

**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, September 14, 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:

Borden Deane  
Brenda VanSickle  
Bob Ference  
Mike Costello

Vice Chairman  
Assistant Secretary  
Assistant Secretary  
Assistant Secretary

Also present:

Jillian Burns  
Andrew d'Adesky  
Christine Wells  
Matt Fisher  
Numerous residents

District Manager  
District Counsel  
Community Director  
Field Operations Manager

**FIRST ORDER OF BUSINESS**

**Roll Call and Pledge of Allegiance**

Ms. Burns called the roll and established a quorum was present and Mr. Deane 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)*

Mr. Deane: Public comment. Mr. Goldstein.

Mr. Allen Goldstein: Good morning. I would like to ask for your support for a polling place here at Lake Ashton in April for the city election. I went to the city council meeting last week and brought it up and had almost the full support, including the city manager. We had a member who voted for it but she suggested using the North Site Fire Station across 27. The fire chief expressed to me that he is against that because they have

to move the trucks out etc. etc. Meanwhile we have the experience of running a polling place here for years for state and national elections. I plead for us not to support it and I really don't want us to charge the city or us because it comes out of our pocket. I do feel a voting place in this location for city elections will give Lake Ashton a say on who is elected to the city council and the mayor. We pay about 28% of the residential taxes paid to the city from here but we really don't have a voice there. Thank you.

Mr. Deane: Jack VanSickle.

Mr. VanSickle: What I want to bring to the attention of the Board is some notes that I discovered on the developer talking to the city coming up with what the city required them to do and what they were going to give the CDD developer waivers on. As we know they have a waiver on the width of the streets. Page 3 top paragraph is what I am going to be talking about. There were a lot of issues. One of them that the city did not relieve the developer from building a sidewalk on the external area in front of the development. They did waiver the developers doing it, but the city required the developer to give the city the funds to do it in the future once Thompson Nursery Road started developing. As we know Thompson Nursery Road is being developed. We have another huge development between here and 27 that is going in and of course there are other people building houses on this road. We need to start thinking about sidewalks in front of our development. I am asking the Supervisors to authorize management to write a letter to the city and say hey folks in 2000 we gave you money when Thompson Nursery was being developed. It is now being developed and we have Aldi on the corner. We could have a six foot sidewalk between here and Aldi where we can get the ok from the city to take golf carts that far. Let's do it. Let's not let the city use the money that they probably have already spent and forget about us. Let them know we have an agreement. We paid our share of what needed to go in there and let them say ok this is when we are going to do it. Thank you.

Mr. Deane: Anyone else with comments? Ok let's move along.

**THIRD ORDER OF BUSINESS**

**Approval of the Minutes of the  
Lake Ashton CDD Meeting and  
Minutes of the Lake Ashton and  
Lake Ashton II CDD Joint  
Meeting held on August 10, 2018**

Mr. Deane: Approval of the minutes from the CDD meeting and the minutes from the Lake Ashton joint meeting of the CDDs on August 10<sup>th</sup>. Is there any corrections?

Ms. VanSickle: Are you doing them one at a time or together? I only have one correction and it is on the joint meeting.

Mr. Deane: Does anyone have any corrections on the Lake Ashton meeting? Seeing none, does anyone have any with the joint?

Ms. VanSickle: On page 14 where I am speaking at the top it should be \$26,000 instead of \$2,600.

Mr. Deane: The price for the consultant's report. We need a motion.

Ms. VanSickle: I move to approve the minutes for both meetings.

Mr. Ference: Second.

Mr. Deane: All those in favor.

On MOTION by Ms. VanSickle seconded by Mr. Ference with all in favor the Minutes of the Lake Ashton CDD Meeting and the Minutes of the Lake Ashton and Lake Ashton II CDD Joint Meeting held on August 10, 2018 were approved as-amended.
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**FOURTH ORDER OF BUSINESS**

**Engineers Report**

Mr. Deane: The engineer is not here and we haven't heard from him. If he shows up we will ask him for a report later. We don't have any Unfinished Business so we can skip on to New Business.

**FIFTH ORDER OF BUSINESS**

**Unfinished Business**

There not being any, the next item followed.

**SIXTH ORDER OF BUSINESS**

**New Business and Supervisor Requests**

**A. Public Hearing to Adopt the Rules**

**1) Motion to Open the Public Hearing**

Mr. Deane: New Business. We have a public hearing to adopt the new rules. We need a motion to open the public hearing.

On MOTION by Ms. VanSickle seconded by Mr. Ference with all in favor the public hearing was opened.

**2) Public Comments and Discussion**

- **Discussion on Use of Ballroom as Polling Location and Waiving of Room Rental Fee when Used as Polling Location (*requested by Supervisor VanSickle*)**

Mr. Deane: The first discussion under public comment is Discussion for Use of the Ballroom as a Polling Location and Waiving the Room Rental Fee when used as Polling Location. This is requested from Supervisor VanSickle.

