

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

The regular meeting of the Board of Supervisors of the Lake Ashton Community Development District was held on Monday, **January 24, 2022** at 9:30 a.m. at the Lake Ashton Clubhouse Ballroom, 4141 Ashton Club Drive, Lake Wales, FL.

Present and constituting a quorum were:

Robert "Bob" Plummer	Chairman
Mike Costello	Vice Chairman
Steve Realmuto	Assistant Secretary
Lloyd Howison	Assistant Secretary

Also present were:

Jill Burns	District Manager, GMS
Kristen Trucco	District Counsel
Christine Wells	Community Director
Matt Fisher	Operations Manager
Alan Rayl <i>joined late</i>	District Engineer
Jeff Brown <i>by Zoom</i>	Metz
Ed Pagano	Metz
Deborah Landgrebe	Appointed as Assistant Secretary

FIRST ORDER OF BUSINESS

Roll Call and Pledge of Allegiance

Ms. Burns called the meeting to order at 9:30 a.m., called roll, and the pledge of allegiance was recited. Four Supervisors were present constituting a quorum.

SECOND ORDER OF BUSINESS

Approval of Meeting Agenda

Mr. Plummer: Next item on the agenda is the approval of the meeting agenda. Are there any comments, additions, corrections?

Mr. Realmuto: I was just wondering if we might want to move up the organizational matters and the consideration of candidates before the restaurant so they could participate in the discussion.

Mr. Plummer: We wanted to get that done so we could get onto what he needs to do. I know he's expecting deliveries and stuff like that. I think the best move is to leave it the way it is.

On MOTION by Mr. Realmuto, seconded by Mr. Howison, with all in favor, the Meeting Agenda, was approved.

THIRD ORDER OF BUSINESS

Public Comments on Specific Items on the Agenda *(the District Manager will read any questions or comments received from members of the public in advance of the meeting)*

Mr. Plummer: Any comments? I have none.

Ms. Burns: I also have none so we'll just check the Zoom line. If anybody on the Zoom line has a public comment on any of the agenda items you see listed, please use the raise hand feature to be called on now. I see none, so we can move on to the next item.

FOURTH ORDER OF BUSINESS

Consideration of Minutes from the December 20, 2021 Board of Supervisors Meeting

Mr. Plummer: Next is consideration of the minutes from the December 20th, 2021. Board of Supervisors meeting. Each of you should have received an electronic version of those. Are there any additions or corrections to the minutes as they were presented? Hearing none, I would entertain a motion to approve the minutes.

On MOTION by Mr. Howison, seconded by Mr. Realmuto, with all in favor, the Minutes of the December 20, 2021 Board of Supervisors Meeting, were approved.

FIFTH ORDER OF BUSINESS

Restaurant

A. Ashton Tap & Grill Update

Mr. Plummer: The next item on the agenda is the restaurant update. Anybody else? I think we have somebody on Zoom, do we not? Is Jeff on Zoom?

Mr. Brown: Yes.

Ms. Wells: I've been practicing his name, so I figured I would just introduce Edward Pagano. He is the GM and he'll introduce himself and then Jeff will go over financials as well. If you guys have any questions for me just let me know.

Mr. Pagano: Thank you for having me. I'd just like to introduce myself. My name is Edward Pagano. I'm originally from New York. I have been in Lakeland, Florida on and off for the last 15 years. I graduated from the Culinary Institute of America in 1988 so I have a very culinary background. I've never done anything else but food service. It's my life. My goal here is to make your visits to the restaurant more enjoyable. Basically more enjoyable and make sure all your problems that we do come up with are handled directly as quickly as possible. Do you have any questions? You know how to get in touch with me by phone. I'll be giving business cards this week. I'll hand them out to everybody with that personal information. So if there is anything I could do for you, just let me know.

Mr. Plummer: Welcome aboard, Ed.

Mr. Pagano: Thank you.

Mr. Plummer: Is Jeff going to do the financials?

Mr. Pagano: Yes, sir.

Mr. Brown: Good morning, everybody. Most of you already know me as the District manager, and I oversaw the operations at Lake Ashton Bar until about five months ago. I'm here today because Mike Portelli is traveling, so he wasn't able to attend and he asked me to attend. December brought a lot of challenges with the turnover of Annie and a lot of ongoing staffing issues, which is basically an industry-wide issue that we're seeing everywhere. It even got worse in January where we lead off with a COVID outbreak to start January which I believe caused the closure of operations for three days. During that time, Metz brought in a lot of external management and chef support to support the operations and start preparing for the future with changes. As we looked at costs, December's costs were coming in very high and the sales were a little on the disappointing side so Metz determined to provide about \$15,000 in direct support to help reduce the cost to Lake Ashton. While we also took on pretty much all of the travel and a lot of the management costs to do the support during the transition. A new menu and other changes are going to be coming out soon but obviously, the biggest change is that Adam has joined our team. I was really going to prepare to let him speak but do you have any specific questions regarding the finances from December?

Mr. Realmuto: That's my cue. I don't think I have any questions, mainly because I had the opportunity to meet with Mike and go over the financials in a great deal of detail.

First of all, thank you to Metz. I think this is where we're seeing the benefit of having a management company instead of an individual run our restaurant for us, is in the support they provided in so many ways. Not just financially, and I don't want to let that just point about the 15k in direct support go unnoticed. We have a bill this month for the restaurant deficits of almost \$15,000. But quite frankly, they could have sent us a bill for \$30,000. That's what the deficit in December really represented. They recognize that there were some issues to be addressed and not only do they provide that financial support, but they also provided a lot of support in their expertise in sending staff here. For that, I thank you. One of the areas that created the deficit in December, you may recall we've had some very good quarters, and then I questioned how realistic those were back then two or three months ago. Well, it turns out, for example, if you look at some of the financials that were provided, Jeff, for example, there's \$4,400, and it's actually listed on the transportation, I think. That includes entertainment.

Mr. Brown: Yes.

Mr. Realmuto: It turns out the last several months, entertainment fees had not been submitted for payment yet. So we saw it show up in the December bill essentially, I think it was the last couple of months of entertainment at around \$300 a pop. Those are the things I believe after talking with the current District manager that he's on top of, that we're not going to see going forward, at least not to the same degree. So I thank you for tightening up the accounting, I know you've done other auditing, essentially to make sure that the books were closed for the end of the calendar year. They brought up various other charges so the December bill is probably somewhat atypical, but again, I thank Metz for stepping up, not only financially, but support of the expertise you offer. Thank you. Anybody have any other questions for Jeff or for Ed?

Mr. Plummer: I understand they were working on new menus.

Mr. Pagano: Yes, sir.

Mr. Plummer: As I believe I've heard, there's more than one menu that's coming out.

Mr. Pagano: Yes. We're going to have our lunch menu, a dinner menu, and then a full bar menu. There will be three menus all in total.

Mr. Realmuto: I know we've talked with Christine. I've encouraged her when talking with you to encourage you to think out of the box and that I think, as a Board, we would be open to any suggestions or any changes you might want to make to support and improve the restaurant operations. The obvious one that comes to play especially during our peak season here is the number of days per week that you're open and which day of the week that is. Have you given any thought or are you planning any changes there?

Mr. Pagano: Today is my 11th day, so I'm just trying to gather things. We'll sit down with Mike this week, I've got some ideas, but not quite sure how that's going to play out yet. We have to figure it out, especially with the staffing shortages, stuff like that. But other than that, I think we should be. Moving forward, I've seen improvement already in the staff because they have someone to go to get answers from, so they have a little more positive attitude. I just see going forward we're getting better.

B. Presentation of Restaurant Financials for December

Mr. Costello: Have you reviewed the financials from the last year? In reviewing them, where do you find it? I hate to say \$15,000 a month. In the beginning, we were told \$81,000 a year, \$15,000 a month, it's \$180,000. What can we do in order to end this?

Mr. Pagano: You're going to have to defer that to Jeff. I haven't really dug that deep into the financials as of late.

Mr. Costello: Over the next month, hopefully, you could go back and maybe take a look at it and see where you could improve because like I said, \$180,000 a year is staggering.

Mr. Brown: I know, Mike and the team are working on everything, and I know the biggest issue right now is the revenue, which is driving a lot of that cost. That's going to be the big thing is increasing the revenue, which will take care a lot of that issue.

Mr. Costello: How are we going to bring people into this restaurant? We need to bring people into this restaurant in order to make it.

Mr. Pagano: By increasing the quality of service, changing the food, and making sure that it's consistent food quality. Entertainment, there is a lack of atmosphere and ambience in the restaurant, that I can say. It's not inviting. If you ever want to do an honest opinion, you come in there to just like a big room of tables.

Mr. Costello: People who have been coming to a restaurant for years, some of them up to 21 years, since we're going to be celebrating our 21st anniversary soon, I cannot believe for the life of me, I think that the ambiance would be nice to have it prettied up a little, but by the same token when we're paying out a \$190,000 of work, we don't have money to pretty up.

Mr. Pagano: It's all part of the package. Its service, and its quality, it's all in one. All three work together to increase business. Marketing out to the outside of Lake Ashton and getting some external guests to come in, word of mouth, increasing banquets, so on and so forth. Well, it's all part of a bigger picture. There are many pieces to the puzzle.

Mr. Costello: I agree with you, that word of mouth goes a long way, it honestly does. People who went to a restaurant that's really good and they're going to tell you, you got to go there and eat. As far as weddings go and things of that nature, I think we have to go beyond word of mouth. I think we have to go out and seek it a little bit more.

Mr. Pagano: There's wedding shows that go on throughout the county at certain times of the years. Well, once I get a calendar on that we'll be making sure that we attend those and that we are letting people know that we're here and that we're available to them.

Mr. Realmuto: Mike, you had asked Ed about if he had looked at the financials and as he mentioned, he's only been here for 11 days. The new District manager, Mike, has been here longer, and it seems to me from working with him, that's almost more of a District manager thing. Obviously, the general manager needs to be aware of the financials and work to improve them. I do delve into the financials in-depth, and I've met with Mike several times now since he's joined Metz and have gone through the financials in a fair amount of detail with him. I'm convinced he's on top of it and understands where some of the challenges are there, financially, as well as otherwise, my focus is financial. So I believe, he is on top of it, and will communicate with Ed, and work with Ed as time goes on. I'm getting into my analysis here, but it might be an appropriate time. It's been presented as a revenue problem. Quite frankly, that's an area where I disagree. I know I've disagreed in the past week with Jeff. I don't believe it's a revenue problem. I believe it's an expense problem. Getting the revenue, it's mostly a labor problem. The percentage of our revenue that is spent on labor. So I believe that if we can get expenses under

control. Again, that's mostly labor, I think you can be successful. Frankly, there are a lot of positive notes in the financials. I guess I'll address those when we get to that section.

Mr. Plummer: I think that having met with, obviously, Mike and Ed, significant amounts of time over the last 11 days with Ed and Mike, before that, I'm pretty impressed with the two of them as a team. I think that's what's going to take, and I think they'll do us a job. Like you say, every time I talk to Mike about the financials, he's definitely on top of that and could answer a pointed question in short order. There's no having to go back later, he usually has the answer off the top of his head. I'm impressed with what we've seen so far, as far as the management team being able to work with us.

C. Restaurant Financial Dashboard and Analysis *(requested by Supervisor Realmuto; all back-up pertaining to this item provided by Supervisor Realmuto)*

Mr. Realmuto: Just very briefly on the financial dashboard I supplied in the agenda packet, I want to bring to your attention mostly to the first page. These are positive notes, well, I see a positive trend here. If you look at that financial dashboard for the month of December, I mean, of course, you will see our net deficit of \$15,000. But I want to point out that on a percentage basis, that's a big improvement. It is a 5% improvement on a percentage basis from the prior few months. Basically, it's even larger against October. That's a big improvement to be able to make, particularly considering the fact that the restaurant was closed for I think three and a half days or four days if you look at where the revenue numbers are. That is pretty good. Although it was a five-week month and the total revenue for the month over five weeks only went up by about \$1,400. I think it's in order to compare one month to another when there's a different number of weeks in the month, you really need to look at the average per week, and the average revenue per week went up by \$1,100. It's fairly modest but it's a significant improvement and I hope to see that continuing. If you can do that in a month where you were closed most of one week, I'd hope to see continuing improvement going forward. I have high hopes for the restaurant. Again, I want to thank Metz for the work they've done to get us here in a very short time.

