

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

The joint meeting of the Board of Supervisors of the Lake Ashton Community Development District and Lake Ashton II Community Development District was held on Monday, **October 18, 2021** at 11:30 a.m. at the Lake Ashton Clubhouse Ballroom, 4141 Ashton Club Drive, Lake Wales, Florida.

Present and constituting a quorum:

Bob Plummer
Michael Costello
Steve Realmuto
Harry Krumrie
Lloyd Howison

Lake Ashton CDD Chairman
Lake Ashton CDD Assistant Secretary
Lake Ashton CDD Assistant Secretary
Lake Ashton CDD Assistant Secretary
Lake Ashton CDD Assistant Secretary

James Meccsics
Bob Zelazny
Mary Clark
Angela Littlewood
Colette McKie

Lake Ashton II CDD Chairman
Lake Ashton II CDD Vice Chairman
Lake Ashton II CDD Assistant Secretary
Lake Ashton II CDD Assistant Secretary
Lake Ashton II CDD Assistant Secretary

Also present:

Jill Burns
Jan Carpenter *via Zoom*
Sarah Sandy
Christine Wells
Garrett Posten
Mary Bosman

District Manager
Lake Ashton CDD District Counsel
Lake Ashton II CDD District Counsel
Community Director
Rayl Engineering & Surveying, LLC

FIRST ORDER OF BUSINESS

Roll Call and Pledge of Allegiance

Ms. Burns called the meeting to order at 11:00 a.m. and called the roll. All Supervisors were present. The Pledge of Allegiance was recited.

Mr. Plummer: Before we go to the second item, Jim has an announcement he'd like to make.

Mr. Mecsics: Thanks. At our meeting on Friday we had to fill a seat from an individual, Mr. Hill, that had resigned. I'd like and be appreciative that Mrs. Mary Clark is our newest Board member. Mary, raise your hand for everybody. We welcome you to our group and are looking forward to great things. Thank you.

Mr. Plummer: Thank you very much. Welcome, Mary.

Ms. Clark: Thank you.

SECOND ORDER OF BUSINESS

Approval of Meeting Agenda

Mr. Plummer: Next item is the approval of the meeting agenda. Does anybody have any changes or corrections they'd like to make to the agenda?

On MOTION by Mr. Realmuto, seconded by Mr. Costello, with all in favor, the meeting agenda was approved by the Lake Ashton CDD Board.

On MOTION by Mr. Zelazny, seconded by Mr. Mecsics, with all in favor, the meeting agenda was approved by the Lake Ashton II CDD Board.

THIRD ORDER OF BUSINESS

Public Comments on Specific Items on the Agenda *(the District Manager will read any questions or comments from members of the public in advance of the meeting; those members of the public wanting to address the Board directly should first state his or her name and his or her address.*

Mr. Plummer: Next item is public comments.

Ms. Burns: I do not have any forms for the joint meeting. We can defer to the Zoom line. If anybody is on the Zoom line has a public comment, you can use Zoom's raise hand feature to be called on. Hearing none,

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FOURTH ORDER OF BUSINESS

Approval of Minutes of the July 16, 2021 Joint Board of Supervisors Meetings

Mr. Plummer: You should have electronically received the minutes from the July 16th, 2021 Joint Board of Supervisors meeting. Are there any additions or corrections to the minutes as presented?

On MOTION by Mr. Realmuto, seconded by Mr. Costello, with all in favor, Approval of the Minutes of the July 16, 2021 Meeting, were approved.

On MOTION by Ms. McKie, seconded by Mr. Zelazny, with all in favor, Approval of the Minutes of the July 16, 2021 Meeting, were approved.

FIFTH ORDER OF BUSINESS

Update Regarding Joint Amenity Policies (requested by Supervisor Realmuto from Lake Ashton CDD)

Mr. Plummer: Next item on the agenda is update regarding the joint amenities policy.