Ms. VanSickle: Al brought this to my attention and we have the polling place for the local and state elections so it only makes sense that we would offer it for city elections also. It is on a different date so we would need to check with Christine to make sure that date is available. I agree we currently don't charge but as Christine and I were talking about this she brought up that in our rules and regulations it only says that we don't charge for public safety items so we may want to correct that item at this time also.

Mr. Deane: I believe we do have to correct it because we never require the state to pay fees at all as we have had a polling place.

Ms. VanSickle: It is convenience for our residents and a service we can provide.

Mr. Deane: It is a service for the residents and I agree that we should offer to use it as a polling place. We have the people that are experienced in running it and I do not believe that there would be any charge. To do that we would need a motion.

Mr. Costello: I make a motion that we allow the polling to go on here and that we waive the fee.

Ms. VanSickle: Second.

Mr. Deane: Anymore discussion? All those in favor.

On MOTION by Mr. Costello seconded by Ms. VanSickle with all in favor the Board approved to allow the use of the ballroom as a polling location and waiving the room rental fee for city elections.

Mr. Deane: Christine, did you want to bring about your fees for us please?

Ms. Wells: Included in the agenda packet was a spreadsheet of rules, Chapter 3 fees included the current rate that is being charged for each fee description as well as the proposed rate. We did in some cases make the proposed rate a little bit higher just in case the Board did not agree with my recommendation and it gave us some leeway to not have to call another hearing. We can increase the rates anywhere between the current and the proposed. It cannot go above the proposed. The first rate is clubhouse ballroom rental May through October. The current fee being charged is \$1,000 and we are proposing to go to \$1,500. I also had Sheila help me do some research on venues in the area and that is about right on track. We are actually a little lower than some and probably right at the same rate as some others. So I am proposing going from \$1,000 to \$1,500. Do we want to approve each rate or just go through all of them?

Mr. Deane: Let's approve them as we go along. Any discussion with the \$1,500? All those in favor.

Mr. d'Adesky: I am sorry. I didn't catch that because you all were moving pretty fast. You adopt this as a block just by adopting the resolution. You don't go through it line by line approving each item. The last one consider another motion, Consideration of Resolution #2018-06. It catches everything. Once again you can always come down in the future or bring those down or create exceptions but for the purpose of the public hearing you should adopt the resolution, not line by line.

Ms. Wells: Clubhouse ballroom rental November through April, currently it is \$1,250 and proposing to go to \$1,750. Fees for all other clubhouse meeting room spaces or facilities, it is currently at \$200 proposing \$300. LA clubs and organizations raising money for fully registered 501(c)(3) from \$100 to \$200. Fee for Bingo room rental is currently up to \$600 per rental.

Ms. VanSickle: I wanted to ask about that one. I read all these and agree with all except for that one. That is currently I believe at \$400 up to \$600 that we currently have would be adequate.

Ms. Wells: Do we have to keep the proposed or can they keep the current?

Ms. Burns: She is saying she wants to keep it the same.

Mr. d'Adesky: That is fine.

Ms. Wells: So any of the ones they can keep the current or they can go the proposed. So we want to keep up to \$600.

Ms. VanSickle: Yes.

Ms. Wells: Now I had a question on the LA clubs and organizations raising money for fully registered or actually in the fee for other clubhouse meeting rooms. Can we do an up to amount for the proposed?

Mr. d'Adesky: Yes.

Ms. Wells: We can do up to \$300 or up to \$200.

Mr. d'Adesky: Yes.

Ms. Wells: Do you want to do up to \$300 for clubhouse meeting room spaces?

Mr. Deane: Well there are different size meeting rooms and maybe we should have lesser fees for the smaller rooms. I believe we should, so I think we should change it up to \$300 but keep it at the discretion to charge up to that amount.

Ms. Wells: So LA clubs and organizations raising money, do you want to keep that at \$100 or go to \$200 or do something like up to \$200?

Mr. d'Adesky: Let me say this one more time. When you adopt a number it is implicitly an up to regardless of whether it is written as an up to.

Ms. Wells: Ok that is perfect. I will just keep going on. Security deposit fees, it is currently at \$500 and proposed going up to \$1,000. Security attendant fee, it is currently up to \$1,000 and I am proposing going up to \$1,500. Special events and entertainment fees, it is currently up to \$100. I am proposing changing it to \$250. Newsletter advertising fees, currently it is up to \$500 per page per month. Changing it to up to \$600 per page per month. Fees for gate openers is currently up to \$70 per opener, and I was proposing

going up to \$100 per opener just to leave any leeway in case we want to change openers or anything like that. Currently they are at \$37. Black and white copies we didn't change. It is currently \$.05. Black ink on colored paper, no change at \$.10. No change to color copies. No change to local fax. No change to long distance fax. No change to international fax. No change to incoming fax. Newsletter subscriptions - these are for our summer subscriptions when people are away if they want the newsletter mailed to them. It is currently up to \$3.00 per month and just because of the increase in postage changing that to up to \$5.00 per month. Laminating is currently at \$5.00 per page, proposing no change. Quarterly resident directory, we are getting more residents and the directory is getting a little thicker so proposing just to go from \$2.00 per copy to \$3.00 per copy. There was no change to sponsorship fees which is up to \$5,000 per event.

