

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

The regular meeting of the Board of Supervisors of the Lake Ashton Community Development District was held on Monday, **October 16, 2023** at 9:00 a.m. at the Lake Ashton Clubhouse Ballroom, 4141 Ashton Club Drive, Lake Wales, FL.

Present and constituting a quorum were:

Lloyd Howison	Chairman
Brenda VanSickle	Vice Chairman
Steve Realmuto	Assistant Secretary
Mike Costello	Assistant Secretary

Also present were:

Jill Burns	District Manager, GMS
Jan Carpenter	Latham Luna, District Counsel
Garret Posten	District Engineer, Rayl Engineering
Christine Wells	Community Director
Matt Fisher	Operations Manager
Jose Lopez	Yellowstone Landscaping

The following is a summary of the discussions and actions taken at the October 16, 2023 Lake Ashton Community Development District Board of Supervisors meeting.

FIRST ORDER OF BUSINESS

Roll Call and Pledge of Allegiance

Ms. Burns called the meeting to order at 9:00 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. Howison asked for any comments on the agenda. Hearing none,

On MOTION by Ms. VanSickle, seconded by Mr. Realmuto, with all in favor, the Meeting Agenda, was approved.
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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. Howison opened the public comment period. There were no forms submitted and no members on Zoom. There being no comments, the next item followed.

FOURTH ORDER OF BUSINESS

Consideration of Minutes from the September 18, 2023 Board of Supervisors Meeting

Mr. Howison presented the minutes from the September 18, 2023 Board of Supervisors meeting. He asked for any comments or corrections to the minutes.

Ms. Burns noted there were a couple of comments from Ms. VanSickle that were incorporated in the signed version and were minimal in nature.

On MOTION by Ms. VanSickle seconded by Mr. Costello, with all in favor, the Minutes of the September 18, 2023 Board of Supervisors Meeting, were approved as amended.

FIFTH ORDER OF BUSINESS

Landscaping Update

A. Presentation of Monthly Landscaping Checklist and Report

Mr. Fisher presented the landscape report to the Board. The landscape report included the installation of some Podocarpus hedges in this area to block the AC units, weeds around the clubhouse, trying to locate established Weeping Bottle Brush trees to install around the Veterans Memorial and a quote for the Pet Play Park, but this will be investigated further.

Mr. Lopez reviewed the landscaping report as well. His review of the report included annual replacements, proposal for the dog park, their schedule change from the summer to winter season and the weather conditions. He stated that he was going to start making some phone calls about the weeping willow.

Ms. VanSickle noted concerns which included missing plants, ivy growing on top of shrubberies, and topiaries in back garden. She pointed out that she realized that they were going a different route with the topiaries, but they were not taken care of to begin with. She continued noting concerns which included the new flower bed that was just put

in, which had a patch of grass in the middle of it. She also noted concern for the weeds around the northeast corner of the clubhouse. She asked to see a big improvement in these landscaping concerns by next month.

Mr. Fisher asked if the Board had any questions for him. Mr. Realmuto responded that the paver patio at the dog park was a great idea. He asked about inquiring about the spare block left from the developer's renovations. Mr. Fisher responded that they did inquire about this already and they were told that the developer already had a plan for those spare blocks, and they were not allowed to have them. Hearing no more questions, Mr. Fishers concluded his report and thanked the Board.

SIXTH ORDER OF BUSINESS

Old Business

A. Discussion Regarding Revised Joint Amenity Facilities Policies (*requested by Supervisor Landgrebe*)

Mr. Howison opened discussion regarding revised joint amenity facilities policies. Mr. Realmuto stated that his first and only comment was on page seven of the joint amenity policy. He noted concerns of some changes made to the policies. His concerns included the second paragraph under roman numeral "ii. *Health, Safety, Welfare*" where "maximum" was removed and "of at least" was added because it seemed to take away discretion from the amenity manager for a penalty that was appropriate to the offense or concern. He noted that since it was subject to appeal, he didn't have any concern about limiting the timeframe, but he would like to see the removal of the words "at least". Mr. Howison shared Mr. Realmuto's concern of the wording "of at least 30 days".

Discussion ensued on the specific wording of this policy to protect the health, safety and welfare of their Board, staff and residents. It was decided to further discuss this policy in the joint meeting.

Mr. Howison noted an issue on page eight of the joint amenity policies where there is a first, second, third, and fourth offense. He suggested that the amenity manager should have discretion to move immediately to a higher offense, if needed. Ms. Burns pointed out that the statement to cover his suggestion was on page seven and nine of the joint amenity policies.