Mr. Realmuto: I believe Angela and I were tasked with our respective Boards to start looking into any updates that might be necessary to the joint amenities policy. Basically, I just put this item on the agenda to report our status. Angela and I have met together with our community managers to go through the joint amenities policy and identify any areas that might be in need of updating. Quite frankly, there was nothing startling or controversial there. It's mostly a lot of little administrative type changes to make things consistent. I just wanted to report that we've identified those and that we will be meeting again, probably between this meeting and next month or so to go over a draft incorporating those things we identified. At that time it would probably be ready before the next joint meeting to present it to this joint Board or perhaps earlier to our individual Boards. That's the plan going forward with scheduling meetings with the four of us, essentially, as needed and as the work is ready. Any questions for Angela or I?

Mr. Plummer: Thank you, Steve, for that report.

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SIXTH ORDER OF BUSINESS

Consideration of Resolution Setting a Public Hearing Amending Joint Amenity Policy Related to Non-Resident User Fees

A. Resolution 2022-01 for Lake Ashton CDD

Mr. Plummer: Next item is consideration of resolution, setting a public hearing, amending joint policy-related to resident user fees.

Ms. Burns: We had a discussion, I believe the last joint meeting and I think both Boards have had some individual discussion that since the O&M assessments for both districts have been raised in the last couple of years, that the non-resident user fee also needed to increase. For those of you who don't know that it is the fee where an outside resident could come in and pay the fee in order to use the amenities within Lake Ashton, that would apply to all amenities with the exception of the golf course. That's separate through membership. This would just set our public hearing for the next joint meeting, which is January 21st at 11:00 AM. We're not setting the rate today. We do need to put a cap amount in the notice so we can bring it down from there. Whatever you think we may be discussing, we can bring it down. I believe it's \$2,600 right now.

Mr. Realmuto: Not on our side.

Ms. Burns: It's a joint fee that is split between both districts.

Mr. Realmuto: I understand that, but I don't believe this Board has approved a fee of \$2,600.

Ms. Burns: It was done a long time ago and never changed. It doesn't change.

Mr. Realmuto: It's \$2,400. Regardless, we need to pick a max I think, right?

Ms. Burns: Right. Just to include in the ad.

Ms. Wells: It's currently \$2,400.

Mr. Realmuto: Thank you.

Mr. Plummer: That's as it is stated in the joint amenity policy.

Ms. Burns: I think that's right, Bob.

Mr. Realmuto: I know the Winter Haven Board discussed another amount at some of their meetings. I know it hasn't been finalized but I think we need to go with the highest possible amount to give us the flexibility.

Ms. Burns: Correct.

Mr. Zelazny: Well, I think when the rate was initially set at \$2,400, the highest assessment per lot was \$1,830 something. Since then, ours has gone up to \$2,605, yours has gone up a little bit more. I would ask for a number going forward, somewhere in the vicinity of \$700 to a \$1,000 over what our assessment is so it'd be around \$3,500-\$3,700.

Mr. Mecsecs: When we had done this before, because of the assessments, we wanted to make sure that residents are not paying more than non-residents. As Bob said, at one of our other meetings we did talk between \$3,500 and \$3,700 and that's the top cap. But I think we do a disservice to our community if we have non-residents paying less than our residents pay for the amenities. I would recommend we do at least \$3,700 as a top and we can move on down from there.

Mr. Realmuto: I just want to point out when Jim and others are talking about their current assessment being \$2,600 and change, that's just the O&M assessment. In addition to that, residents pay on the bonds or the capital that was used to build these buildings. It is reasonable essentially, I think, to add the two together and setting a fee for non-residents who don't pay either of those.

Ms. Burns: That can be a common thing that Boards do is look at what a resident would pay for their debt and O&M assessments. It does have to be a reasonable fee. You can't come in and say the fee is \$10,000. That wouldn't be reasonable for the cost. I think that reasonableness is something that nobody could really argue that the number between debt and O&M is what a resident pays that that would be a reasonable amount.

Mr. Realmuto: I think Supervisor Zelazny made a comment that ours is more than that. I am not sure what you were referring to but before we scare our residents, the O&M fee in Lake Wales is \$1,900 and change and not more than \$2,600. Just to be clear, but I do agree that we need to set it to the sum of those two assessments, the higher portion of those. My question, based on what Jillian said is, what is that figure of your O&M assessment and the highest, I guess, phase capital assessment in Winter Haven?