Mr. Costello: One problem there, Steve, is going to be the fact that in a few months, this place is going to start emptying out, and when it does, this revenue that's coming in, is not going to be there anymore. We have to find something to do in order to increase

this revenue. Whether it will be through cutting costs, which I agree with you that there are a lot of costs that could be cut there probably. But something has to be done because like I said, we were told in the beginning that it was going to be \$81,000 a year approximately. Last year we went to what, \$225,000, I think.

Mr. Realmuto: Sure.

Mr. Costello: This year, we are looking at \$180,000, that's if we can keep it going during the summer. If the summer goes flat as it usually does, we're going to be back at \$225,000.

Mr. Realmuto: Mike, that is 100% right. These three months are our opportunity. We should be well into the positive now, in order to be anywhere near break-even for the year, so this is the real opportunity. Again, I think the restaurant is taking a lot of steps in a lot of different areas and the financials hopefully will follow. But if they can't follow in these next three months, there's not a chance for the rest of the year and the year as a whole. The pressure is on Metz, to make it happen. But the residents here also bear responsibility. This is my shout-out to my fellow neighbors. If you haven't been back to the restaurant lately, the feedback I've been getting has been all positive. The changes are dramatic in all areas. I think Ed mentioned the change in atmosphere amongst staff and employees. At least three different residents have commented to me how they've noticed the change in the atmosphere of the employees. They're happier, they're cheerier, it is just a completely different atmosphere in the restaurant. I think that certainly helps, but what also helps is you going and patronizing the restaurant. If you want to keep a restaurant here in Lake Ashton, you need to use it. I asked you to set a target of checking it out at least once a week. You're paying for it one way or another. You might as well take advantage of it and use it and give them your feedback to help improve it. Thank you.

Mr. Costello: One of the things that I would suggest at this point, it's about time for you to reintroduce yourself. It's about time that you do something to reintroduce yourself to this community, because this community hasn't had the best service from your company over the last year. Hopefully, it's going to get better. I don't doubt that you have the experience in order to make it better, it's about time that you reintroduce yourself to the community so that they can see that things are looking up.

Mr. Pagano: A new menu layout, that's the plan. I don't want to make a big to do about me until we have a new menu or anything else this way we can, just let everybody know that we're new and shiny and that we are going to try this again.

Mr. Plummer: What's the timeline for the menu?

Mr. Pagano: I want to say 3-4 weeks max. Could be less but we want to be on the safe side.

Mr. Plummer: Obviously, less is better in this case.

Mr. Pagano: Yeah, I spoke to the corporate chef over the weekend, so I will be working it up with all the events and stuff. We should have a firm date by midweek.

Mr. Plummer: Thank you for your first time in the blender here or whatever you want to call it.

Mr. Pagano: My pleasure, if there is anything you need, please contact me and I'll try to help you however I can.

Mr. Plummer: Thank you.

Ms. Burns: Please before we go on, I pulled up my email and I have a resident comment that came in past the deadline for public comments but prior to the meeting starting. Do you want me to just go ahead and read it?

Mr. Plummer: Sure.

Barbara Salvin (4100 Ashton Club Drive): Are we able to apply for federal infrastructure dollars for roads, etc., and fix them properly once and for all? If so, have we applied? What exactly is that process?

Ms. Burns: It's up to the Board if you wanted to discuss a comment that's brought up.

Mr. Plummer: I think I'd like to have the engineer here before we discuss that. He will have some input there as much as anyone else.

SIXTH ORDER OF BUSINESS

New Business/Supervisors Requests

A. Organizational Matters

I. Review of Letters of Interest for Vacant Board Seat

Mr. Plummer: Jill, I am going to turn this next section over to you.

Ms. Burns: Absolutely. We received a letter of resignation from one of our prior Board members, so we have a vacant seat in the Board. We sent notice to the community

that anybody interested in filling that vacant seat could submit a letter of interest or resume to my office and it was by January the 12th. We received four applications or letters from residents who are interested in that seat. How this process will go is we'll give each person just a couple of minutes to address the Board, say why you're interested, and any information you would like to give to the Board. The Board will then be able to ask that applicant any questions they may have. Once that's done, the Board is able to make a nomination to fill that vacancy. They don't have to fill the vacancy. It could remain vacant should the Board choose to leave it vacant. That seat is up for election in November of this year. So I think, unless anybody has an objection, I think we'll probably just go alphabetically through the list, if that works for everybody. First is Ann Heaton. Ann, come on up.

Ann Heaton (4069 Dunmore Drive): Hello, good morning, I have put in for the position or to be considered for the position. As I understood that it would be this position as the liaison between the restaurant and the Board, is that going to be the case?

Mr. Plummer: Not necessarily.

Ann Heaton: Well, I guess with my working on the restaurant redesign group, I got to know some of the Board members and I felt like I would be able to work well with the gentlemen. I think it would be nice to have a female perspective also. I would look forward to working with Ed, we seem pretty like-minded from the little bit I've gotten to know him so far. But whatever position I would be assigned, I will do my due diligence and devote the time and energy necessary to do the job.

Ms. Burns: Thank you. If the Board has any questions for Ann? No questions. Thank you very much.

Mr. Realmuto: I have no questions of any of the candidates, mainly because I spent some time with each of them privately and I have been asking the 25 questions that I had rather than take this Board's time and all of your time. I think I've covered it, so I just wanted you to know I'm exercising my usual thoroughness.

Ms. Burns: The supervisors were provided the letters of interest from each Board member about 10 days prior to the meeting and were told they had the opportunity to reach out individually, obviously not as a group, to speak to those candidates should they choose. Steve Hogan is next.

Steve Hogan (3016 Dunmore Drive): Good morning, everybody. My name is Steve Hogan. We moved here at the end of September, actually officially moved in October 1st, our furniture arrived 14 days later, we slept on a mattress from amazon and it was wonderful. The reason I'm interested in working with the Board is because it's a very thankless job and somebody's got to do it. It's a struggle, in my experience with other developments has been that people only come and talk to you when they're unhappy. Yet here you are. I'd like to get involved. Now my background, for the last 23 years I've been working on broken companies. We moved here from California. I was out there fixing tech companies that were young, financed through all of their cash and for whatever reason were not being successful. My mission was to take those companies, identify value, get them restructured, get them moving forward in the right direction, make them profitable, make them happy, get a return for the investors and for the customers. That same type of experience translates well into what you're doing. I've seen the problems you're solving, and it takes a lot of thought, a lot of work. My background is such that I can bring that to the table. I'd be happy to answer any questions you've got about my background. Why did we move here? While we loved the people in California as I mentioned, at the end of September we'd had it up to here. We're looking for a free place to live where I could talk to people of different beliefs, Republicans, Democrats, God help us all, whatever. Have a civilized conversation without being told, I was the Antichrist. Back to it, I believe that the residents here need to be deeply involved in what's going on. Briefly, I went to the joint session the other day and there were 1600 homes just development. It means there should have been 1600 people participating. I didn't see 160 people, that's a shame. The rest should get involved. I'm one of the residents, I want to get involved. I mentioned to Steve when I talked to him that for whatever reason am not selected to be on the Board, I'll still volunteer free working under you. Do you have questions?

Mr. Howison: I just have one quick one for. You've been here, as you said that 6-7 months.

Steve Hogan: That's about three months.

Mr. Howison: You've got a different perspective, perhaps on a community. Is there an area you feel the CDD is failing or falling short, an area that we need to focus on more effectively?

Steve Hogan: That's really an interesting question because it's one of those things that's difficult to look at the outside and criticize. I noticed it was a struggle with the restaurant. I speak to that because I was one of the folks that quite frankly, by the end of November I was just done with restaurant. When we got here, we went to the restaurant for lunch, great place, loved it. Moved in, I came here one evening, not so good an experience. Came back a week later, it fully sucked. Came back a week later, we walked out after our cocktails because it was so bad and so rotten, we couldn't stand it. We had an illiterate waitress. It caused me to question whether I even want to live here. Because the restaurant is one part of my life. I'd like to have a social environment. God bless the Board, taking charge of that, fixing a problem and it is 1000 times better today than it was a month ago. Still not perfect. I think the Board is doing a good job with stuff like that. I don't know enough about road issues or the other issues, but I recognize the challenge of working with a limited budget and limited amount of cash to solve those problems. I can't answer that question of whether you're doing a good job or a bad job, but if I get involved, you'll find out pretty quickly.

Ms. Burns: Any other questions. Thank you very much.

Steve Hogan: Sure thing.

Ms. Burns: Debbie Landgrebe.

Ms. Landgrebe: Good morning. I'm Debbie Landgrebe. It's no surprise I've been here before. I provided you my letter of intent, at that time I did not provide my professional resume but I do have a copy of it if you're interested. As you're aware, I do attend meetings frequently. I am aware of some of the challenges and what's happening in our community. I'm also active in our community, and I have a broad range of talking to residents from various groups. So where do you want to go from here, guys?

Mr. Plummer: Well, I believe we all know that you're on the HOA Board. How long have you been there?

Ms. Landgrebe: I was appointed in July.

Mr. Plummer: That's your second time?

Ms. Landgrebe: It is, I was on the Board previously, ran successfully. This time I was appointed and I chose to accept that appointment because this is my community. I

live here, I love it here and there is a need to have experienced people on the Board at the time.

Mr. Plummer: Correct me if I'm wrong, but you did run for the Board position two years ago?

Ms. Landgrebe: This Board?

Mr. Plummer: Yes.

Ms. Landgrebe: I did. It was last election. A three-way race. I came in second to a very good guy, Lloyd. So I did run.

Mr. Plummer: Very well put. Perhaps misguided, but very well put. I have a quick question for you. You are in the HOA Board, if you are appointed to the CDD, what would be your plan? Would you stay on that Board or would you resign?

Ms. Landgrebe: In the past, it has been successfully accomplished with being on both. There have also been other Board members of the HOA who have chosen to resign. So at this point, I'm not sure what I would do. Although I will tell you on the HOA Board, there's times we spend in the office and there's a lot of emails. So it actually compliments each other in some ways.

Mr. Plummer: When you said there are differences of opinions, I think you were referring to mine.

Ms. Landgrebe: It wasn't just you, Murray had resigned too.

Mr. Plummer: No, Murray did not resign. He stayed through the election, we were elected at the same time. My reasons for resigning from the HOA, I wanted to take any possibility of any conflict of interests out of the picture. I didn't want that to rear its head for either organization. I felt like that at that time that the smartest move for me was to resign from the HOA once I was on the CDD. Plus, I also know that both those Boards take an inordinate amount of time.

Ms. Landgrebe: They can. I appreciate that, it wasn't a slam on you actually.

Mr. Plummer: It okay, I'm used to the slam. It's not a big deal.

Ms. Burns: Questions for Debbie? Okay.

Ms. Landgrebe: Thank you guys.

Ms. Burns: Our last applicant is Trish Safer.

Trish Safer: Hi, I'm Trish Safer, I live at 3754 Litchfield Loop here in Lake Ashton of course. I'm a triple vaccinated woman who enjoys using many of the Lake Ashton amenities. I belong to several Lake Ashton clubs, including one started by my husband and I. I know you've all received the letter summarizing my extensive work experience with CDDs, HOAs, budgets, contracts, and property management, which would make me an excellent addition to the Board. One thing the letter didn't express is what a workaholic I was during my working days because that's in my nature. I assure you I will be available and I will give the time necessary to become a successful member of the Board. I am open to questions.

Mr. Howison: What is one issue that you think the Board faces that you feel is most important or central to your decision to volunteer?

Trish Safer: I think there are two issues. Sorry. The first one is of course, the restaurant which I know everyone's working on, but I have some ideas that I think could help there. The second one is finance, I think I'm very strong in financing and could add to the other member of the Board who is strong in that area so that it doesn't all fall on one person. I could go on to the golf cart paths and parking issues, but those are the two main ones that I think I can assist the Board with.

Ms. Burns: Any other questions?

Mr. Plummer: Correct me if I'm wrong here too, but did you not apply to fill the seat in the past?

Trish Safer: I have never run for the Board.

Mr. Plummer: You have not run but you applied just like this time.

Trish Safer: I did apply.

Mr. Plummer: I'm just refreshing my memory there. I thought that was the case.

Trish Safer: I did apply.

Mr. Plummer: Thank you.

