

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

The joint meeting of the Board of Supervisors of the Lake Ashton Community Development District and Lake Ashton II Community Development District was held on Monday, **January 21, 2022** at 2:00 p.m. at the 6052 Pebble Beach Blvd., Winter Haven, Florida.

Present and constituting a quorum:

Bob Plummer
Michael Costello
Steve Realmuto
Harry Krumrie
Lloyd Howison

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

James Mecsecs
Bob Zelazny
Mary Clark
Angela Littlewood
Colette McKie

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

Also present:

Jill Burns
Jason Greenwood
Kristen Trucco
Sarah Sandy *by Zoom*
Christine Wells
Mary Bosman

District Manager
District Manager
Lake Ashton CDD District Counsel
Lake Ashton II CDD District Counsel
Community Director

FIRST ORDER OF BUSINESS

Roll Call and Pledge of Allegiance

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

SECOND ORDER OF BUSINESS

Approval of Meeting Agenda

THIRD ORDER OF BUSINESS

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

Mr. Mecsecs: Do we have any public comments?

Ms. Burns: We'll ask on the Zoom line as well just in case we have any public comments on the Zoom line, you can use Zoom's raise hand feature to be called on now. Do you see any, Ryan? Alright. No comments on the Zoom line.

FOURTH ORDER OF BUSINESS

Approval of Minutes of the October 18, 2021 Joint Board of Supervisors Meetings

Mr. Mecsecs: Do I have an approval of the meeting agenda, or any additions or deletions? Lake Ashton I? Okay. Lake Ashton II? Alright, I have a motion from Lake Ashton to approve the minutes.

On MOTION by Mr. Realmuto, seconded by Mr. Costello, with all in favor, the Minutes of the October 18, 2021 Joint Board of Supervisors Meeting, were approved.

On MOTION by Mr. Zelazny, seconded by Ms. Clark, with all in favor, the Minutes of the October 18, 2021 Joint Board of Supervisors Meeting, were approved.

FIFTH ORDER OF BUSINESS

Resolution Adopting Amended Joint Policy Related to Non-Resident User Fees

Ms. Burns: If you remember back to the last joint meeting, both Boards were interested in increasing our non-resident user fee. This is the fee that we are required to offer for people who may live outside the District who are interested in using amenities within the community. Both Boards were interested in increasing that fee. We decided to

advertise for a fee of \$4,000, which is a little bit higher than what residents would pay with their O&M and Debt Assessment. We feel that's reasonable based on our experience in other Districts and that it is in line with what would be a reasonable rate. The Board could decide to go lower than that today, we just advertise that as a max or you could adopt up to that \$4,000 as the non-resident user fee. We currently do not have anybody who's taken advantage of that fee, and if somebody was interested, they could pay that annual fee, and that applies to everything but the golf course. They'd still need an outside membership for the golf course.

Mr. Plummer: From Lake Ashton CDD, are there any questions in regards to the resolution?

Mr. Realmuto: No questions. I would just note that that \$4,000 amount is actually not that much more than the highest fee that our residents pay, so within the District if you combine the O&M assessment with the bond assessment, some residents pay that adds up in CDD II to \$3,858. It's actually not that much more, and of course, the non-resident would not have the 30-year commitment for paying that that the resident has. I think it's an entirely reasonable fee to establish.

Mr. Costello: Question, has anybody from the outside ever used this?

Ms. Burns: No. Not that I'm aware of at this District. I've been a District Manager for 15 years and in 15 years, I've had two people in all Districts that have ever taken advantage of it. It's not very common, and usually its ones with water slides that they have to buy-in because their kids like the water slides.

Mr. Costello: What I'm saying is, nobody is going to refuse to do it due to the price. They're just not going to do it.

Ms. Burns: Okay.

Mr. Plummer: The last I checked, we didn't have a water slide yet.

Ms. Burns: No. We can add it to the agenda for next meeting if you're interested though.

A. Resolution 2022-03 for Lake Ashton CDD

Mr. Plummer: For Lake Ashton, do we have a motion to approve Resolution 2022-03?

Ms. Carpenter: I'm sorry. Before we go into this, Jill, do we need to open a public hearing?

Ms. Burns: Yes, we do. We set the public hearing for today. First, we would need a motion from each District to open the public hearing. We'll then ask for public comments if anybody has those. We can close the public hearing and then adopt the resolution.

Mr. Mecsics: Change your motion, Steve.

Mr. Realmuto: In that case, I move that we open the public hearing for public comment.

On MOTION by Mr. Realmuto, seconded by Mr. Howison, with all in favor, Opening the Public Hearing, was approved.

On MOTION by Mr. Mecsics, seconded by Ms. Littlewood, with all in favor, Opening the Public Hearing, was approved.

Ms. Burns: We've got one hand raised, we'll go to the Zoom comments first. Tom, you're unmuted on our end, you just need to unmute yourself on your end.