Ms. Burns: \$2,608 for the O&M and the debt we just refinanced. I think that it was \$915 off the top of my head that we just talked about on Friday. The other one's a little bit higher, think it's \$1,250, so \$1,250 plus two.

Mr. Mecsecs: Add those two together.

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Ms. Burns: Don't make me do math on the spot. That'd be \$3,850. I think why don't we do \$4,000 for the ad.

Mr. Mecsics: Let's do \$4,000. We can always take it down there. Again, this is for non-residents. Again, let's not confuse between the two CDDs and all these other conferences. Let's set this at \$4,000 and then we can have our public hearings and then we go from there.

Ms. Burns: Correct. We'll place the ad at \$4,000. There's two separate resolution and resolution numbers included in there so we need a motion.

Mr. Plummer: So ours is Resolution 2022-01 for Lake Ashton setting the amount at \$4,000 to be advertised.

On MOTION by Mr. Realmuto, seconded by Mr. Howison, with all in favor, Resolution 2022-01 Setting a Public Hearing Amending Joint Policy Related to Non-Resident User Fees, For Lake Ashton CDD Setting the Amount at \$4,000 to be Advertised, was approved.

B. Resolution 2022-04 for Lake Ashton II CDD

Mr. Mecsics: Next is the Resolution 2022-04 for Lake Ashton II to raise it to 4,000 for the public hearing.

On MOTION by Ms. Zelazny, seconded by Ms. McKie, with all in favor, Resolution 2022-04 Setting a Public Hearing Amending Joint Policy Related to Non-Resident User Fees, For Lake Ashton II CDD Setting the Amount at \$4,000 to be Advertised, was approved.

SEVENTH ORDER OF BUSINESS

Discussion Regarding Community Action Group Formation (requested by Supervisor Costello from Lake Ashton CDD)

Mr. Plummer: Next item on the agenda is number 7, discussion regarding community action group formation.

Mr. Costello: Okay. We went through that at our meeting. I believe all of the members of the Winter Haven Board were here. The reason that I brought it in here was

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because I somewhat felt that we were going to be told this is outside the community and it's something that should be done but it's something that we shouldn't have to do here at a meeting. All I'm saying is, we're going to have a meeting hopefully in the near future. We invite all of you and hope that both the groups will join us because like I say, we're going to need all the action we can get, especially November the 1st I'd to see this hall filled.

Mr. Mecsecs: As we were sitting there during that time, we both talked about it to keep it as simple and free of constraints between the Sunshine laws and all that. I would recommend that we seek out volunteers to access a grassroots action group, that the CDD itself does not have any direct influence with it, but they are an action group and we can all help out because we all have a stake in it, whether we're on the Lake Ashton or Lake Ashton II Board. But again, it won't be an official group, it'll be a grassroots and we already have some volunteers, so we look forward for that participation.

Mr. Costello: The only thing I can ask is if we want to move forward and set a meeting date when we could try and get people together and see what happens.

Mr. Mecsecs: We don't have to do that today, but again, let's keep the CDD participation. If we have any CDD and I'll use the terminology we used to say, government stink on it. We can't and we don't want Sunshine law problems. Let's get our volunteers together. Mike, I'll take the lead and you'll take the lead on this and we'll get our volunteers together and then we'll set up with those volunteers a meeting that way we're not directly involved.

Mr. Costello: Okay. Sounds like a good idea.

EIGHTH ORDER OF BUSINESS

Update Regarding Focus 2025 Group (requested by Supervisor Realmuto from Lake Ashton CDD)

Mr. Plummer: Moving on, the next item on the agenda is number 8, update regarding focus 2020 group.

Mr. Realmuto: That's a typo. It should be 2025.

Mr. Plummer: Thank you very much. I figured it was, but I'm just reading it off the sheet. I think that was requested by use of the foragers.