II. Appointing a Replacement for Seat 4

Ms. Burns: Any other questions? Thank you very much. Just for the audience and the Board just a refresher on the process on how this will work. A member of the Board, if they wish to make a nomination, can make a nomination and if there is a second, we move to a vote. It's not a ballot it would just be a vote like we take on any other issue.

You need a majority of the Board so in this case, it would be three in order to fill that vacant seat. You cannot abstain from voting. So you'd have to vote on each person nominated. If we nominate the first person or let's say they only get two votes and not three the motion wouldn't pass. Somebody else could make a nomination and until somebody gets three votes we would continue down the line, the Board, like we said earlier, you do not have to fill the vacancy as well. If nobody gets three votes it would just remain vacant until such time that somebody does.

Mr. Plummer: I would like to say to each of the four candidates, thank you for putting your name in. I would like to say it's a thankless job, but that's not necessarily the case. It's rewarding if you allow it to be. Also, regardless of what happens today about filling the seat, whether we fill it, whether we do not fill it, whether you're successful or not successful, there is an election for the seat in November and we would encourage each and every one of you to actually run and let the citizens of the community place their vote and bring whatever. Actually, there are three seats available, three seats up for election at this coming term. There are opportunities to do that as well so successful, unsuccessful today or whatever the case may be please continue your opportunity to run for the Board and get involved and be, as somebody once said, if you're on this Board, you are part of the problem. But anyway, that's not the way I look at it and be part of the solution. Get up here and do your thing. I just wanted to say that before we get started however it turns out, please throw your hat in the ring in the fall as well.

Mr. Realmuto: Before any motions to appoint, I also wanted to thank each of the candidates. I think it's a tribute to the community that we have four individuals interested in getting involved and being part of the solution as chair mentioned. In that regard, two of them actually have been interested for a long time. They've made the effort, one to run and the other sought appointment at a prior opening. These are long-term interests they are not just recent interests. That says something. I also think it says something since we have four candidates, and I hope you'll agree with me that some of them are both qualified and would help bring some diversity to the Board, I feel it would be a slap in the face to those candidates not to appoint someone now, it's a relatively short-term. The voters will have a chance to get to know them and voice their opinion in the November election. So

I can't see why we wouldn't appoint one of the candidates we feel is qualified now. I just wanted to make that comment prior to any motion to appoint. Thank you.

Ms. Burns: We can go with more discussion or somebody is welcome to make a nomination.

Mr. Plummer: No one wants to go first?

Ms. Burns: Or if there's not a nomination, then we would move on, that's okay too. There's nothing saying you would have to necessarily make a decision tonight.

On MOTION by Mr. Howison, seconded by Mr. Realmuto, with all in favor, the Appointment of Deborah Landgrebe to the Board of Supervisors, was approved.

Ms. Burns: Welcome to the Board, congratulations.

Ms. Trucco: Hey Deb, while you make your way up here. My name is Kristen Trucco, I worked for Jan Carpenter. I'm attending today in her absence. I just want to add in the record that under Florida law, the Board of Supervisors are considered locally elected government officials that are subject to the public records law and the Sunshine law. There's some additional information you'll want to be aware of with regard to those two laws. We'll send you a welcome packet detailing information about those two laws and if you have any questions, you can reach out to us.

**Ms. Burns swore in Ms. Deborah Landgrebe at this time*

Mr. Plummer: It is up to you Lloyd, to explain to Debbie that she has that seat because it's the closest to the edge.

Ms. Burns: I gave Debbie some forms, we'll go over through all that with you at the end. Welcome.

Mr. Plummer: Welcome, Debbie, and thank you to the other three for showing interest, and I'm sincere about throwing your hat in the ring in the November election.

Ms. Burns: I'm just mixed up with all the excitement. It was Lloyd who made the motion and Steve was the second?

Mr. Plummer: Yes. Make sure you get the blame in the right places.

B. Discussion Regarding Supporting the Lake Ashton Community Action Group *(requested by Supervisor Realmuto)*

Mr. Plummer: Next item on the agenda is requested by Steve, a discussion regarding support of Lake Ashton Community Action Group.

Mr. Realmuto: I put this on the agenda not knowing and that we hadn't yet had the presentation at the joint meeting and I thought we might want to have some follow-up discussion about the kinds of support we might want to provide or any actions they may have requested of us that we take. You heard at the joint meeting there was some need for an opinion by the attorney. Kristen was in attendance at that meeting, by the way, via Zoom, so she does have the background and I think is prepared to say a few things.

Ms. Trucco: Sure. Absolutely. Thank you. I had some Zoom issues on Friday, so I apologize. I was trying to come through but it didn't quite work out. So thanks for having me today. I'm just standing in for Jan, but I can speak to Florida law generally about what CDDs are permitted to do outside of their boundaries. That's under the statute section that a gentleman had presented on Friday. It's 190.012 and it permits CDDs to undertake projects outside of their boundaries. That is subject to, in most instances, county and city approval. There are limited circumstances in which we're permitted to undertake projects outside of our District boundaries as set forth in that statute section. An example of that would be a CDD entering into an inter-local agreement with the county to undertake maintenance of landscaping on a median, for example, that the county owns and maintains. Our District engineer would go out there and probably incur a cost evaluating the situation on the median. Is there electric, is there irrigation capability for that median? Then we would work in conjunction, that's District counsel, would work in conjunction with the District engineer to craft something like an inter-local agreement. Obviously, there's a cost associated with that as well. That would go to a county or city and it would go under their review. If it was approved by staff, it would most likely have to go before a Board of County Commissioners requiring two hearings and approval at both of those hearings for something like an inter-local agreement. The statute also says that we can act outside our boundaries if it's required for development approval. If we wanted to develop something in the CDD boundaries, the city or county might say, "In order for us to approve that development, we're going to require you to build a road or install a streetlight outside of your boundaries." So, are there instances where a CDD is permitted to act outside of

its boundaries? Yes, but those are limited. There's a cost associated with those projects and so we would recommend if they're evaluated on a case-by-case value, that the cost-benefit is analyzed to see if this is something that the CDD wishes to pursue. That's just a little background on whether the CDD is entitled or has the authority to act outside of its boundaries. Yes, it does, but their circumstances are limited and they're governed by Florida law.

Mr. Realmuto: I guess I just want to point out, I think most of those cases you were talking about involve us actually taking an action on a project outside of the District and expending funds. It's not clear to me that's what the action committee was asking for. Their primary request was to serve as the spokesman for the Lake Ashton Community and communicate officially from the CDD to our local government bodies. They weren't necessarily looking for funds to be expended or for us to get involved in a joint project, say with the county to install the traffic light. I just want to be clear on that. If I'm wrong, I welcome anyone who might be here to speak about that. But that was my understanding of what they were asking of us and I understand that that would be within our purview with no additional approvals. Is that right, Kristen?

Ms. Trucco: Yes. I believe there have been other CDDs that have written letters of recommendation or support of certain initiatives to a county or city. Jill, I don't know if you want to speak on that.

Ms. Burns: Sure. Just an example that touches on some of the issues in that letter as well. I also manage VillaMar, which is kind of off Cunningham over here. That District, they have a lot of young children there who attend Chain of Lakes Elementary School and the lot that's owned by the Polk County School Board in which being their community and Chain of Lakes Elementary School, the sidewalk doesn't extend. So kids in that community are crossing that county road once, walking down the sidewalk, and then crossing the county road to get back. They asked if the CDD could put in the sidewalk. We cannot. It is property owned by the school Board, but the CDD Board said, "We'll send a letter to the school Board making the request." My office called the school Board. We have not gotten any traction, as you can tell, there's not a sidewalk there at this point. But we did say, as an interested party, this happens to be a developer control Board, they gave that direction, still I'm saying we have concerns about the safety of the children,

residents are concerned about this issue. Could you please help the community by extending the sidewalk down? This Board could say, we have concerns about the traffic on a certain road, we would like a streetlight put in and just saying this is what we are hearing from our residents and sending in an official letter on CDD letterhead, just supporting the initiatives that that group has brought up.

Mr. Costello: I think the best we could do is to take a representative from you, one of the Supervisors, have CDD II, have representation and meet with them and find out exactly which direction they want to go with. Because I somewhat got the impression that they were looking for financing for different things. One of the things that I have been asked about with them is the fact that they feel that they want to have legal representation. Like I said, to me, it's abstract as far as the way in which they weren't explaining what they were looking to do. I think the best thing we can do is to try and solidify what exactly they want.

Ms. Burns: If you're open to a suggestion, I have one. They're just some thoughts. I think if there's a handful of clear initiatives, the traffic signal, a couple of concerns that we have to start with the letter in that instance, the attorney for, that District craft the letter and we can send it from my office. We would start with presenting it to whoever, it may be the county or in that case, it was the school Board and you are saying, this is what we're hearing from the community, these are the three things that we believe or would like to request the county to consider and submit them. The cost to do that would be relatively small if you're talking about having an attorney, start going into county commission meetings and sitting there. You're talking about a lot more costs. Maybe if we start there, what are the three objectives of this group, or what are the tangible things we believe we can request from the county and start with a letter from the joint Boards. There are two separate letters or a joint letter that is sent saying, this is what we're hearing from our community, this is what our residents would like.

Mr. Costello: I think the problem here is the fact that you're making assumptions that this is what they're looking for. Quite honestly, we're really not a 100% sure what they are looking for. The extent of what they are looking for.

Ms. Burns: It's up to the Board. Just as with any resident, if they have a request of the Board, it's up to the Board. Should you rather want to choose to approve a resident's

requests for installation of a pickleball court, it's up to you guys if you want to move forward with requests of residents that are brought to you. It's the same issue.

Mr. Plummer: I listened to two of their presentations up to today, and in both of those presentations, what I took away from it was they're basically a fact-finding group, which is great. They've put together a significant amount of data about issues that are going to impact location as a whole. I believe that they're looking for some help in moving forward and getting that voice heard outside of obligation. Now that they've done a lot of work to get the facts, and correct me if I'm wrong, but I think what they're looking for is some support from the CDD as an official voice of the community to the county leaders, the folks that are responsible for the road that we're talking about, the additions that are coming, that stoplight, the whole gamut of things that they've put together. I think Mike has a good idea about meeting with them to find what that is to see if we can in fact find a way to get a letter in the right-hands, to know that we, as the CDD, representing the residents here think that it's something to look at, something to go for, something to change. Whatever the case may be that we'd like to be involved with where we're going. Having said all that. I also know that we want to be careful about how that committee works in conjunction with the CDD to not be an official committee because then they fall under the Sunshine laws and that's going to hinder what they do and what they don't do. So we want to make sure that whatever avenue we take to help them and get that information out is in a way that's within the law and not putting everything in jeopardy if you will.

Ms. Burns: I think you could do that similar to how we did focus 2025 where the conversation about meeting was not reappointing somebody as the Board representative to sit on that. We had a discussion of obviously two or more of you cannot do it so let's have the discussion as, let's just say Bob would be part of this group so nobody else could be part of this group and he is another resident, not a representative of this Board.

Mr. Costello: We have one of the members of this group here, do you want to let him come forward and give us a little bit more of a detailed, as far as which way they want to go with it?

Mr. Realmuto: Certainly open to them speaking, I think what Jill has suggested is that we designate a member of the Board to be the Supervisor that's active that communicates with that group.

Mr. Costello: I also said that we should bring in a member of CDD-2 because it's going to affect them also. We got to be inclusive in this.

Mr. Plummer: I agree with Mike and I see two members of CDD-2 looking at each other, like not me.

Ms. Burns: It might be up to them to handle at their meeting. If they would like to designate somebody to participate in that or not that would be up to them.

Mr. Costello: Do we want to let Mr. Kay come forward and give a little talk as far as what he's looking at?

Mr. Plummer: Thank you very much. We'll go with a short talk.

Mr. Howison: Come forward please.