Mr. Deane: We need a motion to accept the rule change fee schedule.

Mr. Costello: I have one question on this. How do we determine what we are going to go to from where we are now? Brenda brought up Bingo which quite honestly to me, I mean it is run by the residents and should remain the same, but how are we going to determine with an up to what the actual price is going to be?

Ms. Wells: With a lot of the outside rentals like the ballroom rental, the meetings for the clubhouse, meeting room space, security deposit fee, security attendant fees, I kind of go with what happens in the surrounding area to make sure that we are on track with what is happening there. The other fees were really like the newsletter advertising fee, I just increased to kind of give us some leeway so we don't have to do this again in two years and it is an up to fee. The gate openers I know we have had discussion about gate openers and just looking at some of the prices kind of doing that. So really just kind of evaluating where we are at.

Mr. Costello: I understand the fact that just because it is an up to doesn't mean you are going to pay the max, but there has to be a way of determining what we are going to do as far as raising or whatever we price it.

Ms. Burns: I think it is going to be up to Christine's discretion if that is what the Board is comfortable with.

Mr. d'Adesky: I think what she is saying it that she is basing it on market rates.

Ms. VanSickle: As far as Bingo goes we talked about that a couple of years ago probably before you were on the Board and Tricia had done some research and there was no demand for the ballroom on Monday nights, and like you said it is run by our residents.

Mr. Costello: I really shouldn't say anything because I have a part-time job that has been going on for over a year at Bingo. Quite honestly I can't see us raising their price.

Ms. VanSickle: I can't either. Bingo is trying to give us money back and this is the way they can legally do it. I think we need to keep that at \$400 and if it ever goes up I think that needs to be discussed with us. John DeWinkler does a great job running Bingo and I think he would need to be in that discussion.

Ms. Wells: I agree.

Mr. Deane: I agree with that 100% because I had a meeting with Christine and we talked extensively with regards to Bingo. No one has ever tried to rent the hall on a Monday night other than Bingo. I don't know why we need to change it period.

Mr. Costello: Quite honestly they are probably one of our biggest rentals.

Ms. Wells: Most consistent rental. Like I said when we did the proposed rates there wasn't too much discussion ahead of time on what we wanted to increase to so just to be safe with the advertising we just kind of increased all of them just in case you did want to increase them. Not to say that I wanted to increase Bingo rent, John.

Mr. Deane: Are there any comments from the audience? This is a public hearing.

Ms. Margot Stevens: Lot 131. I was concerned regarding your attitude towards Bingo. They may be our biggest renter, they are also our biggest user. If you come in here on Monday and see them bringing in their dinners and bringing in all kinds of crap. I am sorry I don't appreciate that use of our hall. I would love to play Bingo because I used to play as a kid and win all kinds of prizes, but I really don't think this one is doing us any good as a reputation. There are lots of clubs like Kiwanis that have to raise money in order to do good deeds that they do. Because we pay out so much money here they come here. They don't like to lose. I think Bingo should be paying and I thought it was up to \$600 at one time.



Ms. Ann Boogher: 4121 Limerick Drive. I just would like to appeal as representative of your two 501(c)(3)'s which would be Benefit Association and the Blankets of Love. We realize that the \$100 has been very kind of the Board. We realize that this up to and unless damage is done during one of our events I request that we keep as close to \$100 as we can because every penny counts on those two organizations.

Mr. Deane: I don't know if you understood but this doesn't mean we are changing any fees. This just gives us the ability to raise the fees in the future. Are there any additional comments?

**3) Consideration of Resolution #2018-06**

Ms. VanSickle: Move to approve Resolution #2018-06.

Mr. Costello: Second.

Mr. Deane: All those in favor?

On MOTION by Ms. VanSickle seconded by Mr. Costello with all in favor Resolution #2018-06 was approved.

**4) Motion to Close the Public Hearing**

Mr. Deane: We need a motion to close the public hearing.

On MOTION by Ms. VanSickle seconded by Mr. Costello with all in favor the public hearing was closed.

**B. Consideration of Resolution #2018-07 Amending the Fiscal Year 2018 General Fund Budget**

Mr. Deane: Consideration of Resolution #2018-07 Amending the Fiscal Year 2018 General Fund Budget.

Ms. Burns: This is an amendment that would reallocate some excess revenues to the storm damage category.

Mr. Deane: Any discussion?

Ms. VanSickle: Move to approve Resolution #2018-07.

Mr. Costello: Second.

Mr. Deane: Any discussion? All in favor.

On MOTION by Ms. VanSickle seconded by Mr. Costello with all in favor Resolution #2018-07 Amending the Fiscal Year 2018 General Fund was approved.

**C. Consideration of Engagement Letter with Grau & Associates to perform the Audit for Fiscal Year Ending September 30, 2108**

Mr. Deane: Consideration of the engagement letter for Grau & Associates to perform the annual fiscal year audit ending September 30, 2018. The fees for this we signed a contract last year I believe for three years for the fees and annual audit. They have done our audit in the past. They have done an amazing job. Last year was the cleanest audit we ever received. I need a motion to reengage them.