Tom Scalley: I would suggest that we go to \$4,500 and that should be the end of it forever or at least in the near time. Why should a non-resident come in and only pay two or three hundred dollars more than what some residents are already paying? That's all I have to say. Thank you.

Ms. Burns: Any other comments on the Zoom line? Hearing none, we can open up to public comments for anybody here just to state for the record, we could not adopt higher than \$4,000 today, as that what the maximum that was advertised. The District would always have the option to hold another hearing to increase at any point later, but the highest we could go today would be \$4,000. I see no comments from anyone here.

On MOTION by Mr. Plummer, seconded by Mr. Costello, with all in favor, Closing the Public Hearing, For Lake Ashton I, was approved.

On MOTION by Mr. Mecsecs, seconded by Ms. Littlewood, with all in favor, Closing the Public Hearing, For Lake Ashton II, was approved.

Ms. Sandy: If the Board doesn't mind, I just have one comment, a technical change to the policy. In the Joint Amenity Policy, the fee is actually referred to as the annual user fee, I think that's just a defined term change that we need to make to the policy.

Ms. Burns: Change it to non-resident user-fee instead of annual?

Ms. Sandy: Change it to annual user fee in this policy, so that it coincides correctly with the Joint Amenity Policy that we have.

Mr. Realmuto: Sarah, could you direct us to what paragraph you were referring to? Because any place I can find, I only see it referred to as a non-resident user fee.

Ms. Burns: I think what she's saying is in the Joint Amenity Policies, it doesn't define it as a non-resident user fee, it defines it as annual user fee.

Ms. Sandy: Correct.

Ms. Burns: We'll change the resolution to tie to the actual term that's in the Joint Amenity Policies, so that its consistent between the adopted resolution and the amenity policies. I think what we'd be looking for would be a motion to approve as amended.

On MOTION by Mr. Realmuto, seconded by Mr. Howison, with all in favor, Resolution 2022-03, For Lake Ashton CDD, was approved, as amended.

B. Resolution 2022-08 for Lake Ashton II CDD

Mr. Mecsecs: Do I have a motion to approve the Joint Amenity Policy related to non-resident user fees as amended by Sarah?

On MOTION by Mr. Mecsecs, seconded by Ms. Littlewood, with all in favor, Resolution 2022-08, For Lake Ashton II CDD, was approved, as amended.

SIXTH ORDER OF BUSINESS

Update on Joint Amenity Policy

Mr. Meccsics: We asked for an update on the Joint Amenity Policy, I know we have both Angela and Steve on the Joint Amenity Policy, so please.

Mr. Realmuto: Angela, if you'd like I can start and you can jump in at any time. The committee is made up of Angela and myself and each of our joint amenity managers Christine and Mary. We really last met as a committee in October, and each of us came out with some action items, things to do. Busy time since then, the holiday period and all. But as you know new meetings like this one prompt work, so I'm happy to report that since that meeting, we've received some feedback that came out of that meeting from both our amenity managers. Christine has given me some specific changes she'd like to see with regard to some of the facilities on the Lake Wales side and I think just overnight we got some feedback from Mary on some things that need to change. So we're working on that and we'll set up a meeting to go over that as a committee. I think we each need to work individually on some proposed wording for that. That's where we stand on that. We will meet again but we have not met again since our last meeting that we last reported at the last joint meeting in October. In addition to the feedback we've gotten from Christine and Mary, I believe Bob Zelazny has provided some feedback. I don't know if we want to actually discuss that today, that's up to the Board. But I believe there were some proposals by Bob that could be part of further discussion. For example, I believe, Bob, you were requesting a change to the definition of a resident which would effectively require the number of residents exceeded two in a home to pay essentially the non-resident fee. I've actually taken some time to speak with our attorney about this. That's problematic in a number of ways, not just from a legal standpoint but from an implementation standpoint. We can delve into that in detail if you care to, or you and I guess could talk about it offline. But I'm not sure that would really be feasible. I do have a question for you that I would like to understand before we go further and that is, is there a problem that we're trying to solve by doing that? I mean is there a need or what's the reason for the request?

Mr. Zelazny: The reason for the request is there's a number of family units here that extend beyond the resident and his significant other. It's adult, children aged 35, 40, staying at the house using the facilities without paying. That's my concern. When I wrote

it, there's a consideration of if you are a family caregiver or if you are a special needs individual that are staying with your parents, that's excluded from that. But I'm talking about extended families inside the home.

Mr. Realmuto: Well, I think the Focus 2025 survey can provide some illumination here. When they did the Focus 2025 survey, I believe there were in the neighborhood of 20 homes with essentially three residents and a very small number that might have been four or exceeded that. We're talking about a relatively small number. Again, there are a lot of issues in trying to do what you're saying including the fact that our assessment power is on the lots, not on people. Like I said, there's a number of challenges that I don't think we should probably go into it this meeting because I know you guys probably have a few hours left in yours.