Howard Kay: This is very short and the reason for that is that I think you-all truly do understand what we're looking for. We're not looking for legal representation. We're not looking for money to expend. We're looking to be able to be the legs of what's going on and to do the research we've done and talk to people, which we've already done. We're in the process of talking with other people at the county, in the planning and whatever to get the real facts. I've been told that there's a lot of misinformation out there as to what's happening. How much of a commercial road this is going to be? Where are the funds coming from? When is it all going to be completed? I think, Mike, your idea is a great idea and I think we would welcome having you in that meeting to clarify it. But I think that I'm clarifying it now and everybody has spoken to several of the members on the committee. That's why I'm here. Well I came here out of the interests. We all agree that we're not looking for anything from you guys except your blessing and your voice. It's just as simple as that. We've already made contact with some of the other developments. We are trying to set up meetings with them for them to do the same thing. So that's it. We are not looking for any other things that you think we might be looking for. The issue for the attorney, it was brought out at the meeting on Friday I think it was. That you-all wanted to go and ask your attorneys what you should do. I thought that was a great idea and I hope you did that. It seemed like maybe you have done that. I wouldn't suggest you step forward and

just do, what we're asking without your attorneys saying, well, this is good or this is not good. I'm very familiar with the Sunshine law. We don't want to get involved with that, we don't want to be a subcommittee of you, we just want to be your legs out there gathering the information, telling you what it is. Then to the extent if you're willing to go without pushing you at all for you all to say yes, this is something we can put our name to. Yes, this is something we can't put our name to, and that's it. That's all we're seeking.

Mr. Realmuto: Thank you. Is there anything specifically that you're looking for this Board In the short-term, for example, a letter in support of the traffic light? I know it's already been committed to. It's far out, maybe requires them to push it up. Something in that lane.

Howard Kay: The answer is yes. Something along that line exactly. We've met and we've decided it's a whole bunch of issues out there to think different things and we've decided the best thing to do is instead of trying to hit all of them, is to take a few of the main ones, which is the traffic light and the widening of Thompson Nursery Road at least from here or Lake Ruby up to 27 and go from there. We don't want it to take over a whole bunch of projects. Those are the two main things. That's why we did the survey, we're not here to tell you what we want, we're here to find out what the community wants and to convey that to you. We're pretty happy with the turnout we had from the surveys that we did. I personally wish it was a lot more, but I think we were a little surprised that it was that many. I think we had 200 or whatever, and they were almost all in favor of this happening. So the answer is yes. That this traffic light would probably be one thing, but not today. I wouldn't be asking you to do that letter today. We still want to meet with the Planning Association for Polk County, which we're trying to set that meeting up. Get all the facts, and then come to you guys and say, this is what we'd like. Do you all agree? If you say yes, then it's better coming from you than from us. Yes. The answer is yes.

Mr. Costello: I think part of the problem is what you said before there's a lot of misinformation out there. I don't know how many people you have in the group right now.

Howard Kay: How many what?

Mr. Costello: People do you have in your group?

Howard Kay: Eight, I think.

Mr. Costello: Eight.

Howard Kay: Seven or eight, I can't remember.

Mr. Costello: I hate to say it, but when you have a group with 8 people, sometimes information gets distorted from one person to another at times.

Howard Kay: But that's not the misinformation I'm referring to, Mike.

Mr. Costello: I realize what you are referring to, all I'm saying is if it can be distorted in the manner that you're saying, it can be distorted very easily amongst eight people.

Howard Kay : I agree, that's why I'm here.

Mr. Costello: One of the people that was with you expressed to me that they thought that it would be good if we supported them with legal funds.

Howard Kay: I promise you that is not our desire. That is not our goal. That was an individual opinion of a committee member.

Mr. Plummer: Actually, what we need is one member of this Board basically to sit down with your group and start the dialogue before we get to the letter option.

Howard Kay: Absolutely, we don't want to jump the gun.

Mr. Plummer: All right. Thank you.

Howard Kay: Thank you.

Mr. Plummer: Discussion amongst the Board?

Mr. Costello: I think that at this time, I'd like to make a motion that we appoint a liaison.

Ms. Burns: I think instead of a motion appointing somebody that maybe we can just say, "Is there somebody who wants to participate?" and everyone else agree that they will participate.

Mr. Plummer: I think you're right. I think we need one person that wants to do that number one, and second of all, the rest of us need to agree and let that person do their due diligence.

Mr. Costello: Since I more or less brought this about I'll be willing to work with them.

Mr. Plummer: I've never known this Board to turn down a volunteer, and I don't think it needs any action other than just an agreement between us without an official vote. Is that correct?

Ms. Burns: That's correct. We just want the rest of the Board to say that they want that, in case there are issues that are CDD related that come up, we wouldn't have a

Sunshine violation. So if Mike is going to participate in the group, the rest of you are just not going to participate in the group.

Mr. Plummer: Does that mean we can't go listen to their presentations, we just can't meet with them?

Ms. Burns: When they come and do a presentation here, we've advertised a meeting, so we're okay. I would say you probably shouldn't be there even if you're not providing your comments.

Mr. Costello: This is what I was told by Jan. That this is pertaining to things outside the community, and being outside the community, that all five members could participate.

Ms. Burns: Absolutely. So if you go and all 5 of you were there and you're only talking about a traffic light and nothing comes up, normally, what's going to happen is it's going to spiral to a lot of other community issues that come up in discussion in this group, and you may say things that do fall under the CDD as part of the conversation. Generally, when you're talking about many different initiatives as this group does, then how they relate to Lake Ashton, it is very likely somebody's going to start a conversation that is outside of the scope of that. So in an abundance of caution, with that being said, if you were to attend a Lake Ashton II meeting, those are also advertised. If you wanted to sit there and listen, okay, but if you start getting into issues that are CDD related, I would caution you to leave.

Mr. Realmuto: The question is about getting into a discussion or exchange with other members of this Board is where the Sunshine law violation would come in. As long as you're not doing that, I believe you're okay. I just want to be clear. The suggestion is not to attend meetings for fear of getting involved in an interactive back-and-forth. But we can still be free as individuals after all we're all residents of the community, to talk to people on the committee outside of those meetings, there would be no danger there.

Ms. Burns: Absolutely.

Ms. Trucco: So long as there's not another Board of Supervisor present with you, that would be construed as communication with another Board of Supervisor outside of the Sunshine, outside of a publicly noticed meeting.

Mr. Plummer: Understood. Thank you for clarifying. I think we know who our representative is to meet with the community action group. Anything further than that? If not, we move on to item seven, which is the monthly reports.

SEVENTH ORDER OF BUSINESS

Monthly Reports

A. Attorney

Mr. Plummer: The attorney is first.

Ms. Trucco: Thank you. Again, my name is Kristen Trucco. I'm sitting in for Jan Carpenter today. She's sorry she couldn't attend. I do not have any updates for this Board today, but I certainly can take any questions that are forecast for me.

Mr. Plummer: You did have an update. You updated up on the law.

Ms. Trucco: On the law. That's right.

Mr. Realmuto: We appreciate that. The quick turn around since the meeting was just Friday. Thank you so much for that. That was very timely and helpful.

Ms. Trucco: Absolutely. Thank you.

Mr. Plummer: Any questions for Kristen?

Ms. Trucco: Thank you.

B. Engineer

Mr. Plummer: I'm going to bet the next guy has got something to say. Engineer, Alan?

Mr. Rayl: Thank you. I've got this note review of what I want to report on this morning. I have some other copies here I'll get to in a second. First, I wanted to let the Board know we've had a contractor recently complete those repairs we discussed on Turnberry, where the center line on the roadway was sunk in, that repair work has been done. We've reviewed it and it was satisfactory. I just included their quote and the company's name in there for your information, but we have their invoice, we'll send it forward with a recommendation they be paid for that work. We've been working with staff on the ongoing consideration of the issues at the paver repairs that had been ongoing and causes that as to what keeps affecting that area. When the work was first done and that area was excavated out, there was a significant amount of running water that was observed by our staff. We've always felt that had some involvement in creating that

pothole initially, if you remember how that thing just formed out there, standalone all on its own. The repair was made and that area is okay now. But prior before you reach that area as you're coming inbound, that area of the pavers is now wet in the base. The pavers have loosened up. What it amounts to is, there's some unknown cause that is yet to be identified. We've pressure tested the sprinkler system; I haven't found any further issues there. Had a leak detection company come out and look for other unknown issues. They didn't find anything. Forensically, I can't tell you what every line is underneath there. We know there are some different sets of irrigation lines below under there. There seems to be an external issue with water coming up in there that's affecting this. In the end, I don't think that the condition that we see today is related to any kind of contractor work defect done by SNS. They got that pothole repaired. This issue has migrated out to another area. I would recommend that we've talked directly with and we've had them meet with us most recently on site, I think it was last week. Unlimited Property Solutions is the paver company that specifically does that work. We don't need to sub it through SNS. We can go directly to them to try to work with to get a repair made on the area immediately before that ribbon curve where the previous repair was done. But also, maybe look a little deeper at that area. I think maybe that water is getting trapped in that base and now it can't progress further because that concrete grip and curve is there. It hit up against it and not be able to continue to travel on downgrade. I don't know. From the things we've seen so far, I can't explain what's causing this, but I would recommend to the Board that we try to get a repair made there and we can just continue to observe the area until we can identify if there's still the unknown irrigation issues going on or what, but it's not apparent to us as to what is causing this right now.

Mr. Howison: Are you aware that the Ribbon Curve is also cracked?

Mr. Rayl: It is because it's now taking the live loads, the pavers. If the pavers were flush, that whole system would be flush. Now, we have pavers that are sunken ahead of it so that ribbon curve is taking the hit of the live load that the wheel impacts, and it's taking loads that it wasn't really intended to take.

Mr. Howison: Your suggestion is that we actually get estimates and contract with Unlimited Property Solutions?

Mr. Rayl: Yes, they are the paver contractor.

Mr. Howison: How does that address the underlying issue? If you feel that there is a water issue, don't we have to resolve that first?

Mr. Rayl: We could dig up the entire area and look until we found something, but I don't think that's what we want to entertain. As I said, when that first work was done, there was water coming out from that island that was running along through that repair area. That's why we all have pretty high level of confidence that we have a water intrusion issue that was creating this. That source has not yet been able to be found. We did find buried sprinkler heads and things like that, but obviously it hasn't stopped causing the problem.

Mr. Costello: How long ago was this job done?

Mr. Rayl: The original quote from SNS was July 13th and I think the repair was affected the third week of August.

Mr. Costello: I think what you're saying, and I agree with you, is the fact that if we don't do this, chances are we're going to be revisiting it in another six months. If we don't find the source of the problem.

Mr. Realmuto: I agree 100%, I think we need to find the source. Just a brief review. So we've already had a company come out to evaluate before the initial repair was done. They suggested that it was the sprinklers. We did, in fact, dig up the entire area that the purpose being to get to the source of this.

Mr. Rayl: I don't think it was before, but I think it was probably during, when we saw water coming out.

Mr. Realmuto: That was one company. So we tore up the whole area and we may replace the area including that ribbon curve we're talking about that's new, that was poured in August on the inbound lane and that's what we're talking about, it's inbound. Now, we had the leak detection company, I think you said, come out and they have no idea or say there are no leaks.

Mr. Howison: In the interim, we had a second issue with the pavers after the repair was affected so they came back out and repaired that. Now we've got the third issue and I think we should point out that at the corners of that most center island we are still getting the sand coming up in those corners and that would indicate that there's something under that. I'm not trying to blame SNS or Unlimited Property Solutions, but I'm at a loss as to what we do here. It appears that there are not many accurate records related to our

irrigation systems here at Lake Ashton, whether at the golf course or other grounds. I'm not sure what to do about that.

Mr. Realmuto: It seems to me that it behooves us to find the root cause before attempting any repairs. What I hear being suggested is that we just go ahead and repair it. I frankly don't see the point to that. It's likely to reoccur if the problem is the water entry.

Mr. Rayl: When we do make that repair, we don't have to go back through the general contractor, we can just deal with the paver company directly. But yes, until whatever this causative that's creating this is identified, we are going to be chasing this thing as we have so far.

Mr. Howison: Would Unlimited Property Solutions be able to then fix the concrete ribbon?

Mr. Rayl: I believe they do that work, yes. Usually they have to have a ribbon curve or some retaining feature around a paver installation. So that's something they should be able to do.

Mr. Plummer: I mean, would it make sense to bite the bullet, rip everything out and concrete that path across?

Mr. Costello: The only thing is, if there's a continuing problem underneath, it's going to simply buckle whatever we put in, I would think.

Mr. Plummer: But in Lloyd's suggestion is when you take all the pavers out, you expose all the entire area instead of just taking out the damaged ones at the moment. Although they did take all the pavers out, I believe from the first repair.

Mr. Costello: The only thing is it is below the surface what we're looking at.

Mr. Rayl: When we last met there, we were able to pull pavers, both sunken and raised, out on the inbound side of the ribbon curve. Pulled them out by hand and the base underneath it was wet and it had rained.