Ms. VanSickle: Move to reengage Grau & Associates to perform the audit for the fiscal year ending September 30, 2018.

Mr. Costello: Second.

Mr. Deane: Motion by Brenda, seconded by Mike, all those in favor.

On MOTION by Ms. VanSickle seconded by Mr. Costello with all in favor the engagement letter with Grau & Associates to perform the audit for fiscal year ending September 30, 2018 was approved.

**D. Discussion to Amend and Extend the Commercial Pool Cleaning Services Agreement**

Mr. Deane: Discussion to Amend and Extend the Commercial Pool Cleaning Agreement.

Ms. Wells: Included in the agenda packet was an agreement to amend and extend commercial pool services with Heartland Pools. They do have a 3% increase from their January 2014 rate. The total contract price would be \$1,535 per month including the maintenance of the pool, spa, and fountains. Nothing else has changed with that one.

Mr. Costello: I take it we have been satisfied with the service that they delivered?

Mr. Deane: Matt, are we satisfied with their services?

Mr. Fisher: We have been with the responsiveness of the owner of the company. He has some delinquencies with his employees we worked with him on fixing but we do

appreciate his trade of communicating. He is looking to replace the current tech soon and we will see how things go. As far as renewing his contract I would agree with that.

Mr. Ference: Is this a competitive number this \$1,535 if we were to look around for other pool maintenance people?

Mr. Fisher: I can't answer that accurately. In the past they are the only vendor that will come out as early as 5:00 a.m. to service the pool. Other companies wouldn't even consider that if my memory serves me correctly in the past with Trish and Alan.

Ms. Burns: I have one comparison in the area. I have another District in the area that are paying \$19,000 for service. It is in Polk County. They pay \$19,000 and they get service three days a week.

Ms. Wells: In the past Matt is correct, we had difficulty finding someone that would do what we needed done. How many days a week, when they needed to be here. It was difficult even finding people.

Ms. VanSickle: I would like to commend Matt on handling all of these mayflies this year I have seen this young man out vacuuming many times. Our residents really appreciate your efforts.

Mr. Fisher: I appreciate it. It doesn't go without me calling and telling them I had to pull out the vacuum but I just can't leave it looking like that so I appreciate that.

Mr. Deane: So we need a motion to accept.

Mr. Costello: I make a motion that we accept the pool contract.

Ms. VanSickle: Second.

Mr. Deane: Motion by Mike second by Brenda. All those in favor.

On MOTION by Mr. Costello seconded by Ms. VanSickle with all in favor the Board approved to amend and extend the commercial pool cleaning services agreement.
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#### **E. Discussion to Amend and Extend the Landscape Maintenance Services Agreement**

Mr. Deane: Next we have Discussion to Amend and Extend the Landscape Maintenance Services Agreement. I believe this price remains the same. It is just a yearly

extension of the contract. I think we know how good the service is we are getting from the maintenance company in regards to our grass and flowers and everything.

Ms. Wells: That is correct. There is no change to that agreement. It is just to extend for another year.

Mr. Ference: There is no dollar amount on this.

Mr. d'Adesky: Because it is just an extension. It is only required to have in writing that says we are extending for another term. The terms are completely the same as in the original contract.

Mr. Ference: What are we paying?

Ms. Wells: I believe it is a little over \$17,000 a month. It is a very good price.

Mr. Deane: We know that.

Mr. Costello: Make a motion that we accept the extension.

Ms. VanSickle: Second.

Mr. Deane: All those in favor.

On MOTION by Mr. Costello seconded by Ms. VanSickle with all in favor the Board approved to amend and extend the landscape maintenance services agreement.

**F. Discussion to Amend and Extend the Cleaning Services Agreement or Consideration to Send Janitorial Services out for Bid**

Mr. Deane: The cleaning service contract.

Mr. Costello: I have a question on this. We did have a problem with them before. Has that been rectified and then have things turned around?

Ms. Wells: I wish I could say yes. It has been a challenge this year. Matt can attest to that. There is plenty of times where it is becoming a full time job. We have had two sit downs, one with the owner and one with the manager. It just doesn't seem to be getting any better. It is becoming a full-time job to make sure that they are doing their job. There is times where they will miss things to where I have to have facility maintenance jump in and take care of things that they are supposed to be taking care of under their contract. I wish I could say yes but there hasn't been too much improvement in that area.

Mr. Costello: Have we looked into other companies?

Ms. Wells: I have had some companies come to me and just ask to quote, which happens quite often here as you can imagine. I do have some quotes. I haven't evaluated them at all. I never turn down a quote if someone wants to turn in one. I just wait for the time where if we ever want to bid out then we can start comparison.

Mr. Ference: What do we pay these folks a month?

Ms. Wells: I was just looking for that contract. I know it is over \$3,000 and under \$4,000 a month. Then we pay additional for supplies that they stock into our dispensers which I am slowly trying to get away from it you have noticed with the replacement of the hand towels. I think the only thing that they are providing right now once we get the paper towels removed is the toilet paper. Everything else we purchase in house because we have gotten a better price.