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Mr. Realmuto: I guess I just put this on the agenda for each of the CDDs perhaps to give updates on where they were with those and responses to them. I know that on the Lake Wales side, we've had our staff looking at those in great detail and making improvements as it's recommended on that survey by the majority of participants. To date, we've tackled mostly little things. Just today it was the handicap railing on the west entrance here by the theater. Before that, we've done a lot of other things. I won't take your time and reiterate through all of them. I was hoping to hear, I guess from the Winter Haven side. I know Christy gave a great report at your meeting, Jim and you've been tackling smaller things as well. I was hoping to have her here. I had invited her and she accepted.

Mr. Mecsecs: Steve, that's a CDD 2 responsibility. If someone's going to be representing CDD 2 at our joint meetings, and that's the Board chairman or who he's designated to do so. We had a great report from Christine and what we've taken because we had to focus on those areas within CDD 2 rather than just the whole conglomerate because we're going to be putting money against this. That is going to be put into our strategic planning process and each Board member will know about that. As far as action items, that will be taken up as their normal meetings.

Mr. Realmuto: Jim, I certainly understand the need for each of the Boards to consider the items that they might need or want to implement as it's a cost for that CDD. I understand completely where you're coming from on that. But in the interest of operating in so far as we can as one community, there are a lot of the things raised on the focus 2025 survey that would be best addressed, I believe by us as a community, particularly some of the bigger items. Now, granted one of those was for perhaps another outdoor pool, for example. If I could be allowed to finish, please. Clearly, that's an item that's probably too big financially for either us to take on in the immediate future with our obligations and potential liabilities with the restaurant and perhaps similar on your side, I won't address that. The point is, we acknowledge that we felt we can't do anything there to start. But it should still be kept on the radar to do something when we can and not ignore the feedback we're getting. Perhaps some of the smaller items that I think span the community, are emergency preparedness. I know you're making plans on your side to do something there. I think it would behoove us to work together so we don't duplicate

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efforts, but provide a greater benefit to the whole community. We can discuss the details later. I wasn't looking to get into those. Simply pointing out that I think there were things we can do better as a whole, as one community and that all of our residents would benefit as a result. I hope we'll continue to work together.

Mr. Mecsecs: Again, Steve, I appreciate that. With community or public safety, I would work with Mr. Plummer on that. I think it's inherent upon each Board to recognize their own responsibilities. But I do not believe it's under the purview of the joint meeting to go into each specific CDDs. You may do what you want to do on yours. But again, we are all working for the Board. We're all working for the community. But let us work ours while you work yours.

Mr. Realmuto: Let me just ask a quick question of all Board members really. That is, do you see any opportunities to work together on any of the items that have come up on the survey itself, from the report you just recently got from your committee or otherwise, for example, I identified one which was emergency preference?

Mr. Mecsecs: Again, we are our own CDD and the Board members, we will be working together on this. Then when we have to discuss or work with any of our counterparts, we will do that. Thank you and that's noted.

Mr. Realmuto: I'm just pointing out we're here at a joint meeting together. This is an opportunity to at least get the process started and all I'm trying to do is encourage that. Again, I'd like to hear if any other Board members have anything they feel that we could move forward on.

Mr. Plummer: Anybody have any further discussion? Hearing none.

NINTH ORDER OF BUSINESS

**Discussion Regarding Security Gate
Options *(requested by Supervisor
Realmuto from Lake Ashton CDD)***

Mr. Plummer: The next item on the agenda is discussion regarding security gate operations. Obviously, that is something that has to be done in a closed session.

Ms. Burns: If there were specific operational things, correct.

Mr. Plummer: I think there's going to be several questions about specific operations and I think that it's going to require a closed session.

Ms. Burns: We did advertise for that.

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Mr. Realmuto: I actually added this item to the agenda because it came up and the information presented at the last joint meeting. We didn't hear prior to the meeting. I have a non-operational item I believe that I would like to talk about if nothing else. I'll hear from other Supervisors if they have anything.

Mr. Plummer: Go ahead if you have a non-operational.