Mr. Costello: So that tells you that the problem is below what we are looking at?

Mr. Rayl: Right.

Mr. Costello: If we don't find a problem, we're going to simply continuously be repairing this.

Mr. Rayl: I'd say the other options are available to Lloyd's point. You could do a stamped concrete pattern on it, but it's a concrete slab. You can have it with a tinted color,

with a pattern on the top and it looks comparable to cobblestone, those kinds of things. But it structurally has more integrity than a paver installation.

Mr. Costello: You don't feel that it'll be affected in any way by any underlying problems?

Mr. Rayl: I don't disagree with solving that underlying problem.

Ms. Landgrebe: Alan, how do we get to the root cause. What is it going to take to get there?

Mr. Rayl: We've been trying to ascertain that since we've got to start, we worked with irrigation folks, we dug that area up, we've done pressure testing, we've done leak detection. We're just going to have to keep going down that road because there's water there. It's causing this problem. We've got to figure out where it's coming from.

Mr. Realmuto: If this Board gives you direction that we don't want to undertake any cosmetic repairs that would essentially hide the problem before we get to the root cause, what are our options or what would you recommend for going down the path of identifying the cause?

Mr. Rayl: Honestly, we're figuring it out as we go along. This leak detection thing, I thought was going to give us some answers.

Mr. Costello: Could it be from the pond that's adjacent to it?

Mr. Rayl: No, it's really not likely. It's all down-gradient from us. I still suspect there's some water intrusion source. Remember that pothole just appeared all on its own for no good reason. Again, when all that excavation was initially done to make that first prepare, water was running out of that island.

Ms. Landgrebe: Are there cameras that can go down there?

Mr. Rayl: Not through pipelines as small as the irrigation line. There are cameras that can run through lines, but not as small as the irrigation lines.

Mr. Plummer: I have a question. The irrigation lines we're talking about are our irrigation lines that water our vegetation down the boulevard, clear to the guard house. Am I correct in that manner or are there domestic lines that also feed the Guard shack? Are there any Golf Course lines across that same area?

Mr. Rayl: Yes.

Mr. Plummer: So we're dealing with a multitude of different lines to check?

Mr. Rayl: Yes.

Mr. Plummer: Not pointing a finger at any of the three, but I mean, it's multiple sources that could be causing the problem.

Mr. Rayl: Yes.

Mr. Costello: Not only that, but it could also be a natural problem such as some spring down there, something of that nature.

Mr. Rayl: We just have not found the source of this issue yet.

Mr. Realmuto: It clearly sounds like a difficult problem and normally it wouldn't be like the Board to suggest engineering solutions but it sounds like you're at a loss. Maybe we could do it by process of elimination and simply turning off one of those lines and observing the area and see what effect it has; I think that might eventually get you there. It may take a while but I would suggest that.

Mr. Rayl: I think there's something to be learned from the timing of when each irrigation system gets turned on the islands in the golf course and the appearance of those soil deposits at the end of that island, there's no explanation other than moles that we should be seeing these dirt mounds appear at the end of these islands. There's a void being created somewhere.

Mr. Howison: So we know that the irrigation for those islands runs Tuesday evening late and Friday evening late, and I think it is around 10 PM. Would it make sense then to just shut down that irrigation for a couple of weeks? The vegetation isn't going to die in that area in a two-week period. We can maybe see if those little mounds continue to pop up or not.

Mr. Rayl: And I know Matt's been plugged in on a lot of this too and has spent some time trying to nail down when these things have been appearing. But I think that's one thing we can try to look at is the irrigation system, and if we can evaluate how these things appear when they appear in relation to irrigation or lack thereof, that's going to help us figure out a solution to this cause.

Mr. Plummer: I agree with Steve here. We need to figure this out and I'm not sure that we, as laymen are going to be able to come up with a suggestion although some of those suggestions may have some merit to include or whatever, but it seems like there's

three different water sources, and we need to at least get a pinpoint on which water source it is that's causing the problem.

Mr. Rayl: We're doing our best to forensically determine what the heck's going on here. I wouldn't say this is an engineering thing you would normally have your engineer do or would put the new lines in for you. But we're trying to look at all of those options and try to understand also what all lines are down there that exist, that are known and unknown yet. But from day one, I've strongly felt that we have an outside water source affecting this area and that's the reason why you're seeing this very localized failure right here.

Mr. Howison: I think the fact is we definitely agree we don't want to affect some sort of a cosmetic repair if we can help it. We've got Matt here to work closely with you, I'll be available at any time. But we've just got to do what's needed to try and determine what the underlying cause of the problem is.

Mr. Fisher: I'm sorry. In the interim, there's a severe dip out there, so are we going to reach out to property solutions or how are we approaching this? Are we just redoing the base and make favors now?

Ms. Trucco: Does that present a safety issue?

Mr. Plummer: Alan, could you get us a quote quickly? Just to repair or replace the line of pavers just north of the ribbon.

Mr. Costello: If it's that dramatic, would we be willing to put a not to exceed?

Ms. Burns: The Chairman has some ability as derived to approve things, especially if we deem that it's a safety issue. So I think we can look at the quote and Bob can sign off on it outside of the meeting, if it needs to be done.

Mr. Realmuto: It sounds like this is going to be a maintenance issue until we get to the root cause.

Mr. Plummer: I think so, but I think in the name of safety and people's vehicles that are using that, we need to get that so that that's not damaging as far as folks entering there and I think we need to do some temporary repairs.

Mr. Rayl: We will look into that. In a related vein, we've talked about getting some pond repairs done for SWFWMD certification, and pond nine, these are some of our numbers that may not agree with all the aquatic numbers system that they have. But from

the SWFWMD permit, Pond Number 9, we know we have some repairs needed on that under-drain system. There are no record drawings, I have no drawings that reflect how that under-drain system was installed. So we are going to go out and determine the lengths of the under-drains system and then that quote can get finalized and that work can get done, but there's no information that's out there. It's not on that system. What we expect it to do is have the contractor's numbers decrease based on that because they had assumed some lakes that we don't believe are there, so we're going to identify those in the field and get that addressed.

II. Discussion Regarding Strategy for Management and Maintenance of Golf Course Bridges *(requested by Supervisor Howison)*

**This item was taken out of order*

Mr. Rayl: Next, I've got copies that I will pass down. This is the draft of the Bridge Condition Inventory. The Bridge Consultant and Operations Manager and Supervisor Howison did a condition assessment based on the Bridge Consultant's recommendations for what we need to be concerned about, what we don't need to be concerned about. This is the draft version of what we've since had some discussions about how to move forward and start implementing these repairs. I want the supervisors to have it to see what area to be concerned about what didn't need to be concerned about. I think overall, the bridges end up being better condition than you would think and the majority of repairs were pretty focused in specific areas on specific bridges. I am mainly providing this for your information just so the Board can be fully aware of everything that's going on there. One thing we are doing is getting a quote. There is a field meeting tomorrow with the environmental scientists' representatives from SWFWMD about disconnecting the old bridge that went to hole number 1 and then any activities we need to do to keep these bridges maintained. It's to our benefit to keep the vegetation from growing up and over, shade and moisture and all those things will accelerate your deterioration of them. We're going to talk about permitting concerns with them because most of these are right in wetland areas. Usually, you'd be allowed to do demolition by hand. So we're just going to check with the environmental representative from SWFWMD to make sure they don't have any concerns about the maintenance activities we're thinking about doing. Then also, some partial demolition of the old bridge at hole number 1 to remove the span on

the East end and the West end of the superstructure to better disconnect that from access to prevent anybody from getting out on that thing as it continues to return to the earth. The plan is that the rest of it, if allowed, go as well. It is a pretty significant cost to remove the remainder of the structure out of that.

Mr. Realmuto: Alan, to prevent the access or make it more difficult to be really needed to remove the decking along that entire structure or just, say 10 feet?

Mr. Rayl: The first span, so one end is 18 feet and the other end is 20 feet. That would be, we understand enough to reduce it in the attractive nuisance, so you really have to work if you wanted to get out there and get on that thing. So we'll meet with them tomorrow then we'll be able to get bids for those two-end span superstructure to get that out of there. Alright, next.

Mr. Realmuto: Alan, before you move on just a question on the condition assessment report that you just handed out. I did notice the linear footage for some of the repair areas, but could you point out where we have the total linear footage of bridges under our responsibility and in the linear feet each of them?

Mr. Rayl: It is just the distance down the bridge. So if we identify the repair, we gave a location of that repair.

Mr. Realmuto: I understand that, I get that, but maybe it will help you to know why I am asking. In the capital reserves study usually, we have some indication of the quantity of what we're maintaining, the amounts, so then we can adjust it. I'm really looking for the total linear feet that fell under our maintenance.

Mr. Howison: This document was a draft that I gave you a few months ago? It reads that we have 1863.84 linear feet, 18,638.4 square feet of bridge decking to maintain. We use that as the basis of some of the rough estimates for moving forward with an ongoing maintenance program. I think Alan's getting to that and if not, we can talk through it.

Mr. Rayl: As I referenced earlier, on page 4, it shows you how the repairs were spread out across the bridges. We didn't identify needing any repairs and others readily related to the length on the two highest number of repair locations.

Ms. Landgrebe: Just for clarification, you are saying the pink highlighted boards are all you're looking to replace?

Mr. Rayl: Yes ma'am, based on the recommendations.

Ms. Landgrebe: Okay, based on previous recommendation because some of these pictures, the boards look pretty bad.

Mr. Howison: We got a recommendation in September with the company Greenway Bridges. He estimated that even though some of the decking looks pretty rough, that we have at least a five-year useful life for all the bridges from the decking and he recommended at that time an ongoing maintenance program, which he thinks could extend the useful life from all bridges. As Alan points out in his report, we got two where the pilings are square pilings. That's something that we're going to want to monitor as we move forward and at some may have to take action. Secondly then, if we replace these Boards, the 40 Boards that were identified and using an assumption that we may have to replace as many as 20 Boards a year moving forward, then we can base an annual budget on those assumptions. Rest assured that the way it was explained to us, was that some of the boards will chip away. These are fairly thick boards and you've got a lot of wear left in them. The Boards that we want to make certain that we'd pay attention to are boards that show any evidence of rot, even a small amount.

Ms. Landgrebe: So we're committed to which boards versus alternatives and are they going to be treated? A lot of these are not.

Mr. Rayl: We have a specification that they gave us for the level of treatment of any replacement decking. The only material we've considered was wood, we were thinking that running boards could have been a way to extend the deck life. We looked at Trex deck boards but found their costs were very high in comparison.

Ms. Landgrebe: The life of something like Trex is what?

Mr. Howison: Those Trex boards, If treated, and maintained, he estimated a minimum useful life of 10 to 13 years. I guess that's it. You asked if these boards had been treated. The Boards that are on the bridges today were treated and were pressure treated. The issue is that since then we haven't done any ongoing maintenance. Pressure washing and sealing bridges on a regular basis is the key here. We do have a new estimate and need to make sure the estimate is still valid. We will probably address all of the bridges during the first year or two and then we assess whether we can back off on that a little bit and save money or not, but ultimately, and I don't know how much time you

want to take discussing this, but the estimate is that we'll spend about \$30,000 a year on these bridges.

Mr. Realmuto: When you talk about regular maintenance, I assume sealing is part of that regular maintenance. The \$30,000 wouldn't be all for sealing, but quite frankly, one of the most frustrating aspects of my being on the Board is I've been talking about sealing the bridges literally for years, in the two years leading up to my joining the Board and ever since and I asked about it regularly and still we have not gotten the bridges sealed. What's it going to take to get them sealed?

Mr. Howison: We wanted to be certain before we move forward that we aren't sealing compromised boards. The plan to go forward, and it's a tentative plan at this point, but one that we would hope the Board would work through as we move forward. The tentative plan would be to consider pressure washing all of the bridges this calendar year and sealing those. That would be a cost of about \$17,000, replace 40-60 boards per year a cost that it as yet undetermined, but my best guess is that it's around a \$6,000-\$9,000 a year cost. We have a total of \$32,000 in the fiscal '22 budget. That \$32,000 in total covers not only the bridges but covers any other golf course related maintenance expenses.

Mr. Costello: What about the actually load bearing part of the structures of these bridges? What are we looking at as far as life expectancy?

Mr. Howison: You are talking about the piling and everything else? I'm going to defer to Alan on that.