Mr. Deane: This also is consideration to send janitorial services out for bid. I think that is what we should consider since we are having problems. We should send out to get quotes for the janitorial services for us.

Ms. Wells: There is an RFP included just in case the Board decided to go in that direction.

Mr. Costello: If we are not getting the service that we deserve I think it time to look to put somebody else in the position.

Ms. VanSickle: Absolutely.

Ms. Wells: I agree.

Ms. VanSickle: We do want to say we appreciate everything that Matt and Alex have done to make up the difference.

Mr. Costello: I don't say that it lies on either Matt or anybody that works here, but what I am saying is we have had problems in the past. We have had it brought to us and it is about time that we look for a company that is honestly going to come in and do the job that they are expected to do.

Mr. Deane: I agree with that. They met with the people and they still cannot get satisfaction. I think we should put this out for bid immediately.

Mr. d'Adesky: Supervisors I would recommend going out for bid is a policy decision but also that we go to month to month because this one terminates at the end of the month and you don't want to have a lapse in coverage while you are looking for another vendor.

Mr. Deane: Can this be extended month to month?

Mr. d'Adesky: Yes. Once again with all of our contracts we have a 30 days no fault out.

Mr. Deane: Instead of extending it for the year I think we should recommend extending it for month to month and put it out for bid.

Mr. Costello: I will make a motion to that effect.

Mr. Ference: I will second that.

Mr. Deane: All in favor.

On MOTION by Mr. Costello seconded by Mr. Ference with all in favor the cleaning services agreement was approved to be extended month to month with the janitorial services to be sent out to bid.
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**G. Discussion to Amend and Extend the Aquatic Plant Management Agreement**

Mr. Deane: Aquatic maintenance agreement.

Ms. Wells: Again this is just to amend and extend. There are no changes to any of the rates previously charged. It is just to extend for a year.

Mr. Deane: We need a motion.

Mr. Ference: Has their service been satisfactory?

Ms. Wells: Yes, they are great. They are really good. They are always trying to come up with new ways to try and fix some of our problems here. I have learned from a lot of contractors that they learn a lot from Lake Ashton. They are doing a great job. They are very responsive.

Mr. Ference: I will make a motion we extend that contract.

Ms. VanSickle: Second.

Mr. Deane: Motion by Bob, second by Brenda to extend the aquatic maintenance contract. All those in favor?

On MOTION by Mr. Ference seconded by Ms. VanSickle with all in favor the extension of the aquatic plant maintenance agreement was approved.

**H. Consideration of Room Rental Contract for Lake Ashton Bingo**

Mr. Deane: The next item is the Consideration of the Room Rental Contract for Lake Ashton Bingo. I do know that they have to have a contract every year in order to get their license. It is my recommendation that we keep the room rent as it is for the Bingo group and give them a new contract for another year so they can get next year's license.

Ms. VanSickle: If that is a motion I will second it.

Mr. Deane: Ok. Any discussion. All those in favor.

Mr. d'Adesky: Mike, was that aye or nay?

Mr. Costello: I was abstaining only due to the fact that I do work with these people.

Mr. d'Adesky: So you will have to fill out a conflict form. We will get that to you.

Mr. Costello: I don't want anybody to think that I am the ringer here.

Mr. d'Adesky: If you are making money in any way.

Mr. Costello: I don't make a penny.

Mr. d'Adesky: Then you can't abstain.

Mr. Costello: Then I am all for it.

Mr. d'Adesky: Ok.

On MOTION by Mr. Deane seconded by Ms. VanSickle with all in favor the room rental contract for Lake Ashton Bingo was approved.

**I. Discussion on Media Use Regarding Local Government Issues Impacting Lake Ashton (*requested by Supervisor VanSickle*)**

Mr. Deane: Discussion on Media Use Regarding Local Government Issues Impacting Lake Ashton. This was requested by Brenda.

Ms. VanSickle: This came up when Mr. Goldstein came to me and he wanted to put out an email blast. I think this was concerning stormwater fees and then it came up again with using Lake Ashton as a polling place. Christine and I talked about this at our meeting, this is governed by a group or organization. He was willing to go in and in fact he even agreed with the Democratic Club that they were willing to put it out together but Christine wanted to wait until we had chance to talk about how we should use media. We don't want just one person coming up and putting out anything, but if there is a local government issue at stake that is going to impact our residents we would like some means of communicating the fact that maybe they need to get to a city commission meeting. I know currently they are starting to discuss streetlighting fees. We pay our own streetlights so hopefully we would be exempt from that like we were from the stormwater. Jack worked over a year on that trying to get when it came out, we don't have to pay that, but some of our friends in Winter Haven do. So we need to stay current with the city on issues on how it impacts us.

Mr. Deane: I went to the meeting with regards to the stormwater and they apparently had looked at it before we could really start yelling at them. They came back and said that there were like four or five developments like ours that they will not have stormwater fees because we put in our own stormwater management system.