Mr. Zelazny: It's not an assessment on an individual. I'm considering him to be a non-resident user. Then he would pay the user's fee to use the facilities. I mean if it's one person, if it's two persons, if it's 20 persons, we have to have a position and a policy by which we can enforce it.

Mr. Realmuto: I'm sorry, Angela. Go ahead.

Ms. Littlewood: Just help me understand where you're coming from, Bob. If my daughter and her husband got divorced and she had to come live with me and she was living with me for a year, she's a non-resident so she would have to pay to use the facilities? That hardly seems right.

Ms. Burns: The CDD cannot put limits on who can live in the household. For example, it's not a 55 and up. You cannot say you can only bring four children to the pool if you have eight children who live in that household. The CDD does not have the ability. That would be more of an HOA or a zoning requirement for the county. I think part of what you might talk about is if somebody is coming to stay for three weeks, that's a guest. We cannot say if somebody lives in that home full-time as a resident of Lake Ashton that they cannot use the facilities and amenities because two people already live in that home. So I think it depends on what you're talking about. If you have somebody's coming to stay for a month, I don't think that's changing the definition of a resident. I think that's looking at the guest policy. The CDD does not have the ability to say only two people per household can use the amenities.

Mr. Zelazny: I'm not looking to charge anybody who comes and stays for short periods of time even two or three months but we have individuals here who stay well beyond. I believe that the policies, our family unit is considered two. I mean, I'm willing to look at it legally. If there is no legal ability to do it, I will pull it back. But again, I think that we need to investigate it. I believe that we refer to a resident as one or two.

Ms. Clark: I have a question. I was under the understanding that this was an over 55 community and as such that there was the expectation that it would be a two-person home. I have even been told in the past because as many of you know, my mother lives here and has been here for 17 years, that even when we were staying with her while our home was being built here, that we were not considered residents. So there was a special dispensation so to speak that was given that allowed us to stay with her because we were renting while our home was being built here. I think there's a long time understanding that residents who live in this community do not have children with some few exceptions unless they're caregivers like you had mentioned. But this is not a community where folks come and live here with family members. This is not a multi-family residential area. Am I incorrect in that?

Ms. Burns: What you're talking about it as an HOA policy. It's HOA. So this Board cannot set that. The HOA can say you have to be 55 and up to live in this community. It's a private entity. The CDD is not.

Mr. Mecsecs: Ladies and gentlemen, I think and Steve and Angie, there still needs to be a lot done on this. When I say a lot, I mean more meetings and a legal review as well. We can hash us back and forth but, with all due respect, we will be spinning our wheels. So I would recommend Angie and both Steve for the next joint meeting, be prepared to come back with a legal opinion. We have full staffing and that means the Amenity Managers and all of that together. Okay?

Mr. Realmuto: Jim, that's where I was going with this. Before I do make a suggestion to the Boards, I wanted to point out that some of the viewpoints expressed here are fairly narrow in what you view as a household. I want to point out that we have a number of households here with three adults, 55 or plus. For example, it could be a couple and a parent living here. They are all three registered voters of the District. They vote for you or not, so that's where some of the difficulty comes in. It's not just an issue

of children. I don't want to continue that discussion anymore. I'm just trying to provide a broader perspective. If I could just finish. I'm sure Jim will give you your turn. My suggestion was going to be this is clearly going to be a controversial topic. I believe it's outside the scope of an update to the General Amenities Policy which was envisioned when Angie and I and staff were tasked with this. This is more of a policy decision as you've heard from Jill. Frankly, it's probably outside the scope of the CDD. It belongs with the HOA. I'm going to suggest that we take this off the table for the work Angie and I and staff are doing on this policy and if you want to make a proposal independent of that, that you go ahead and do that, Bob, but I'd like to take it off our table, quite frankly.

Mr. Zelazny: You asked for input, I provided input. Now, if there's an issue with it, investigate the issue, bring it up and have a comment. Don't take it off the table. I provided you input, do the research, and do the report back to the Board.

Mr. Realmuto: I feel I've done enough research that I don't care to expend any more of my time on it and I'm not going to consider that it is part of work I am doing.

Ms. Littlewood: I'll deal with the research, but Bob don't take it personal. It's not personal.

Mr. Plummer: No. This is certainly not personal.

Mr. Mecsics: Let's get this, you all are directed, whether you chose to do more or not, to do more staffing work, and we'll also have it for legal review. Each one of these supervisors has their say. Any further on this topic? Okay.

Mr. Mecsics: We have a discussion on by the Lake Ashley Community Action Committee. Steve, you have asked for this to be put on.

Mr. Zelazny: Before we go, what is the next step on this update on the Joint Amenities Policy? Are we expecting a report out, a proposal for recommendations, and a vote at the next meeting, or what? Do we have to do like we did last time, two announcements to change the policy?