Ms. VanSickle pointed out that she was struggling with the definition of "guest" and it being anyone who residents invite to use the amenities and the residents don't have to

go with their guest. She pointed out that having a “house guest”, such as children or grandchildren, was different. She suggested that they address this because they shouldn’t have guest coming to visit that aren’t visiting and just coming to use the amenities. She also recommended changing “You” to “Individuals” on page 26 of the joint amenity policies under Spa number three to be consistent with the rest of the policies. She commented on the wording of the policy on page nine where it says, “in which they reside”. They discussed previously that it should say “in which the incident occurred” instead. Ms. Burns also comment on a change on page nine where there was an addition of the “Joint Boards”. She explained that procedurally it was a problem because they only meet every four months and if the Boards don’t agree, there is no mechanism of recourse. Mr. Realmuto agreed and stated that it was contrary to what they decided at the Joint Board meeting, and it should be “the District in which the resident lives.”

Mr. Howison stated that these were items that they would be raising at the joint meeting.

SEVENTH ORDER OF BUSINESS

New Business

A. Ratification of Resolution 2023-10 Revised Designated Spending Authority Resolution

Mr. Howison stated that this resolution was voted on at the last meeting and it needed to be ratified. Ms. Burns explained that this was so they have an adopted resolution that has the new policy.

On MOTION by Ms. VanSickle, seconded by Mr. Costello, with all in favor, Resolution 2023-10 Revised Designated Spending Authority Resolution, was ratified.

B. Consideration of Resolution 2023-11 Setting a Public Hearing on Amended District Rates and Fees

Ms. Carpenter explained that this resolution was also a ratification and the Board set this hearing into motion in August.

On MOTION by Mr. Realmuto, seconded by Ms. VanSickle, with all in favor, Resolution 2023-11 Setting a Public Hearing on Amended District Rates and Fees, was ratified.

C. Public Hearing

Ms. Burns asked to open the public hearing.

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

She explained that this was their public hearing adopted amended policies and rates. She noted that the rates were included in the agenda package for review. She asked for any public comments. Hearing no comments, Ms. Burns asked to close the public comment period.

On MOTION by Ms. VanSickle, seconded by Mr. Realmuto, with all in favor, Closing the Public Hearing, was approved.

1. Consideration of Resolution 2024-01 Adopting Amended District Rates and Fees

Mr. Howison asked for any discussion on the rates. Mr. Realmuto commented on the fee that was labeled, "*Fees for Amenity Access*". He explained that he didn't like the description because it sounded like they were charging a fee to access the amenity. He also commented that he didn't see anything for I.D. cards. Ms. Burns explained that they kept it vague to keep it general so that if it went from cards to fobs, wristbands or I.D. Mr. Realmuto suggested for it to be "*Fees for Amenity Access, I.D. Cards and Access Devices*". He noted his concern was that someone could argue that they don't have a rate schedule to charge for I.D. cards because I.D. cards are not amenity. Mr. Howison suggested to call it, "*Devices and Credentials*". Mr. Realmuto agreed that wording suggested by Mr. Howison would work.

Mr. Howison asked for any further discussion or concerns about these rates as published. Hearing no further discussion, the motion was approved.

On MOTION by Ms. VanSickle, seconded by Mr. Realmuto, with all in favor, Resolution 2024-01 Adopting Amended District Rates and Fees, was approved as amended.

D. Update Regarding Security *(requested by Supervisor Costello – NOT A CLOSED SESSION)*

Mr. Costello updated the Board on the security. He explained that the new gate operators were installed on October 3rd and 4th, and everything seemed to be working fine. The contract for the RFID readers, the amenity access controls, and additional cameras was executed on September 28th. He noted that all equipment at this point was ordered. He stated that a quote was approved for the electrical needed for the installation of the amenity access controls and additional cameras. He pointed out that staff would work with Spectrum on internet upgrades to support the additional cameras. He noted that Securitas was asked for a timeline of implementation so they can complete their timeline. Right now, they are looking at an implementation date of around January or February. Techwave was contacted and asked to provide training documents and to schedule a presentation on the functionality of the system for staff and residents. He noted that everybody should have got a copy of the registration form that was approved to be sent out to start gathering information on Techwave. There are a couple of moderate changes needed. He explained that this would be sent out electronically and residents who do not have access to a computer can complete it with either Sheila at the Clubhouse or Crystal at the HFC. He noted that each resident should complete a form and list all vehicles owned that they would like an RFID tag for. He explained that everything would be confirmed when RFID tags and access devices were issued. Residents will be asked to show a government issued I.D. with the Lake Ashton address listed and vehicle registration for every vehicle listed. He further explained that if they do not have a Lake Ashton address on their I.D., they will be asked to provide a current utility bill with their name on it.