Mr. Rayl: Yes. One place we actually spent some time discussing was the Hogan Bridge in CDD-2 that has the inferior substructure and it has a lot of curves on it too. He identified there during our visit and we've since surveyed and documented. There's shifting in settlement of that ridge. It's mainly to those impacts to those live loads. When you hit an outside curve, that curve just moves over with that live load of the cart. We have more straight runs of bridges even with that less than recommended substructure design, the square versus the round. So we don't have the opportunity to have as many of those instances as you see, for example, that Hogan Bridge, but as we said, 10-15 years we didn't notice any areas of settlement or displacement in the alignment after that day. I think the one place that there were some curves and things like that is the

discontinued portion of the Hogan Bridge. Problem solved for that part. Did that answer your question?

Mr. Costello: Yes.

Mr. Rayl: I wanted to make sure you all had this information that we identified the scope and the scale of what we would recommend going forward. We'll know more after tomorrow with the field meeting with SWFWMD, about how we can do those minor demo portions and I'll go back to the Board with the wrap-up of this plan. Also where we drive, we have issued to contractors for a rebid of that for budgeting purposes as was discussed to mill and resurface from Ashton Club to the Waterford and through the Waterford intersection where every vehicle that goes through that segment right there. Then after that they disperse, but coming in or out, the trip is focused on that segment of the roadway and so that's the segment where we're asking contractors to give us some current condition updated numbers. In that vein, Tucker Paving sent over their contract. The contract is actually with Polk County and other municipalities such as Lake Wales have piggybacked that contract. We'd be talking about doing the same thing with them, to adopt their rates and being able to find maybe some cost savings in doing that. They have milling rates and paving rates in that contract. So we'll be able utilize all of those at hopefully a better than current market cost to us if we move forward. They're also one of the ones that we were talking to you about programs in the beginning so we can follow up with them on that.

Ms. Landgrebe: Since you're going to follow up with them, that's the greatest length of Berwick. It's a short distance to them from Waterford to the end. Can you just get a price to see just for appearance's sake, what the whole cost of paving the rest or spraying or something would be? I am trying to get it on the same timeline versus this year we're doing this section, next year maybe it's Waterford to Stratford, the third year it's then Turnberry.

Mr. Rayl: Well, it really is related to the trips that are on the road. As I said, every vehicle that goes into that section of Lake Ashton travels that section of Berwick. After that, the trips disperse. The further you get up Berwick, the less trips you have on it. Once you get north of Turnberry, there are no trips because that's the second emergency gate. So the segments didn't show as much deterioration when you got north of Waterford as

they did south of Waterford. It feels like the base is compromised. You could feel the wheel ruts when you're driving. On the southern segment of Berwick, where you don't necessarily have those segments, I wouldn't necessarily recommend doing a whole street for aesthetics. The further north we go, the smaller number of trips we have on Berwick there. All those other roads, this is a feeder to all the other ones.

Mr. Costello: I mean inflation right now it's driving people insane as far as that goes.

Mr. Rayl: Except for having the ability to piggyback these contracts where you can lock them in usually for an annual agreement. Every quote I've been getting has been willing to stand behind it for a maximum of 30 days, some were less. There's going to be a lot of value in trying to adopt these already accepted rates by other jurisdictions around us. We can count on that as a budget number, we're looking forward for future repairs in other areas.

Mr. Realmuto: With regard to the comments made on paving roads for aesthetic reasons, I guess I just want to backup Alan's comments and I think it's important that we'd be on the record here. My understanding is that this Board's policy, in my opinion, has been and it shall continue to be that we pave roads for maintenance and structural reasons. We don't pave them for cosmetic reasons. You might see roads being paved for the engineer who identified some need of repair that it might not be obvious to most of us that gets repaired and maybe others that are a little lighter in color because they've been around longer, but they're structurally sound, they don't get paved, I believe that's a fiscally responsible policy we should continue to follow.

Mr. Rayl: Sure. I covered both of those. As I said, I received a Tucker Paving contract earlier this morning, only had a chance to look at it for a few minutes before I came out today, but I'll send that to District manager and the District attorney. It's been my understanding that their interest is to try to feedback that paving contract. It should be hopefully a little easier since Lake Wales is one the jurisdictions that has that. The last thing I have outlined on things to talk about today was the oil spill outside the restaurant. We got some bids for that work back in June so it will be refreshed. That was back when all the clean-up work was going on. We weren't sure if they would salvage the pavement that we had with oil and see if it deteriorated or if there was an interest in repaving the

main flow line or if watering, other things will run down the center or I think we also got a bid for a complete rework of the parking lot. We had those bids sent over to Christine last week to start thinking along those lines of what work do we want to entertain doing. But what I wrote down here as part of that, I would like to solve the oil container issue first before we spend money on repaving the parking lot. Let's figure up another way that if there's an overflow scenario there that we've got a safeguard in place, even if we move that container to a standalone, or a little site that has a pop off drain to the storm water system or something. Because that is okay, that stuff goes into the pond. The pond is there to treat oil and grease and those things. It's not expected to have gallon on gallon of cooking oil, but that's the way these ponds are designed with these literal zones. It's to remove those pollutants and let them sit in the ponds where they can settle out and take care of themselves from the vegetative zones prior to being discharged. We want that to happen as opposed to it spilling off warning over the ground and then into the lake. These lakes and these storm water ponds are functioning cleaning systems for the runoff that they receive. So if we can get it in the pond system the same way it was going today but keep it from going across the pavement while it's doing it, that would be the best scenario that we can come up with. So, move over to those bids, I would suggest we ask for updates on those, but also contemplate how we want to handle that situation through.

Mr. Howison: Is that something you'll come back to us with a recommendation?

Mr. Rayl: This came back up last week and I wanted to take it a little further down those lines of how we can best do this, how we can best contain it, if we ever had a scenario like that again, that we could let it have some ability to overflow but that it doesn't cause damage to anything else while it's doing that.

Mr. Howison: Has there been any resolution in terms of either the company that disposes of all our cooking oil or insurance as to payment for the repaving or anything or does that fall strictly on us?

Ms. Wells: That's why I asked for the quote from Alan. I did send it to insurance so that they can still pursue the cooking oil company. They wanted to send the invoice to them to encourage them to work with us.

Ms. Burns: To date, they're refusing to provide their insurance providers information to our insurance company as they stated they don't believe it was their fault.

Ms. Landgrebe: What are we talking about, potentially suing them?

Ms. Burns: Our insurance company is still pursuing action with them to get information from their insurance company and pursue that. That's the first step to the extent at the moment.

Ms. Trucco: Let's see how it goes with the insurance claim first and if that is denied, we can pursue a demand letter or something like that. We can see what our options are. Again, we can review the cost benefit of pursuing legal action against them for compensation.

Ms. Landgrebe: Yes, of course, what is the cost we're talking about at this point?

Ms. Burns: I think it was \$32,000 was the quote.

Ms. Trucco: That's fairly significant. We'll just continue to follow that up.

Ms. Landgrebe: That price is just going to go up.

Ms. Trucco: Is that right now? Pardon me. It's about \$25,000-\$30,000.

Ms. Burns: It was not an insignificant amount. I think we'd have to look at a lot of things. Do they believe we have the facts to state that it's their fault as well to defend that?

Ms. Trucco: We'll continue to follow it, perhaps we can bring it back to the Board next month. Keep it on the agenda.

Mr. Rayl: I have a page two. These were the next five pavement repair locations. That includes the area that was concerned about the Dunmore that was brought up last week. We did have that area previously identified, given the reference and the pavement inventory that we did, where you can look up each of these areas and see photos of how we described how they were affecting the performance of the roadway and of the storm water management system. We actually have six in this group that we're going to go get some bids on now. Some of it is going to be asphalt, some of it is going to be concrete, some of it is going to be a combination, but we'll bring bids back to the Board for consideration. I just want to let you know we're including that Dunmore area as well in this group since that had been brought up recently.

Mr. Rayl: The last item I have is, and I addressed this at the CDD-2 Board last week. In June of last year, as I was adding staff at Rayl Engineering, I didn't have positions created on my rate scheduled for this new staff. I had to come up with some additional positions and rates for them. I also at that time worked for the private sector and mainly

local type clients and public sector clients such as Lake Ashton CDDs. We developed a new rate schedule back in June of last year. I let Supervisor Plummer know that I was doing this but we didn't implement the rate schedule through the remainder of 2021 with Lake Ashton due to the consideration of established budgets and just to try to help. It did provide a savings through the last six or seven months of invoicing to the District. But it's something now that we're in 2022, I'm going to bring all of our clients to our current rate schedule. So these rates are less than our private sector rate schedule. So there are savings now we've created, I only had one created schedule previously. This is a lower cost rate schedule for public sector clients. It has additional positions of staff. I obviously just did it to make sure I can remain competitive with what I can offer my staff. I think the only increases that you see on here is the Project Engineer PI category, and in my category. Everything else is unchanged if there was a position shown for before. So presenting that to the Board I am hoping you adopt this new rate schedule, and these new positions.

Mr. Realmuto: So Alan, I'm a little confused. I'm looking at the new rate schedule you've just provided at this meeting and comparing it to the one that was in our agenda packet. You mentioned there was only one rate increase for the Project Engineer. I see at least two others, looks like on average roughly 10% more per category. The increases I see, comparing those two or for Senior Professional/Principal went from \$180 an hour to \$200. That's an additional \$20, roughly close to 10%. The Project Engineer PI from \$125 to \$175, so a \$50 increase.

Mr. Rayl: No, \$125 to \$140.

Mr. Realmuto: Well, again, you have two similar categories. The second one listed on the rate sheet you handed out today is Project Engineer/PE at \$175 an hour. Maybe I'm comparing that to the wrong one.

Mr. Rayl: Yes, and that was one of the positions that was created because I have an EI right now who's Project Engineer/EI. That's a graduate engineer who's passed the first eight-hour exam, who's working on his four-year internship under a professional engineer. At that point, he takes another eight-hour exam. When he passes that exam, he could be a professional engineer. So a graduate Engineer/EI is someone younger, less experienced, they're working under a professional engineer.

Mr. Realmuto: Okay, the current rate for that position is about \$5 under what the Senior Principal was.

Mr. Rayl: No. The Project Engineer/PE is a new position that I've added last year. I have a Project Engineer that's joining the firm, and that's a new position. The Senior Project Manager is a new position, and Senior Design Technician is a new position, and Design Technician is a new position.

Mr. Realmuto: Understood. I think it's in those positions you say may actually, or have actually saved us money by being able to have worked on by people on those positions versus the higher paying ones?

Mr. Rayl: Absolutely, yes. My intent is for them to be like, for example, Garrett and admin staff put together this bridge report, instead of me. I try to be as cognizant of the budgets that the District has to work with, and how we can do the most for the District with what you have available.

Mr. Realmuto: I certainly appreciate that, I'm just trying to get to the facts here. I think we can agree. You said that the increases that we see here are an increase in the Project Engineer/EI position. That was at \$125, it's now \$140, an additional \$15, as well as the Senior Professional Principle, from \$180 to \$200. Is that right?

Mr. Rayl: Yes, sir.

Mr. Realmuto: Okay. So those are roughly the average amount, probably roughly 10% increases? I realize we're going to save money by having some of the work done by the others.

Mr. Plummer: We need the Board to accept that.

Ms. Burns: I think, we just take a motion to amend the fee schedule in the existing engineering agreement.

Mr. Realmuto: Just something briefly, I have to say, I'm not happy with the short notice. I think a lot of us were just provided with this at this meeting, especially, if it was known beforehand, it's something that could've been incorporated into the budget. I guess the argument could be made, it's not changing the budget, or it's helping. Again, this information needs to be shared as soon as it's received among the entire Board.

On MOTION by Mr. Costello, seconded by Ms. Landgrebe, with all in favor, the Engineering Services Contract and Rate Increase for Rayl Engineering, was approved.

I. Review of Engineering Services Contract

**This item was taken out of order*

Mr. Plummer: We also have the review of the engineering services contract, were there any questions in regards to that? I don't know that it needs a vote. It was a matter of just reviewing it and making sure that we all understood where we were with that. If there is no other discussion on that, I don't believe we need a vote on it.

Mr. Realmuto: I don't think any discussion or vote is necessary, I'm just pointing out that the inclusion of that in this agenda, I think, it was postponed from December. We had planned a review of all the various contracts with this one and that completes that review. If supervisors look over the last 13-months in agenda packets, you'll have a review of all of the contracts under the District, it's all available in the last 12-months. Thank you.