Ms. VanSickle: The reason they came to that realization is one of our residents, Jack, started that a year ago. You have to start this at the beginning and talk to the individual commissioners and talk at those meetings. Think about it, it might not enter their mind when they start adding these fees. They can't make the millage rate above a certain point, so then they start throwing fees.

Mr. d'Adesky: From a legal basis I think, Brenda, you hit on it there. Obviously you don't want to put out all information or any information. The keystone for putting out government communications is keeping it objective and fact based. Very, very simple not editorializing it at all. Saying there is a hearing on this date at this place about stormwater fees. Here is some information for you to attend. Not editorializing it or anything like that, then individuals can make their own decisions whether or not.



Ms. VanSickle: Absolutely. We didn't want everybody coming in about this is happening and we need to put this out. This is happening and we need to put this out. You don't want it to be all inclusive, but you want to have some rules and regulations so it is fair and consistent to everybody, only things that would impact the community as a whole. So if anybody else has any other suggestions on guidelines we need to use for that. Clubs, groups, or organizations was the key point there too.

Ms. Wells: So it is ok to put it on media as long as it is sponsored by a club, group or organization like the Democratic Club and Republican Club. There is going to be a hearing at the city for stormwater fees.

Mr. d'Adesky: And it is a factual statement, right. Yes. Not an endorsement of a particular candidate.

Ms. VanSickle: Just let them know this issue is coming up. A lot of times you are slapped with something you had no idea where if you had known you would have maybe said something.

Ms. Wells: I agree.

Mr. d'Adesky: That is in our current policy. Most of this is. I was elaborating the nuances of our current policy, which is not to adopt positions. That is all.

Ms. VanSickle: It came up because Al wanted to do this and Al can be very vocal and very pushy. He is good at it.

Mr. Deane: Now we know where we stand with that.

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

### **A. Attorney**

Mr. Deane: Attorney's report.

Mr. d'Adesky: Nothing on the day to day side other than I did send out the letter to the city regarding the golf course as instructed by the Board. Obviously I am participating in the ongoing negotiations regarding the golf course but that will be discussed at the joint meeting just to be clear.

Mr. Deane: You said you came in and made them cut the grasses around the lakes.

Mr. d'Adesky: I am very surprised.

Ms. Burns: I actually spoke to code enforcement for Winter Haven. They called my office. They did let me know that the best way for residents to deal with the situation is to file an individual complaint. They got the letters from the District. They can't open a file on it unless let's say the tract behind your house the grass needs to be at least 12 inches high, call them, file a report, and that is when they can start action. She said that she thought she would be very busy, but the best way for residents who had issues like if you are mowing or maintaining that area yourself to stop, let it get above the threshold, and then call and make a report. She will come out, contact the owner, and tell them they need to take care of it.

**B. Community Director**

**1) Monthly Report**

**2) Consideration of Gate House Public Safety Sign**

**3) Consideration of Quote to Replace Patio Awning**

Mr. Deane: Community Director's report.

Ms. Wells: The Community Director report was included in the agenda packet. As you can see, we are almost done with ballroom window replacement. They are working on the last window now and they will be done. Then we are going to get window sills. They are actually coming today at 1:00 p.m. just to do a survey of the windows so they can get all the measurements correct. They should be installing that in about a week. You will see the windows missing window sills for just a little bit until we can get those up. The pavement, the resurfacing of both parking lots is almost complete. We had some concerns with the west parking lot so they are coming back. Matt and I are working with them to come back. They did come back yesterday and kind of smoothed out some of the joint lines that were there. They are going to come back and do some other work on it either today or sometime next week. I will keep the Board informed as to when that is going to be officially done. The next thing that I have was the consideration of a gate house public safety sign. At one time the community had to use ADT. That is no longer the case so I had proposed to remove the three signs that are there. It is currently an ADT sign saying Lake Ashton homes protected and your video surveillance, the warning neighborhood watch sign and the citizens assisted patrol sign

just removing them from their current location. Then there was an example of the sign that was sent out via email that just combines those signs into one. It goes on the center column between the visitor side and the resident side. We are not removing the presence of the sign, just kind of rearranging it and getting rid of the ADT sign. It still says protected by video surveillance, has the Citizens Assisted Patrol sign and the warning Neighborhood Watch sign. There were two options. One with a black background and one with a white background. So just to leave the Supervisors the decision as to which color they prefer.

Mr. Deane: Brenda, you took the survey.

Ms. VanSickle: I took a survey and it was about 60% for the black and 40% for the white but some of the comments made with would the white show up better and the black might fade. John DeWinkler also made the comment about it should be reflective. Something on the sign so when the lights hit it, it will show up. Now this will be under the lights out there at the gate house so I don't know.

Mr. Costello: One of the things that we spoke about was on the sign whether we were going to be able to put no soliciting, whether or not we can do it legally.

Mr. d'Adesky: Putting no soliciting?

Mr. Costello: Yes.

Mr. d'Adesky: Is it in the covenants?

Mr. Deane: I believe it is.