Ms. Burns: Sarah and Jan, feel free to correct me if you don't agree, but you can make changes to the Joint Amenity Policies by motion at a meeting unless you are changing rates, suspension, terminology. Like when we changed some of the smoking designated policies, that was done just by motion at a meeting, we do not need a public hearing. You can make some minor changes. If you're talking about changing rates, then

you need a public hearing to adopt those. If you're going to change taking away somebody's amenity privileges, what your suspension and termination policies were, that also requires a full hearing as well. But unless either of the attorneys on the line disagree, I think we could make minor changes to the policies such as this.

Mr. Zelazny: All we need is to bring the changes to the Board, put it on the agenda and we can vote it and it'll be finalized at that time.

Ms. Burns: Correct. The Joint Amenity Policies have the ability for each individual District to make changes to the policies for the amenities in which they control if you remember back. Let's say Lake Ashton has a change to, I'm going to just pick one, the movie theater, something for the movies, they can change that. This Board can make changes to golf course policies without taking place at a joint meeting. That was put in to prohibit logging the joint Boards down with minor policies, and so you can deal with those separately in individual meetings as long as it's not the overall joint policies, if that makes sense.

Ms. Sandy: Jill, just one point of clarification, I think the last time we made a full update to the Joint Amenity Policies, we did it at a public hearing. If we're looking at making several changes, I think it would be a best practice to hold a public hearing and clarify in that resolution adopting any changes that in the future items, except for the items that Jill named, the fees or the procedures for taking away somebody's amenities privileges, the other items in the future can be changed by Board motion instead of holding a public hearing.

Ms. Burns: I'd have to double-check. I think the language saying that each individual District has the ability to update the policies, I don't know. I think we could look at it and see if we're all on the same page with that, if that covers us under for minor changes. I agree, if we're going to make major changes, you probably want it to be a public hearing with both Boards present if you're talking minor.

Mr. Realmuto: On that topic, some of the changes are more general. A lot of them are minor and some of them are specific, but there are also changes to the higher-level policy that isn't specific to an amenity. If that's the case, then we need a hearing for that. It would have to eventually come to that. To address Bob's question, which I believe was, what's the next step? I can only tell you what I envision as the next step is right now the

four committee members are doing the legwork, and I think we need to have a meeting come together on what we're proposing or what we're recommending, and then bring that back to a joint Board meeting. I don't have a timetable for that, I would hope we'd be able to do it by the next meeting.

Ms. Littlewood: I agree with that. A lot of this stuff is just like word changes, the words are wrong or there's a period missing or something, so some of the major stuff that Bob's brought up that you would like to see and some of the stuff that Mary brought to me yesterday, I think we just need to meet on that and then put it together in a package and bring it back in the next meeting.

Mr. Plummer: We would appreciate that that would be brought to the next meeting. But if we could, at least a week or so before that meeting, get a written email out to everybody so they can look at whatever the changes were and not spend the time here talking about that, we can have that the questions more formulated and move forward. If it does take legal investigation into Bob's suggestion, to have that opinion included so that we can all see that as well.

Mr. Mecsics: I agree. I think the tasking for our group here is to go back, staff it fully, and then when you're done, get it on one of our next joint agendas, as well as having legal review.

Ms. Littlewood: At that point when we've done that, if we feel that it's something that needs a public hearing, we can go to ask legal and then let you guys know so that you can. Is that good?

Ms. Burns: The Board has to set the public hearing, so if we've got to the point where we thought we were making major changes, what we would do is discuss those changes and then at the next joint meeting, we would set a public hearing date for an upcoming hearing.

Mr. Mecsics: What you'll do is just like she was saying, the group will get together, come back, report to us at our next meeting, make sure there's a legal review in there somewhere along the line, and then we'll discuss it at our next meeting, and we want to go forward with a public hearing, then we do that. Anything else? Thank you for being patient.

SEVENTH ORDER OF BUSINESS

**Discussion by the Lake Ashton
Community Action Committee**
*(Requested by Supervisors Realmuto
from Lake Ashton CDD)*

A. Lake Ashton Community Action Committee Charter

Mr. Mecsecs: The Lake Ashton Community Action Committee, Steve, you asked for them to be on the agenda.

Mr. Realmuto: I did, but I would like to turn it over to the Committee themselves to present the work they've done to us.

Shelly Miller: Thank you. I'm Shelly Miller from Lake Ashton Community Action Steering Committee. There are seven of us. Tip Franklin is also going to speak and we have some others in the audience and on Zoom today. We provided you with some materials, hopefully, you looked at those ahead of time. We're not going to spend time on the background. Everything we've been doing to date is in there. That would be the charter for our committee and our presentation we made last Monday to the community. Then we also provided a link to the Charter 190, which has what we think are for luncheon for the Board to act or the CDD to act on our behalf. Today we have interfaced with local officials, county officials. We've surveyed the residents and we've received data back on their support for what we're doing. We have a promise by the Polk County roads and drainage to install a stoplight and traffic signal at the entrance of Lake Ashton, probably by the end of next year or early the following year in their next budget cycle. We've provided also the survey results. We had about 163 interested in receiving more information and continuing to participate in what we're doing. We had 25 volunteers to help us, so we'll be working with them as well. What we're here today is to talk mostly about the relationship between us and the CDD. We're trying to understand how that works, how that would logistically happen, and what the responsibilities are for both sides, and so Tip is going to go into that.