Mr. Plummer: Thanks, Alan.

Mr. Rayl: Yes, sir.

C. Lake Ashton Community Director

I. Focus 2025 Review

Mr. Plummer: Moving along the next item is in the director's report.

Ms. Wells: The community director for our project tracking list was included in the agenda packet. I just want to point out, we've had two entertainment series shows now. There have been blasts going out strongly recommending masks being worn, as well as the safety station setup at the entrance to the ballroom with hand sanitizer, gloves, and masks available if anyone needs them. The Reme Halo air purification system has been working very well. We found a way to not freeze everyone at the ballroom, but still have it running continuously, so that was a good thing. Also, something came across my email this past Thursday, it was an agreement for April 5th, City of Lake Wales polling location. I just want to make sure, in the past, everyone's been okay with all being a polling location for City of Lake Wales elections. I just want to make sure we were still good with that so that we can get that signed and move forward. That's April 5th.

Mr. Realmuto: Is there any conflict with the events planner?

Ms. Wells: No. We book it usually in anticipation that it will be approved just in case, so there is no conflict. If there's anything with that, they need that back by February 1st to move forward. Also, Ed introduced himself and hit on some of the things I had under Ashton Tap & Grill I will mention that the hours are back to normal, 11:00 AM to 8:00 PM. They are still working under the limited menu, but they do have lunch and dinner specials as well. The prime rib night on entertainment series shows have been going very well. They also have a cash bar that they are doing in the ballroom from 4:30 PM to 8:15 PM on those days. With entertainment series starting, we also took the chance to try out the additional golf cart parking on the basketball court just in the west parking lot. During the first show on January 14th, we had approximately 15 golf carts that used that area, it seemed to be going well. With that, I'm not sure, I didn't get a chance to look at the last show to see how many were parked there. But we'll just keep monitoring it through fiscal year 2022, see if we need to even add striping. Everyone seemed to park very well on the 14th with no striping needed, so it may just be we use it for additional parking, don't need to incur any additional cost, maybe a little better signage. The one we have now are just to put out for when we're going to use it. We're also continuing to review the Focus 2025 survey data. We'll be bringing up some potential projects, larger projects that were identified by residents there when we start talking about the fiscal year 2023 budget. That is all I had on my community direct report, does anyone have any questions on that? The installation of the replacement pool width, we're still waiting for the part that we're missing. They sent us the wrong part that we're missing. We're, since, getting that back, trying to get the part that we actually need, it's a vital part to metal support for the seat. But we do have a pull up that's currently installed and available for use. Just a couple of follow-ups on a couple of painting projects. I have been following up with Jimmy Bock on the approved restaurant redesign project, the painting for that, as well as the pressure wash and painting at the Thompson Nursery Road caps, it keeps getting pushed back. He said, "Well, it's probably going to be in more towards the middle to end of February, before you can get started on that." The paint that he was missing, he cannot get the paint for the woodwork in the restaurant so that's delaying there. It's really just his schedule. I know that everyone is blaming COVID, but everybody's building homes right now. Especially, in Lake Ashton, he's a referred painter for the new homes being built here, so when you

see homes building up left and right, he's the one painting them. They're pushing him to get it done as soon as possible. So he keeps assuring me that as soon as it finds a spot open, he's going to jump in. I did ask him if he could pressure wash the caps and at least get us through. He wants to wait until he knows at least, he can put us on the schedule for painting. There's not a gap and then has to pressure wash again before he paints.

Mr. Howison: Does it make sense to get other quotes for painting? I can only say that he was scheduled to do our home in November, and it's January, and he is now looking at March, so this has been put off since November, I think. I would like to ask the members of the Board, does it make sense to look elsewhere or no?

Mr. Plummer: Do we have other quotes when we did originally for both projects?

Ms. Wells: We did. We will just have to get updates of the quotes because, pressure washing paint was September, and the restaurant redesign is October.

Mr. Plummer: I don't think it would hurt anything to find some quotes from additional people and see if somebody else can get through this quicker. I understand how busy he is, but also, those two items need to be taken care of.

Mr. Realmuto: Having additional quotes will only provide additional options, so I don't see any harm in that. I think, we might need to utilize those if he doesn't get to it on the currently promised schedule. If it should go beyond February that would be a real concern. I also think we need to look at putting in future contracts, so performance with the time frame for the end. I'd love a penalty, I doubt they would accept that, but something like that if it wasn't done within that time frame. Obviously, we have the benefit of holding the price so I believe he's not moved a lot on the price.

Mr. Plummer: In addition to updating those bids, we need to know what their contract dates would be as well. We may not be looking at anything any closer than we already are, but I think we need to look at that.

Ms. Wells: I think the next meeting is February 24th, so I'm hoping that he'll get to us before February 24th and that it won't be an issue. But I'll make sure to let him know if he can't get to it by that time, that we'll be looking at other bids.

Mr. Howison: I think they would understand. The company is a friend to Lake Ashton, they're doing an awful lot here and they've done a lot for us, so I'm not suggesting we throw them out with the bathwater, but it can't hurt.

Ms. Wells: The next thing that I have, the handicap door opener. It is installed, the electricity is run to it. They'll be here tomorrow to hook up the actual buttons so that it's completely functional. They've replaced the two-door reach-in that was approved at the last Board of Supervisors meeting, it will be delivered on Wednesday. I spoke to them on Friday, and they will be delivering on Wednesday. Still waiting on quotes for the replacement of the restaurant awning. Matt and I follow up with them at least twice a week and just have not gotten the quotes back for that. As soon as we get those from them then we'll present those to you guys. We have received the golf cart. It was \$13,013, so it was just the way we expected for that. We are in the process of working with Art's Golf Carts to switch the LED flashing light from the golf part we're no longer using to the new one and extending the mirrors out slightly so there's no obstruction of view for that. Other than that, I don't have too much else if there's any other questions on something I didn't hit on with the project tracking list.

Mr. Plummer: Any questions for Christine? Seeing none. Thank you very much. Keep up the good work.

D. Operations Manager

I. Consideration of Quotes to Replace Damaged Paver Lights

Mr. Plummer: Next on the agenda is the Operations manager, Matt.

Mr. Fisher: Good morning. Included in the agenda packet is the Operation managers' report. Staff met with about aquatics and reviewed minimal algae in the ponds. They are treating according to contract. We meet with Archie on a monthly basis to go over CDD ponds. I did include area maps of the work that was done in the wetland near hole 4, which is the 4th tee on the east. It's referred to as Pine Island. Applied aquatic subcontractor Eco Tech removed vegetation and invasive growth. That'll be an ongoing quarterly maintenance by Eco Tech. The next aerial photo was removal of vegetation near the 6th tee of the east course. This work has been completed and Yellowstone will maintain. So that work has been done. That'd be just for you, I thought I did include products, site visits, they keep chat. I just included in our report as a reference for supervisors. Staff will complete another section of stop bar painting. It's going good in the less used roadways. I think the next batch we'll take on the heavier traffic areas, that being the two stop bars, Ashton Club Boulevard, Ashton Club Drive, and the three at

Ashton Club and Dunmore. These are going to have to be done at early morning hours or late evening hours and we're going to have to ban them until they dry. So we're going to strive to get that completed before the next Board meeting. I'm going to get with Jared and pinpoint the ideal time for him and I to get that taken care of, and I will update the Board next meeting. Apollo Glass replaced the broken inlay window in the game room. I'm currently working on finding a vendor that still does tenting. Seems like a dying profession. The three light fixtures that were out on the columns coming off Thompson Nursery Road and concluded it was a wiring issue. Staff did install that television in the restaurant and moved the working one to the southern end with no complications. All we needed was a \$50 extension part for the bracket which was under budget for that television.

Mr. Realmuto: What was the total cost?

Mr. Fisher: It was just the cost of the television. It was \$49 and some change for an extension part from Home Depot. I can't remember off the top of my head what the cost of the project is.

Ms. Wells: It's in the project checking list. It was \$912.

Mr. Fisher: Precision Lock and Safe, rekeyed the bowling alley doors for security purposes. Any questions so far?

Mr. Realmuto: Do you have an update for us on the gate arm status?

Mr. Fisher: Yes. We finally did reach the gentlemen with that company and he is sending a replacement arm. Unfortunately, it wasn't covered under any type of warranty. He is providing extra controllers for the LED strips that are out and a new LED strip for the entrance resident gate. The wires got stripped on that LED.

Mr. Realmuto: I want to understand. You said it wasn't covered under warranty. Is that because the warranty had expired?

Mr. Fisher: Yes, the warranties expired.

Mr. Realmuto: We are talking about the exit gate now, the far-right?

Mr. Fisher: Exactly.

Mr. Realmuto: There are other gates that seemed to be out.

Mr. Fisher: Yeah, you're correct. There is one bad controller on that exit gate next to the one that we're waiting for the arm replacement and then there is an LED strip out on the resident entrance gate.

Mr. Plummer: The difference is the outbound one, is the one that was not covered and the rest of them were just the lights.

Mr. Fisher: They were just maintenance parts gone bad. We will get with staff and install those. We don't need to outsource installation. So we just have to get the parts. I had two bids under my cover. I mentioned the last meeting that there was an outage on the paver in the lights right outside the bowling alley. There are 21 lights that are bad. I did initially reach out to Signature Lighting and their technicians indicated some sort of a surge because there's charring on the low-voltage cable. I did get a second opinion from Kincaid Electric who indicated the same. They actually spent a lot of hours trying to get them working, but they just came with the same diagnosis. So I did include two bids to replace those burnt lights. So I'm just seeking Board direction on this replacement.

Mr. Plummer: Having brought that last Friday and this Thursday after the shows, it's a significant difference when those lights are not there as far as what you can see on the walk.

Mr. Howison: I noticed the Kincaid bid specifically says that they will put them on the green area off the sidewalk and not directly in the path of an edger. Does that indicate that maybe an edger caused the initial issue?

Mr. Fisher: That's a good point, but we didn't identify any wiring that were cut. That was my initial thought, but I didn't want to point fingers.

Mr. Realmuto: Do we believe the problem might've been lightening, for example, or something like the edger. Do you have an idea of what might have caused that?

Mr. Fisher: Both companies indicated surge due to a storm. I cannot not believe that because we've experienced computer's gone bad from surges. We have went as far as putting surge protectors on those, we put in surge stickers, put a surge protector on the building.

Mr. Realmuto: Understood, but that's not my question. This is not an insignificant some of money to replace it. We have storms surging all the time. If we do this, I would want to put a surge protector on it to help prevent it or guarantee it.

Mr. Fisher: I did go further in asking them to provide a LED surge arrestor for each light and they informed me that each light didn't need one. Kincaid provided a bid, and you can just add this to that, \$1,155.04 to add a surge protector on every six feet of lighting. Signature provided a price for every five fixtures, which was three surge protectors less than Kincaid, so those came in at \$744.80.

Mr. Realmuto: I'm confused. Did you say the Signature quote for the surge protectors was every five feet?

Mr. Fisher: There's three surge protectors less than what Kincaid quoted because the difference of opinion on the different products. The specs were different, three fixtures and three surge protectors. If we decided to approve this, I would recommend Kincaid. Their quality work is great, they are easy to get a hold of, they're basically our electrician for the clubhouse. I'd also might indicate this has a one-year labor warranty and five-year parts.

Mr. Realmuto: I'm sure it doesn't cover surges though, right?

Mr. Fisher: Unfortunately.

Mr. Plummer: That's why you put surge protectors on these.

Ms. Landgrebe: If we decide to do this, would you talk to Kincaid to see if they would reduce their price to be comparable to Signature?

Mr. Fisher: Yeah. I can definitely reach out if you wanted to approve Kincaid's bid.

Ms. Landgrebe: What's the totals?

Ms. Burns: I think the other bid was for less surge protectors though, correct?

Mr. Fisher: Yeah. So the grand total for Signature with the surge protectors is \$3,308.27. Kincaid's grand total was \$3,937.04.

Mr. Realmuto: Since we have separate bids for the surge protectors versus the replacement of the lights, I think they're quoting different numbers of surge protectors and that muddies the waters a little. I would look at the base quote for the replacement of the lights. The difference is about \$220.

Mr. Fisher: If you want to approve Kincaid's bid, I can definitely see if we can. I'll talk to Chris and Allen, the owner.

