products in the restaurant.

Ms. Pontious: We have them picked out. We would be using the wood and the carpet with a little bit of orange in it because we are stuck with the orange on the walls.

Mr. Ference: I am not speaking to the color and design, just to have two different applications in the restaurant.

Mr. Costello: I will second that motion.

On MOTION by Mr. Ference seconded Mr. Costello with all in favor the Board approved using both tile and carpet in the restaurant.

Ms. Pontious: We have a motion and second to go with two different applications.

Ms. VanSickle: Are we going to indicate which will be where?

Ms. Pontious: Maybe we can do the whole thing in one motion? We do already have the numbers.

Mr. Deane: We have the numbers right here. We can do it all.

Mr. Ference: So be it. I will amend my motion to not only include the separation of application, but to also include the choice of the product and the area that the product will go into. Is that what we want to do?

Ms. Pontious: Yes.

Mr. Ference: Then that is my motion.

Mr. Costello: I will second that.

Ms. Pontious: Okay. We have a motion and a second. Let's continue with the numbers so we get everything in one motion.

On MOTION by Mr. Ference seconded Mr. Costello with all in favor amending the prior motion to include that the Board approved using Jackson 358 tile on the bottom half and Prominent 228 carpet on the upper half of the restaurant.

Mr. Ference: Someone mentioned that maintaining that should be part of the tenant's lease. So they will be responsible?

Ms. Pontious: I think we will have to do an addendum to the lease that they are responsible for cleaning quarterly. Christine will have to add that to her checkoff sheet of things that she collects from them.

Mr. Deane: We can take the recommendation of the manufacturer as to how often it should be cleaned.

Mr. Ference: So that should be written into the contract or tenant lease.

Mr. Deane: That would be an addendum to the lease. We already signed the lease.

Ms. Pontious: So I think we need a motion for that, too?

Mr. Darrin Mossing, Sr.: I think we should have that on the agenda for the May 11th meeting just because this is advertised as an emergency meeting, it is very strict that you deal with just the item on the agenda and not deal with any other matters. I think that is a separate issue from the floor.

Mr. Costello: Borden, you have been talking to them. Do you foresee a problem with them signing the addendum?

Mr. Deane: I see no problem with regards to the addendum. They are willing to maintain the restaurant as it is received. I don't think we will have a problem with that. They have a very clean operation at the present time and I don't think they are going to change coming here.

Ms. Pontious: Then I think our business is complete.

Mr. Ference: One more thing I would like to do is commend Borden for your absolute commitment and all of your gifts and talents for bringing this to fruition. You are not going to get a raise in pay of course.

Mr. Deane: Carol says I get three times my salary. Zero.

Mr. Ference: Well thank you for all that you do. I want to put on the record how much we appreciate all that you have done for us so thank you, thank you, thank you.

Ms. Pontious: Yes, we do.

Mr. Deane: I just don't want to do this every other year. I want to get this permanently done. I think we have this time.

Ms. Pontious: Because she doesn't have firm figures on what we have decided to do, do we want to approve an amount not-to-exceed so she can go ahead and order without having to come back to us?

Mr. Deane: Yes.

Ms. Wells: I was looking at the pricing for luxury vinyl tile, which seems to be more expensive than the carpeting. I am assuming Mohawk is the company you want to go with since we chose from their book. It just concerns me because their carpet takes about five weeks to get here. It may be shorter. Either they quoted \$11,222 for restaurant

flooring throughout the entire area of luxury vinyl tile. I believe it is more per square foot, so that might be a good number to go off of.

Mr. Deane: But they may raise the price because you are not buying as much. I would recommend not-to-exceed \$15,000.

Ms. VanSickle: I will second.

Ms. Pontious: We have a not-to-exceed \$15,000 on the combined cost of the hard flooring and the carpeting. A motion by Borden and second by Brenda. Further discussion? All those in favor? Opposed?

On MOTION by Mr. Deane seconded Ms. VanSickle with all in favor a not-to-exceed amount of \$15,000 was authorized to be spent using the Board's chosen options of both tile and carpet for the restaurant floor.

Ms. Pontious: Motion carries. You have \$15,000 to work with.

Mr. Ference: Is there any way you can expedite that five week wait period?


Mr. Deane: We are going to have to try.

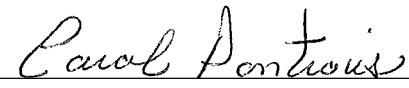
Ms. Wells: I definitely will try to get them to move that up some.

FOURTH ORDER OF BUSINESS Adjournment

There not being any further business,

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


Assistant Secretary/ Secretary


Chairman/Vice Chairman