Mr. Realmuto: At the last joint meeting, I think Supervisor Plummer and Mecsics presented that they had investigated the option of other gate access mechanisms and that looking at a barcode reader type system would cost \$38,000. Because of the cost, it was basically tabled. I hadn't had a chance to look at it or think about it before then, but something struck me as odd about that. Looking into it further, I think it's important to look at details. That \$38,000 included, among other things, the cost of the barcodes itself. In other words, the device that the residents would have that will open the gates. I view that as the equivalent of the gate openers that we currently have. That \$38,000 included the cost of the barcoded stickers for the cars. I don't know if we've been given many details about that. That's where a written proposal or a quote would really help us all understand the cost in greater detail. My point is that because it included the cost of the barcodes, what it doesn't consider is the fact that we're eliminating residents needing to buy gate openers. I understand we all have them or what we need, but they do need to be replaced over time. Those gate openers cost \$37 each as compared to, correct me if I'm wrong, I think the cost of each bar code was in the neighborhood of five dollars. My point is that we could fund this. Essentially that the cost would be lower to residents over the longer term by going with the barcodes when you consider the need to buy new or additional gate openers. We could probably fund it. If you do the math, you'll see that even charging an amount somewhere in the middle in the neighborhood of \$20-25 could fund the entire barcode cost for both communities. I personally think this needs to be given a more serious look, but that was my analysis of the financials. Again, if you include the cost of the access device, I believe it would actually come down to residents and can be funded by essentially charging for the barcodes just like we charge for the gate openers although at a much lower cost to residents. Thank you for considering that.

Mr. Mecsics: Thank you.

Mr. Realmuto: There is no need for a closed session or there is now?

Ms. Burns: Do you guys have operational things to discuss?

Mr. Plummer: Is there any operational issues that we did talk about or not? Jim and I do not have any. Unless someone on the Board wants to ask operational questions, we'll have to move to a closed Board session.

Mr. Realmuto: Again, if we wanted to align operational things, I think it had been anticipated that we would have had our closed session so that we knew some details on our sides that can't be discussed in the open meeting and then we potentially could bring those forward to the joint meeting. Unfortunately, things aren't happening in that order, so I don't know that it makes sense or not.

Ms. Burns: Would you like for us just to add a closed session to the next joint meeting, that way it could be on there if needed?

Mr. Realmuto: I would, yes.

Ms. Burns: Okay.

TENTH ORDER OF BUSINESS

CLOSED Board Discussion Regarding Security Procedures

**This item was deferred to the next joint meeting*

ELEVENTH ORDER OF BUSINESS

Supervisor Requests and General Public Comments

Mr. Plummer: Okay. Supervisor's requests are next.

Mr. Krumrie: I just wanted to thank Lloyd for all his hard work on getting the cart paths and everything issues resolved on the golf course. I appreciate that. Thank you.

Mr. Realmuto: Has the hole number 1 issue on this been resolved or in progress?

Mr. Howison: The repair has been finished. The type of product that they used takes a week to cure, and I would expect that the first hole be open midweek.

Mr. Costello: I had heard that it will open on Thursday.

Mr. Howison: Yes. That's what they are looking at.

Mr. Zelazny: Thursday is the day they're supposed to take the forms out. Then it depends on if Dave needs to do any land maintenance on. I'm guessing on Friday or Saturday.

Mr. Howison: But you know I was back down there looking at it again the other day and the forms that they had originally placed there seemed to be gone. I didn't get close enough to get down in the water. There may be another form down there, but they're close, and the hole should be opened within a week we'll put it that way.

Mr. Realmuto: While they were doing the repairs, did we do any investigation into the cause of the soil washing out to prevent it from recurring in the future?

Mr. Howison: They did look at it and I think Garrett, do you want to-

Mr. Realmuto: We'll have the engineer come up and address that one, thank you, Garrett.

Mr. Posten: Good morning. Garrett Posten, Rayl Engineering. What happens there is there's just runoff that comes through, and at certain spots it can start to dig in. Once it's started it just keeps eating away. Really to prevent it in the future, just catching it early could be helpful.