Mr. d'Adesky: Is it paid for by the HOA? If it is in the covenants the issue is us enforcing that and advertising that. If the HOA would be willing to put up that sign they can put up that sign, not the CDD. You would be paying with CDD funds.

Mr. Costello: One of the problems we are experiencing, I was with my wife, we were in a store and she gets a text message that somebody is in the neighborhood and they are coming on the pretense that they are looking to evaluate your air conditioning and everything else. Personally, and I spoke yesterday to Christine about this, legally at the gate can these security people ask these people for their license number. I am sure they are licensed by the state of Florida.

Mr. d'Adesky: They can ask. If they insist no I don't want to give it, they technically don't have to give it. They can ask the question.

Mr. Costello: Ok they can ask. Can they also ask for the permit because I believe Lake Wales you have to have a permit in order to solicit. Can they ask for that also?

Mr. d'Adesky: Once again you can ask the question.

Mr. Costello: Ask for it and if you get it, you get it. If you don't, you just take the plate number down and you call Lake Wales or Winter Haven police.

Ms. VanSickle: Legally put no soliciting even if we couldn't enforce it. Is there anything wrong with having it on the sign?

Mr. d'Adesky: Yes, the issue is that the CDD is very clear under the Statutes and is very strict. Actually I just had a long conversation with an HOA lawyer yesterday on this issue. The CDD cannot enforce HOA declarations and also things that benefit private entities. If we are private homeowners individually rather than the public assets that are charters and very specific. Now granted if the HOA would pay for that or if any private individual would pay for the sign I am sure the sign isn't very expensive. It is \$45. If somebody would pony up \$45 then they can put it on our property that is fine.

Ms. VanSickle: Can they put it on our sign? We are trying to get rid of the sign pollution up there.

Mr. d'Adesky: I get how minor it is, but because it is so clear cut I don't want to endorse that. It is sort of a slippery slope. You start with no solicitation and then you have the whole master declaration out there on your sign. If they pay for the whole sign then they can put it up.

Mr. Deane: Maybe we should talk to the HOA.

Mr. d'Adesky: I think that is a good discussion to have with them, especially if it is not an expensive cost.

Mr. Deane: It is not very expensive. It may be a good discussion for the HOA.

Mr. Costello: I make a motion that we table it until we talk to the HOA and see what they want to do.

Mr. Deane: Alright, fine.

Ms. VanSickle: Andrew, one question. If we put up a sign on a pole and they put a little sign under it on the same pole, is that legal?

Mr. d'Adesky: Yes, I think that would be fine. As long as there is a discreet part that they are paying for. I just want to make sure that there is a clear separation. It is a silly question, but you understand the answer is to just make a clear separation.

Ms. Wells: The next item was consideration of quotes to replace the patio awning. This is included with our Hurricane Irma claim that is still outstanding. The quote is for \$11,000. It would be covered completely under the Hurricane Irma claim that we have outstanding. If we get that replaced we can close out that claim and we will receive \$48,174. I included the quote to get Board approval so we can move forward with that. We did have Parker's come out who originally installed the awning. It definitely needs to be replaced. I think that is originally why we were waiting to see if it definitely needed to be replaced. They said it does. Water is just gushing in parts of it.

Ms. VanSickle: I think we need to go ahead and replace it.

Mr. Costello: Second.

Mr. Deane: Motion to replace the awning damaged by the hurricane. All in favor.

On MOTION by Ms. VanSickle seconded by Mr. Costello with all in favor the proposal to replace the patio awning was approved in the amount of \$11,000.

Ms. Wells: That is all I have unless anyone has any questions on the community director report that was included. Thank you very much.

**C. Field Operations Manager**

**1) Monthly Report**

**2) Consideration of Lake Ashton Blvd. Medjool Palm Replacement Options**

Mr. Deane: Matt.

Mr. Fisher: Good morning again. Included in the agenda is operations manager report. Any questions I will be happy to answer. While you guys are looking through that, Christine didn't mention that there were three different areas that were patched throughout the CDD roadways. Thank you, Brenda, for pointing out the third one that

was at the intersection of Ashton Club Drive and Dunmore there. At the beginning those were two decent holes that I missed. All those were patched and they look great. I went around. The other hole was further down Dunmore and that was patched. The other was Litchfield. It had a decent size there. Those residents were grateful that was being patched as they were decent size holes. Last meeting we touched on the trees that were affected on the Boulevard. One was palm decline and the other was a lightning strike. Included you will see replacement options. To put it into perspective, to replace those areas that were targeted by the lightning and the decline per medjool palm is \$6,000 to replace it for a 26 foot medjool palm. That is not cost effective in the sense that it could get the disease again, plus that area seems to be prone for lightning strikes so we looked into replacing them with a triple Robellini palm, which are on that Boulevard as well. I think it fits nicely in there. There are uplights in those areas so it would shine nicely on those. We looked into a queen palm but it just didn't fit in there. It didn't match. There are no queen palms on that Boulevard and it just looked out of place. It is up to the Board to decide if that Robellini looks good in those areas. I think it looks good.