B. Information Presentation to Lake Ashton 1-10-32

Tip Franklin: Ladies and gentlemen, Jim. I'm Tip Franklin.

Mr. Mecsecs: Thank you, colonel.

Tip Franklin: I had to do it to you Jim, I'm sorry. To summarize, you've been provided with a copy of our operating charter which we put together to guide our activities.

Formally stated, we are a fact-finding group only that operates totally independently from the Board of Supervisor, the CDD association with Lake Ashton. Our efforts to date are reflected in the information that you've already been provided. It is amplified a little bit by Shelley's comments. In short, there is a significant level of development activity in our region that will impact our community, and our residents. We have seen a very measurable level of concern as evidenced by both the number, and the tone of the comments that came back from the survey. What we would propose is to continue to inform the CDD Boards of Supervisors of any new developments we can discover and the major milestones concerning those activities. Then this is the kicker. What we would suggest is that Lake Ashton CDD Boards become involved in a number of ways. First, provide public support for those initiatives that benefit our community. Second, as the official voice of Lake Ashton, coordinate with those appropriate agencies and communities which control and/or will be affected by these planned developments. Third, submit notices to the appropriate agencies requesting that the Lake Ashton CDD Boards be active participants in the design reviews for both the traffic signal that's going to be installed at our front entrance and for Phase 2 of the US 17, US 27 quarter. Fourth, be the voice of concern referenced the traffic congestion of the Chain of Lakes School. Fifth, work with a Polk County Commission and the city of Winter Haven to illuminate and address any issues associated with the plan development, that is south of Lake Ashton, County Road 653, and Old Bartow Road. Six, utilize our committee as a fact-finding group, provide guidance to us as to areas of your concern and establish the appropriate focus for our activities. Six, utilize our committee and know that we stand ready to assist you by providing data, background information, draft correspondence, and any other such items as you may deem appropriate for your actions. Thank you for your time. We're waiting for questions.

Mr. Mecsics: Does anybody have any questions for Tip?

Ms. Littlewood: I don't know whether you know or not but you're talking about the congestion at Lake Ashton's school. If you come out with the back gate, before you get to the school, there was an orange grove there that's been cleared. I understand that that's going to be a middle school. Have you heard anything about that?

Tip Franklin: We have not found out anything about yet. We monitor both the City of Lake Wales and the City of Winter Haven commission meeting agendas. Then we're in contact with their planning chiefs. Mark Bennett from Lake Wales and Shawn Bayer from City of Winter Haven, and we haven't found anything out. The community going in south of us is going to be 553 single-family homes. That obviously has got to have some impact on the academic load for the schools. The only thing we've found out to date is that the city of Winter Haven has annexed that area. I talked yesterday with J. Jarvis who's the head of roads and drainage for the county. He is coordinating with them. The only impact on the transportation network, currently, has come up from that, is there will be around about established where 653 hooks to the west and Old Bartow road continues south. In discussion with him yesterday, the planning for that is such that we may start seeing some of that activity within the next four months. But I have not yet been able to peel the onion back to find anything about the school system. We'll continue to look though.

Mr. Zelazny: Tip, I just like to thank you and your whole group for what they're doing. I think your presentation, although you went over it, you didn't cover everything that's in the slides that you provided. It's very, very informative and updating everybody as to what's going on around Lake Ashton. I appreciate you guys putting it all together and focusing on that. Thank you.

Mr. Mecsecs: Tip, I would like to have a legal review as to what we can and we can't do as a CDD, so we can support them in whatever ways we can, but we have to maintain within our rights.

C. Link to Chapter 190 (190.11, 11&12 & 190.012 #1 C&D)

Tip Franklin: We did some research. This is Chapter 190. That's the underground document for CDDs. On Paragraph 190.011, Parent 12. It reads, one of the general powers is to cooperate with, and contract with, other government agencies as they may be necessary, convenient, incidental, or proper in conjunction with any of the powers, duties or purposes authorized by the act.

Ms. Burns: By these two Boards, these are two separate governmental agencies working together.

Mr. Mecsics: Yeah. What we would again, Tip, I would ask the staffs along with legal because, your opinion, my opinion is not lawyers. That's what counts. We want to make sure we have the legal basis and I think you guys are saying the legal basis is to help within our powers.

Tip Franklin: We have opinions, you all have the position.

Mr. Mecsics: Thanks, Tip. You guys did great.

Ms. Clark: I have one question. For us moving forward, what timing are we looking at and how do we interact after your staff has done whatever, can you help us understand?