Mr. Realmuto: Have we made the modifications to catch it early and maybe run underneath it instead of washout the soil again in a few years?

Mr. Posten: If the repair has been made and it has all that fill up in there, it shouldn't undermine anymore. It's not dirt up in there now. It's flowable concrete-like.

Mr. Zelazny: While the original underpinnings was a small area, the foam and the concrete is almost 10 feet, so it's extended over some other areas that looked like there was potential erosion. I think it'll be fine.

Mr. Howison: It does warrant looking at things, that area that's repaired is likely fine going forward as Garrett said, because it's a concrete substance. But we need to be mindful when we see erosion everywhere. Perhaps it took us a while to catch that one because it was a dangerous situation by the time it was spotted. I think Bob was the one that ultimately found it.

Mr. Costello: Actually, we had a similar situation with the bridge between 9 and 10. It was a similar situation where the erosion just took away the stability of coming onto the bridge.

Mr. Plummer: Any other supervisors who have anything?

Mr. Posten: I would also add on that just to clarify. The contractor said it will be cured by Thursday.

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Mr. Plummer: Thank you, Garrett. We're down to general public comments.

Tom Scali (3084 Dunmore): I request that we have a date set for that community action group and I would like to request that a blast be sent out asking for volunteers so that we could get this thing off the ground. I'm willing to set the date, but I defer to the Board to set the date and I would like to get this thing moving. Thank you.

Mr. Mecsecs: Tom, we'll work on that and we'll coordinate with you. I know I have Roy who's already expressed his interest in as well. We'll work with you guys. We'll set up a date. We'll set up for the action group, not a CDD, and then we'll put a blast out for that.

Mr. Scali: Thank you.

Margo: It's still on. I have asked the question of our Board and now I will ask the question since you have the golf man here. You spent money on sand for the sand traps. You spent money for sand around the trees. You didn't spend any money to keep the sand where you wanted it to be. It has come into our street. It has washed down with the rain into the sewer. It's gone. That sounds to me like not a very smart move.

Mr. Zelazny: All I can say is noted. I'm trying to think of where the sand traps are that are around your house.

Margo: I don't just stay at home, sir. I go down boulevard here to go out and to come in. Just drive down that way and you'll see.

Mr. Realmuto: I have to echo Margo's concerns. On Ashton Club Boulevard where we enter, the entrance road, it's quite noticeable there where a lot of the sand washes out of the sand traps and blocks the gutters.

Mr. Zelazny: The sand traps or shell areas that are between the gates and up to almost where you see the fairway bunkers. Those are CDD1 responsibility it's not the golf course. The sand traps are all located away from the curb and don't overflow unless you have a torrential rain basically.

Margo: Who puts the sand then around the beautiful palm trees that are along the golf course?

Mr. Zelazny: Again, we are responsible for the area beyond the lake coming in through Dunmore. Between the entryway and the end of that lake is the responsibility of CDD1 to maintain.

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Margo: You're telling me that you'll just let it go and none of you have any ideas about how to stop the sand from going down the gutters? Thanks.

Mr. Zelazny: Well, that's not what I said, but thank you.

Mr. Howison: I'll say that I will take a look. I'm not certain I'm aware of exactly the area you're speaking of, but I'll take a look all the way down.

Ms. Littlewood: I've noticed driving around the golf course as well that the shells and whatever it is you put around the palm trees is actually washing away everywhere, so is that responsibility to the golf course itself that landscape is there, or is that CDD?

Mr. Zelazny: The responsibility to maintain that is Indigo Golf's.

Mr. Plummer: Any other public comments? If not, the next item on the agenda is adjournment.

TWELTH ORDER OF BUSINESS

Adjournment

There not being any further business to discuss,

On MOTION by Mr. Costello, seconded by Mr. Realmuto, with all in favor, the meeting was adjourned by the Lake Ashton I CDD Board.

On MOTION by Mr. Meccics, seconded by Ms. Littlewood, with all in favor, the meeting was adjourned by the Lake Ashton II CDD Board.


Secretary / Assistant Secretary


Chairman / Vice Chairman