Ms. VanSickle: That would be your recommendation?

Mr. Fisher: It would be. The price is good compared to replacing it with those medjool palms. I think it would look good.

Mr. Deane: And \$3,740 compared to \$6,000 for one palm. That is a big difference.

Mr. Fisher: Yes, it is \$3,740 for taking out the two palms, grind stump grinding, and replacing with four Robellinis.

Mr. Deane: It is replacing four areas. It is replacing the other two that have already come down. I think it should be accepted. That is my opinion.

Mr. Costello: I make a motion that we accept it.

Ms. VanSickle: Second.

Mr. Deane: Motion by Mike second by Brenda to accept Yellowstone's proposal to replace the palms on the Boulevard with Robellini palms for a total of \$3,740. All in favor?

On MOTION by Mr. Costello seconded by Ms. VanSickle with all in favor proposal from Yellowstone for \$3,740 for palm replacement with Robellini palms was approved.

Mr. Fisher: Perfect. I will get them to get those palms taken out ASAP. Thank you.

Ms. VanSickle: Matt, one more question. Murray and Bob, I may need your help on this one. Nancy Baker talked to me last night about diseases, and I don't remember the exact names, but she was going to send me the information. I haven't received that yet, but she said the HOA had several trees that had to be removed. They were having to be dug out, even the roots injected but the disease was getting into the soil. Did we have a problem with that that you are aware of?

Mr. Fisher: Not that I am aware of. I will talk to Chris because I remember in the past Alan was looking into having some of it tree sampled. I don't know where that came or how far that process got. I will talk with Chris Wednesday when I meet with him and see if we can get it, some of it is palm tested to make sure if it is something that we can avoid or inject it with some sort of nutrient. I think we visited that in the past.

Ms. VanSickle: I would check with Bob or Murray to find out the issues that they are having and see if they are affecting ours.

Mr. Fisher: Perfect will do.

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

Ms. Burns: We scheduled a joint meeting on October 5<sup>th</sup> to discuss the golf course. If any Supervisors have any joint meeting items you would like added to that meeting let me know. It will probably make sense to deal with other joint issue at that time since that is the only meeting we have coming up soon so if you have any items just let me know. Other than that, that is all I have.

### **EIGHTH ORDER OF BUSINESS**

#### **Financial Reports**

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

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

Mr. Deane: We have Approval of the Check Run Summary next. Does anyone have any questions?

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

Mr. Costello: Second.

Mr. Deane: Motion by Brenda second by Mike to approve the check run summary.

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

Mr. Deane: Combined balance sheet needs no action. It is just there to let us know what is going on.

## **NINTH ORDER OF BUSINESS                      Public Comments**

Mr. Deane: Are there any public comments?

Ms. Stevens: I guess I would like to ask a question. We had rented our facility to a sweet sixteen or sweet fifteen party a little while ago and somehow or another it got completely out of control. There was a great deal of mess as well as initials carved in one of the desks somewhere in here. They did not have enough in their security deposit to pay for fixing that mess. I wondered if we blackballed that person that rented the hall or do we need to improve our security during a party like that? How do we handle that?

Mr. Deane: I have discussed that particular instance with Christine and we were talking about having police security that the renters would pay for at future events to keep it under control. Actual off duty policemen.

Ms. Stevens: How did we handle him not having enough money in deposit to pay for it all?

Mr. Deane: We are getting the desk replaced. We are putting in a new desk so therefore we just kept his deposit. We didn't repair it period because we are replacing the whole desk and that money from his deposit will go towards the cost of the new desk and save us money.

Ms. Stevens: The rest of the stuff is just on our tab?

Ms. Wells: There were no other complaints from security with that event that you are speaking of. The only incident that was reported to me was the incident of the desk.



Ms. Stevens: So it has to come from security, it can't come from just a regular old person? There was a lot of trash and a very big time mess. How did you pay for that spending all of the money on a desk?

Ms. Wells: I have also talked to the janitor company and this is one of the issues that we have had. I told them to let us know because at that time it is midnight, staff is not here and to let us know if they spend any extra time because general janitorial cleanup is included. They don't charge us any extra for it. They didn't relay that information to me if there was any additional cleanup that they incurred.

Mr. Deane: Any other audience comments?

Ms. VanSickle: Just one comment. We just approved raising our damage fee up to \$1,000 so that should help on that.

Mr. Costello: We went to \$1,500 from \$1,000.

Ms. Wells: No, we went from \$500 to \$1,000.

Mr. Costello: Alright. I would suggest because \$1,000, that hopefully you are going to get back, I personally think that we should go for the full \$1,000.

Ms. VanSickle: I agree.

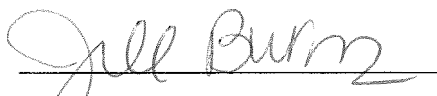
Mr. Deane: Any other comments? Bob?

## **TENTH ORDER OF BUSINESS**

## **Adjournment**

Mr. Ference: I make a motion that we adjourn this august meeting.

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

  
Assistant Secretary/Secretary

  
Chairman/Vice Chairman