Mr. Plummer: Well, obviously, it will take a little time for staff to figure out just what Jim asked about, which I echo that as well. I don't know that we can give you a timeframe today depending on we all know that first of all, the wheels of government move a little slowly, and obviously the legal opinions sometimes move a little slowly as well. When it comes down to that, I think we're at the mercy of staff to put together their research on that so we know which and where we can and cannot go.

Ms. Clark: So will this be us coming back to a joint meeting?

Mr. Plummer: I think that's the place to come back, yes.

Ms. Clark: Okay. That's what I wanted to know. Thanks.

Mr. Plummer: Thank you. Again, I'd like to echo what Bob and Jim have said. We appreciate what you've done, the legwork of your committee, and appreciate the data that's been provided. I believe that we would all look at what we can or can't do and then perform in that regard.

Mr. Mecsics: Thank you. Mike, did you have something?

Mr. Costello: The only thing I can say is from the beginning when I brought this up, I'd spoken to, Jan Carpenter, our attorney. Quite honestly, she told me that she felt that it was a good idea. The only thing was that she felt that we had to remain totally divorced from being involved in this type of situation due to the fact that these are concerns that are quite honestly happening from outside our walls. They're affecting us, but they're happening outside our walls and we really have no legal power over what's going on. All I can say is I think both of us, both sides are going to have to take it to the two attorneys. We're going to have to let them review and probably it would be pretty good idea if maybe

we could get a representative from the group where they could contact them and the attorneys could come to a conclusion of what they're actually looking for in order to make a judgment as to how to move forward. Because legally, I don't see where we should put ourselves in a position. Like I said, I think they're doing a great job, but we have to do what's in our best interests legally. I think we've got to help them as much as we can, but we also have to more or less like you were saying before at your meeting with the golf course, we've got to more or less be a little bit separated from it. Like I said, I think the lawyers are the ones who are really going to have to come back and let us know how far we can proceed with all this.

Mr. Realmuto: Firstly, I just wanted to join the other supervisors in thanking the group for the work that they've done and I want to urge them to continue. Certainly, the fact-finding you've done and the information you've presented to us is very useful. I think we need to take a moment as a Board. Certainly, we need to get the legal opinions on what we can and cannot do in those boundaries. Clearly, there are some ways and I think we're all individually supportive of the work the group is doing. Clearly, there are some ways the CDDs can be supportive of the work. Simply providing you with this form to communicate with us as well as your fellow residents shows you some level of support. I think that what we need to explore, I guess with our attorneys is and what I hear the group asking for is for us essentially be the official communications mechanism. You heard here that there's a desire to get a legal review and see what we can do. I want to urge the group to continue doing their work and since we are in no way in control of that group, you should not hesitate to communicate as a group with whoever you feel it's most effective to effect the change and the desired result that you want to bring about. I do personally believe that we can add to that voice just as cities are involved in county things affecting them. I believe that if our attorneys give us the okay and we come to a joint conclusion or position, we should be able to communicate with our fellow local government agencies just as the two CDDs are communicating here together. I would like to take this to whatever limits we're able to in representing our residents and acting in their best interests unless for some reason we're told we absolutely can't, so I think we need to keep an open mind about that.

Mr. Mecsics: I think all of us have, Mike and I, we've all an open-minded on this. But again, to keep it all straight, we have to have with the guidance from the staff and the legal, that's the most important part. I think we're all in favor, they've done a great job. But we have to go within our guidelines.

Mr. Costello: I'm sorry, but the only other thing I would like to add, yes, they should communicate amongst themselves, but it would be great if there were meetings maybe once a month with the community itself. Get the community involved because these are the people that are being affected by what's going on outside these gates. I can remember within the last week and a half, I was traveling on Thompson Nursery Road. There were two tandem dump trucks in front of me. I was doing like 45, 46 miles an hour and they were pulling away from me like I was standing still. Things that are going on are going to affect the community. I think you could get a lot of help because this is a great community as far as people are always willing to go the extra mile and do the right thing. I think by communicating with the community itself, that you would be doing yourselves a great favor. You'd be surprised how many people will help you out there.

Mr. Realmuto: I echo Mike's urging you to communicate with the community, but I'm also a little concerned. The sense I've gotten from the committee is they're hesitant to speak for Lake Ashton and feel we're the proper body to do that. Whether or not we're able, I don't know the answer to it. The wheels of government can turn slowly. Again, I want to encourage you to also take as citizens or an independent committee, you can do whatever communication you want, however legitimate you feel you are. I believe you are and the larger the numbers, the more people you speak for. Your word has weight too independent of anything the CDDs may be able to do.

Ms. Burns: I think the clarification is they are speaking on behalf of the Lake Ashton Community and concerned residents within Lake Ashton community. They do not speak on behalf of the CDD Board.

Mr. Mecsics: Correct.

Ms. Burns: Nor does one individual supervisor, of course, as well either, so it's the same differential. But they're welcome to go to the city or the county and say we represent a group of Lake Ashton residents. These are our concerns without any involvement or approval from this Board.