Mr. Plummer: If you want to, we can approve a not to exceed number and let him work from there. Somebody who has the calculator do that.

Mr. Costello: Have we worked with Signature at all?

Mr. Fisher: We have they are the ones, they have a sister outfit, Holiday Lightscares that does our lighting for the Christmas lights. Their communication is not as good as Kincaid.

Mr. Plummer: The response time?

Mr. Fisher: Yeah, exactly. That's sort of what we're looking for. I need response time, you cannot respond to me a week later. Kincaid's on top of it. Like I said, they're just our electricians for the clubhouse and are well-versed in surge protection and all that.

Mr. Realmuto: I'd like to make the motion that we approve the quote from Kincaid for the replacement of the lights, including the surge protectors every six feet, for a total not to exceed \$3,950. We have two quotes they add up to \$3,937.

Mr. Fisher: Yes, sir. Sure, I'll call Chris and talk to him about it.

Mr. Realmuto: Sounds good.

On MOTION by Mr. Realmuto, seconded by Mr. Costello, with all in favor; the Replacement of the Damaged Paver Lights with the Quote from Kincaid with a Not-to-Exceed Amount of \$3,950, was approved.

E. District Manager's Report

I. Update Regarding TECO Deposit

Mr. Plummer: Thank you, Matt. Appreciate it. Next item on the agenda, District managers report.

Ms. Burns: I have one update and some additional discussion to come from that regarding the TECO deposit. If you recall back to our previous meeting, the Board discussed replacing the bond that we had in place that was in place in lieu of TECO holding a \$25,000 deposit. We did reach out to the insurance company if the Board were to terminate the bond that's in place, we would get the prorated amount back. However, when we reach out to TECO to discuss the process on how that would work, a couple of issues came up that Steve and I talked to about it since he was the one who brought it up initially. We thought we'd bring it back to the Board for further discussion. The process to go about replacing the bond with the deposit is that we need the insurance company to cancel the bond, they'll then send notice to TECO, at which time TECO will evaluate the

account and send us the amount we are required to have on hand for the deposit. I asked him what that amount would be and they would not commit to an amount. What they told me was that it's the average of two months of the bills on all the accounts. Obviously, from the time that these accounts were established, there's not only more accounts, but obviously price increases. So I had Sharon pull the last three months of accounts. We're lucky that it's not in the middle of the summer, so it is a good time to do that. But based on the last three months of our TECO payments, it was about \$17,000 a month for all the accounts. Based on what they're telling me, it's probably going to be closer to us having to provide a \$35,000 deposit as opposed the \$25,000 deposit the Board initially approved. That being said, we're going to try to negotiate. I did ask, we have good payment history, is there anything if it was like a non-starter. They basically told me they can give me no information or commit to any numbers until they receive the notice that the bond has been terminated. I wanted the Board to know, if we do this, the number's a little bit in question, and that we really didn't get very much headway from them on committing to an amount. That being said, two months of the utility of the previous months is about standard. I think our worst-case scenario is roughly \$35,000-\$36,000 depending on what January comes in at. It was \$17,946.80 in December, \$17,179.57 in November, \$17,408.75 in October. Then they're pretty consistent these last few months. So I just was looking for direction from the Board, do we want to do this? We can get the prorated amount of the bonds back with the understanding that it's likely they will hold.

Mr. Realmuto: I just want to point out that our previous two months electric bill amount is not going to go down as it gets warmer. So if we're going to do it now's the time. I guess my only question for Jill is since it's TECO, as you can see, they're not easy to deal with as I guess most utilities aren't. Question is, what should happen if, since they won't commit to the amount, we certainly can't be asked to commit to any amount. It's unfortunately that we actually need to cancel the insurance first. What would happen if we cancelled the insurance, they tell us what we need on deposit, and we decide we don't like that amount we'll want to go back to the deposit, can we do that?

Ms. Burns: I believe so just from speaking with the insurance provider that they don't believe there'd be an issue in getting the bonds put back in place. I think the only issue there is, is TECO going to require a bond that's in a higher amount now, because

we've terminated now, they're looking at a higher amount anyway, because I think the bond was in place for the \$25,000. So that is one variable that we may end up with a higher bonds payment as a result of canceling it. Unfortunately, because they won't commit to much and they almost wouldn't have the conversation until they received the notice because they tried to transfer me to a department, they had no claim to look at. Getting somebody, to even have the conversation with, was a little tough. My guess is the \$35,000 is probably our worst-case scenario, I think what we could do if the Board is still interested in doing this, we can leave the bond in place and continue to go with the lower amount of the deposit, or we could terminate the bond that's in place and direct my office to move forward with getting the deposit paid to TECO with a not to exceed amount, let's say of \$36,000 or closer in line to what we think it may be with the understanding that if it comes in higher than that, then go back and go with the bond. But then again, I can't tell you what it's going to cost after.

Mr. Realmuto: So to start the conversation with TECO and get a number, an amount, we essentially have to terminate. I lean that way though I acknowledge it's not an easy decision.

Ms. Burns: We run the risk just because they wouldn't give us much information of that it may, even if we may end up having a bond in place still, and it may be a higher number.

Mr. Realmuto: I believe what TECOs able to do is go on the rate schedules. My only question is does GMS have any, or our attorneys have any guidance? I know for homeowners you're only required to do it, I'm not even sure it's with the electric company, for up to a year and then they refund the deposit. It just seems like an entirely unreasonable requirement on a municipality that's paid its bills on time for 20 years.

Ms. Burns: But I think it's partly because of the poles, it's not just the electricity. It's because we have their equipment as well.

Mr. Plummer: I'm just looking for either a motion or a further discussion. I realize that getting information out of TECO is not an easy project and a stretch of the imagination.

Ms. Burns: I don't have the invoice in front of me but the annual cost for the bond is \$1,000.

Mr. Realmuto: It's about \$1,100.

Ms. Burns: Yeah, just under \$1,100.

Mr. Plummer: What's our savings overall?

Mr. Realmuto: Eleven hundred dollars. Well, the prorated amount of the \$1,100. I would look at it as \$1,100 per year is our savings at the cost of not being able to access whatever the required deposit amount is above balance. It's still our money, but we have no access to it. That's all.

Mr. Costello: Who knows? They will not let themselves be nailed down. We're taking a chance that there's going to be zero money saved by doing this.

Ms. Burns: Steve said it is your money, but if they're going to hold this deposit forever, it's not money you're ever going to have access to unless TECO is not providing the service, which seems unlikely. Yes, it is your money, but if there's a threshold at which they release it.

Mr. Costello: Sooner or later. These lights out here are costing us \$126,000 a year. Sooner or later, in four years, these contracts start coming up. They're going to have come up with something better and come up with better numbers or we put our own lights in. There are 233 lights and renting them at \$126,000 a year is insane.

Mr. Realmuto: Mike, I agree with you. But that's not because of the contract term on that. As you know, that's not something we can deal with. I think we have four years until the first contract.

Mr. Costello: That's what I said. I said in four years.

Mr. Realmuto: Now we understand that that would affect the balance as well. You did raise the question though, if the deposit amount goes from \$25,000 to \$35,000, does that negate the savings? My cost calculations on the savings were essentially considering the \$1,100 interest. I think that worked out, the \$1,100 which was almost 5% in the year, 4.83%, thank you, Lloyd. The deposit amount going up \$10,000 or even a little more wouldn't significantly affect the savings analysis. What would affect it is interest rates going up a lot. I believe, and I just had asked Sharon for some information about the money we have on deposit, we are in about 0.13% on any of our balances that go to the SBA, the state, which is actually better than I thought we might be. But in contexts, we are paying 4.83%, I think Lloyd said, and what this contract is costing us is essentially the

difference between those two numbers. The point is we would still continue to save about 4.5%. I don't know if our attorney has any advice for us in terms of negotiating with them.

Ms. Trucco: No. They're a unit of government so they take their time in getting back to folks and I'm not surprised that they're not willing to share what risks we run. So unfortunately, I can't really say that there would be anything additional we could do just to provide more information from TECO.

Mr. Plummer: Today, the question becomes, is the savings worth the chance you take of the other number being higher than the deposit number or reentering the bond if you went back?

Mr. Realmuto: Question is would we be comfortable with having an additional \$10,000 on deposit with TECO? Is that a problem? I don't believe it is currently. I hope it never becomes one. That's my thinking.

Mr. Costello: The only thing there is the fact that we can't get a commitment from TECO. We're dealing with a very big unknown there.

Mr. Realmuto: We can get a commitment. They've given us the path but unfortunately, to get the commitment, we have to cancel.

Ms. Burns: I just had a concern that, from my conversation with them, there was a lot of unknowns and the only way to get those answers was to send out the notice and see what they say.

Mr. Realmuto: Again, I'm not tied to this, but I don't know. I lean a little bit toward forcing. I want to get the numbers and see what it would be granted it would be some hassle for us. There would definitely be a savings of about \$1,000 a year. The only cost to us is having approximately \$10,000 less of our funds and on deposit assessable. I just want that to be clearly understood. I'm inclined, if nothing else, to go ahead and do it. I am going to make that motion just to give people a chance to weigh in on it. Again, I don't really see a downside because we can always change our minds. I assume with that, yeah.

Ms. Burns: I think the only unknown there if we did want to go back is, if the bond would then be on the higher amount. I think that's really your biggest risk there should you decide to go back, is it then a higher amount that you're paying each year?

Mr. Realmuto: No. You're right. It would be \$35,000. I mean for reference, I've got our account balances as of 21st, actually of January from GMS and there was a general fund balance of \$960,000 and the capital reserve fund balance. We just did a transfer actually from there. The capital reserve fund balance was \$694,000 for reference. But that's a good point, that would be \$35,000 that would get transferred out of the wherever.

Mr. Plummer: I think the whole thing boils down to, I'm not sure I have the trust in TECO to do what's fair anyway.

Mr. Realmuto: I just wanted each supervisors' opinions. Like I said, I lean that way but I don't have strong feelings because of the risks involved.

Ms. Trucco: We could take a look in to see if there's something else in Florida statutes, TECO is a state agency, excuse me, not a government entity. So we can take a look, see if there's a schedule.

Mr. Realmuto: I believe our Chair suggested tabling it for a month. While waiting we can do some more research on the rate schedule and what our options are there.

Mr. Plummer: I don't think that tabling it for one month is going to hurt it too much this time of year.

Ms. Burns: As long as we get to it before it gets too warm outside.

Mr. Plummer: Alright, we'll do research and table that for another month. Anything else in your managers' report?

Ms. Burns: No. That's all I had. Thank you.

EIGHTH ORDER OF BUSINESS

Financial Report

- A. Combined Balance Sheet**
- B. Capital Projects Reserve Fund**
- C. Statement of Revenues, Expenditures, and Changes in Fund Balance**
- D. Approval of Check Run Summary**

Mr. Plummer: Thank you very much. Financial reports. Any questions that they'd like to ask under the financials.

Mr. Realmuto: No questions. Again, this is something I go over with GMS before the meeting then I informed you what the current fund balances were. I did catch one check line item, in the check run summary. That was a transfer over a million dollars. Are they checking to see if I read it or what? They confirmed that it was what I thought it was,

which is essentially transferring the amount to a state agency that pays interest on it and that's what that is.

Ms. Burns: That's right. We transfer that annually over to that account that it gets higher interest and then transfer it back when we need it to actually use. That way we're earning higher interest.

Mr. Plummer: Looking for approval of the check run summary.

On MOTION by Mr. Realmuto, seconded by Ms. Landgrebe, with all in favor, the Check Run Summary, was approved.

NINTH ORDER OF BUSINESS

Public Comments

Mr. Plummer: The next item on the agenda is public comments.

Ms. Landgrebe: If anyone on the Zoom line has a public comment, you can use the raise hand feature to be called on now. It's going up and down. It looks like it's Thomas Elliot if I can read the screen from that far.

Mr. Plummer: Do we or do we not have a raised hand?

Ms. Burns: I don't think we do. I think we have no comments on Zoom. Any comments?

Mr. Plummer: I see no one moving towards the podium.

TENTH ORDER OF BUSINESS

Supervisor Requests / Supervisor Open Discussion

Mr. Plummer: The next item on the agenda is supervisors' requests or open discussion. Seeing and hearing none the next item on the agenda is yours, Lloyd.

ELEVENTH ORDER OF BUSINESS

Adjournment

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


Secretary / Assistant Secretary


Chairman / Vice Chairman