Mr. Mecsics: Go ahead.

Mr. Plummer: I think the main thing is just they're an independent organization that's doing their work. If we are involved with that, then that drags them into the Sunshine Laws, which they don't, quite frankly, we don't want to be under those. I'm sure they do not either.

Ms. Burns: That's correct.

Mr. Plummer: So we want to make sure that separation is there so they're not drag into those requirements.

Ms. Burns: Right. We've said this before, this is not official CDD committee. They're not getting information and reporting back to the CDD. This is a group of residents who are taking an initiative to state to outside governments some of their concerns.

Mr. Mecsics: Okay. Any further? Alright. Keep up the good work. Keep pushing and feel free to talk to your elected officials from county, state, federal, I don't care and we will listen to you as well.

EIGHTH ORDER OF BUSINESS

CLOSED Board Discussion Regarding Security Procedures

Mr. Mecsics: The next item is that I had proposed a closed session to discuss security procedures, but we have not had our Board meeting's discussion on that. It's a little premature, I'd like to just postpone that until our next joint meeting.

Mr. Realmuto: This was deferred from the last joint meeting.

Mr. Mecsics: No.

Mr. Realmuto: It is three months apart.

Mr. Mecsics: This was not deferred from the last meeting. What you talked about last time at the meeting was entry controls. This is on scheduling and different patrols and coverage and that's a closed meeting.

Mr. Realmuto: There had been a closed meeting to discuss security, basically, on the last joint agenda and it's even noted in the minutes if you looked at them and it was deferred to this meeting.

Mr. Mecsics: We're not prepared to discuss that at this time.

Mr. Realmuto: I would like to still have that session. As I stated at the last meeting, I believe, for example, the fact that on our side we changed security services and we are

now utilizing the same security service presents perhaps opportunities. I believe we should be able to discuss operational procedures as a Board, as joint Boards, an area of potential opportunities that there might be. All the members of both Boards are here, why defer it another three months when the opportunity has been noticed and it presents itself now.

Mr. Mecsecs: Because we have not voted on our changes in our procedures. That's why.

Mr. Realmuto: We're not talking about voting.

Mr. Mecsecs: Steve, listen for a second. We're not proposing that. There was some discussion on some of our profiles that we have not yet voted on and approved. It is premature at this time to talk about any of that stuff and I talked with the Chairman about this as well for that at this time.

Mr. Realmuto: I guess I'd like to ask our managers if there's anything that would prohibit you from doing that during the joint meeting as a Board?

Ms. Burns: If the Boards don't want to have the discussion, or there is some disagreement on that, I think the most appropriate thing would be is to have if somebody wants to make a motion to table it, we will see if it passes. If it doesn't, then I think we should have the discussion. That would be my suggestion, if everyone's okay with that route.

Mr. Mecsecs: I'll make the motion for Lake Ashton II since we've not had a chance to vote on this or even discuss, that we table this for the joint meeting.

On MOTION by Mr. Mecsecs, seconded by Ms. McKie, with all in favor, Tabling the Closed Security Session, For Lake Ashton II, was approved.
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Mr. Plummer: Mr. Plummer: Obviously, we have a difference of opinion. What's the pleasure of Lake Ashton Board?

Mr. Realmuto: I don't even know what the result would be if the votes from the two Boards were different. Clearly, you don't want to do it, I guess we'd have to defer to that. You've made the decision on it.

Ms. Burns: To the extent we've advertised it if the Lake Ashton Board wanted to go in a separate room and have security conversations on their own, that would be acceptable.

Mr. Realmuto: That would defeat the purpose of a joint meeting so I don't see the point.

Ms. Burns: Correct.

Mr. Plummer: I don't either.

Ms. Burns: We'll add this to the next joint agenda?

Mr. Zelazny: If it is tabled and I understand, Steve, what you're saying. I do think that we should charge the two individuals responsible for security based on what you had said, Steve. Now we've been fighting this now for six years, trying to get a unified security posture within the District. I do think that coming out of our closed session, I think that we should direct our representative to meet with your representative to come up with some options on how we can work together and save money. There are plenty of opportunities that for a number of reasons over the last six years, we have postponed and pushed them aside and made excuses for not doing it. I think now is the time we have to do it. If we agreed that we're going to come back with some hard firm solutions or suggestions to resolve it so that we can vote on it the next meeting then I think we're in good shape.

Mr. Realmuto: I agree 100% and I hope our designated security supervisors will do that, but it's also an opportunity to discuss with the full Boards other opportunities. I don't think it should be limited to concrete proposals for changes. I think it ought to be more of a discussion and to help set the direction of where we want to go. We might have other requests for them.

Mr. Zelazny: Correct. But I want the expert's input is the best way to approach it. We need to have a starting point instead of throwing something on the table and we're all looking at 10 people trying to figure out what to do. I would rather have somebody offer up a plan and then be able to critique it.

Mr. Realmuto: Then I look forward to our next joint meeting where this will be presenting.

Mr. Plummer: I think that Jim and I can put the proposals together and based on what your Board thinks and go forward and see where we can come up with recommendations that may be beneficial to both of us.

NINTH ORDER OF BUSINESS

Supervisor Requests and General Public Comments

Mr. Mecsics: Do we have any Supervisor requests or general public comments?

Mr. Plummer: Supervisor's requests. Jill and I had talked in the last couple of weeks about joint meetings and having both of the District managers here. The suggestion was made that the District manager, wherever the meeting was held will be present, the other one wouldn't have to be so that they didn't have to have two from the same company here at the same time.

Ms. Burns: In other words, just attend by the Zoom.

Mr. Plummer: I felt that I didn't want to make that decision solely, I wanted to Boards to talk about that and decide if that was something that was feasible or not. Let Jill do the proposal.

Ms. Burns: We're both happy to be here. The thought was that I would attend via Zoom. Jason would be here the next time when it's after Lake Ashton, Jason will attend via Zoom. Obviously, he's here for the full day of meetings for Lake Ashton II, the joint meeting seemed to be relatively quick. That being said, I'm happy to come over and attend if you prefer that I be here in person rather than attend via Zoom. It's up to the Boards we're fine either way.

Ms. Littlewood: Does that save us money?

Ms. Burns: GMS does not charge for travel so it doesn't.

Mr. Zelazny: It does not.

Mr. Realmuto: Jill, my only concern would be, each of you more familiar with your respective Districts than the other would be. Sometimes there are different interests or the Boards may have different positions. I don't know. I think for some meetings where there's nothing substantial or controversial on the table that might work, but there are others where I think the joint meeting would benefit from having each of our District managers present.

Ms. Burns: Do you want us to each check with the chair of the District, just to confirm and say there's not much going on today and you want us to attend by Zoom or there's a lot going on and you prefer us to be there in person?

Mr. Realmuto: I would say it's okay unless any supervisor requests your presence, maybe it's up to the Chair.

Mr. Mecsecs: Go ahead, Angie.

Ms. Littlewood: Observation, I actually have a problem with Zoom. If there's a problem with Zoom and one of you is not here to represent the respective thing, then that might cause an issue.

Ms. Burns: We'll just plan to both come then and if down the road, we'd decide it's not necessary we can always change it up but for now we'll both plan to be here.

Mr. Plummer: It's exactly why we want to talk about it in front of the full Board. I think that the decision is as you both will come to each of the meetings?

Ms. Burns: Correct.

Mr. Mecsecs: Anything else? Yes. We have a hand raised.

Ms. Burns: We're not quite at public comments yet.

Mr. Mecsecs: No more supervisors now we're going to have general public comments.

Ms. Burns: There are no other supervisor comments?

Mr. Realmuto: Actually, I did have one follow up from the last meeting. There was a question raised by a comment at the last meeting about sand and seashells washing off with the golf course. It was raised during the public comment session at the end of the last joint meeting and I think someone took the action item to look into that and report back.

Mr. Zelazny: They did go out, they swept the curbing and they put in grass between the shells and the road where it was washing out. The area she was really talking about was the sand that was on Lake Ashton Club Boulevard where they were putting in the pool, that was the big area. But the area that we've talked about in the golf course, the golf course went out and cleaned it up, and then put in a strip of grass between the shells on the road.

Mr. Realmuto: Okay. Thank you for that update.

Mr. Mecsecs: Any other supervisor comments?

Mr. Mecsecs: Mr. Scalley?

Ms. Burns: You are on muted on our end. You just need to unmute yourself.

Tom Scalley: I'm speaking as Tom Scalley, not as a representative of the action committee. I'm disappointed in that the joint Board is not taking a more active role in what's going on in the community. The Board certainly carries more weight than any group of individuals going in front of any of the subsequent meetings that will be coming forward. I don't foresee you people being required to attend these meetings, but I do see the urgency of having a document signed by the committee's stating that you favor a position and that otherwise you're not leading our community. I'm almost flabbergasted by you're trying to walk away from it, and please do not use the excuse that it's a legal item. Clearly, 190 allows you to do that if you choose it. It's your decision, you're trying to push the lawyers to take it out of the picture and I think that is wholeheartedly wrong. Again, I am not speaking for the committee. I am speaking for myself. Thank you.

Mr. Mecsecs: Thank you. Any other public comments?

Ms. Burns: I don't see any more on Zoom. Any from anybody in here in person?

TENTH ORDER OF BUSINESS

Adjournment

There not being any further business to discuss,

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

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

January 21, 2022


Lake Ashton CDD & Lake Ashton II CDD

Lake Ashton CDD


Secretary / Assistant Secretary


Chairman / Vice Chairman

Lake Ashton II CDD


Secretary / Assistant Secretary


Chairman / Vice Chairman