Mr. Costello stated that they were beginning to work on policies and procedures for implementation and the issuance of the RFID tags and amenity access cards. He also stated that the policies that they come up with would be presented to the Board for review at the November meeting. He noted that if anyone had any input to let Ms. Wells know. He asked if there were any questions. Mr. Realmuto asked if Mr. Costello could provide a copy of what he just reviewed for the Boards review. He also asked for the electrical

quote that was approved. Mr. Howison noted that it was \$6,859. Mr. Costello responded that they had a not to exceed and that they came in under that amount.

Mr. Realmuto commented on the information form stating that there was spaces for one email and one phone number. He asked if it would be prudent to allow residents, if they choose, to provide additional emails and phone numbers. Mr. Costello responded that there was plenty of room to provide two, three or four email addresses in it. Ms. Wells explained that the intent was to have each resident fill out a form, but they could have it to where the household fills it out. After Board discussion on resident acknowledgment of the amenities policies and rates being checked on this form, it was decided that it would be better for each resident to sign individually so that everyone gives their information and then signs the acknowledgement. Ms. Burns noted that she had a template that she could provide, but it did not have the vehicle information and they would need to add that. Mr. Realmuto noted that it could be problematic to list multiple emails. He recommended putting some thought into how to get multiple phone numbers or email addresses. He also noted concern that since this was being done individually, the problem now was the relationship with vehicles. After further discussion, it was decided for Ms. Wells to go ahead and implement from their discussion today.

Mr. Howison asked if Techwave or Securitas provided them any information or guidance regarding database. Mr. Costello responded that they have not yet. Ms. Well stated that Ethan emailed her this morning that as soon as they get ship dates on the products, he will give her a timeline. Mr. Realmuto noted the importance of understanding from Techwave what fields are required within that database because it will drive the design of the data they collect. Ms. Wells stated that they were told the database was created based on what they want.

Mr. Costello asked if anyone had any other questions on this item. Mr. Realmuto responded that he didn't have any other questions, but he pointed out that he added to the joint agenda coordinating some of the details. Brief discussion ensued and it was decided to save this discussion for the joint meeting and move to the next item.

E. Presentation of Fiscal Year 2022 Audit Report

Ms. Burns stated that the audit report was included in the agenda package for review. She pointed out that page 36 was the management letter, which summarizes the audit. She noted that the District did not meet any of the conditions for financial emergency. There was one finding on the audit related to the use of capital reserves funds. She explained that it was related to using reserve funds for restaurant shortages. She explained that the auditor felt like that was not a capital improvement. This finding will go away for the 2023 audit. She stated that this finding was submitted to the state but was significantly late. It was supposed to be submitted to the state by June 30th and they just got it within the last couple of weeks. She explained that there was no penalty, but they go on a list for having a late audit. She stated that this firm accounted for 95% of the late audits that they had.

Mr. Realmuto referred to the bottom of page 38 of the audit report where it says *"Additional Matters"* and *"In connection with our audit, we did note the following finding."* He further explained that following that statement no finding was listed. Ms. Carpenter explained that it was because they didn't have additional findings.

Mr. Howison asked if they should be looking for a different firm, based on them being late. Ms. Burns responded that they could rebid it.

On MOTION by Ms. VanSickle, seconded by Mr. Costello, with all in favor, the Fiscal Year 2022 Audit Report, was approved.

EIGHTH ORDER OF BUSINESS

Monthly Reports

A. Attorney

Ms. Carpenter had nothing to report to the Board.

B. Engineer

I. Consideration of Quotes from Consolidated Land Services, Inc. (CLS) for Shoreline Stabilization Investigation

Mr. Posten presented the quotes from Consolidated Land Services, Inc. for the shoreline stabilization investigation to the Board. He reviewed the three options available. It was recommended to go with option #1. After brief Board discussion, it was decided to go with option #1, as recommended.

On MOTION by Mr. Costello, seconded by Ms. VanSickle, with all in favor, the Proposal Option #1 from Consolidated Land Services, Inc. for Shoreline Stabilization Investigation, was approved.

Mr. Howison asked for clarification that they were ready to move within a few days. Mr. Posten responded that they did say that on the quote, but he was going to confirm that with them. Mr. Howison asked Mr. Posten to coordinate with Mr. Fisher and Ms. Wells to make certain for scheduling because it would be disruptive along that stretch.

Mr. Posten reviewed the second item on the Engineer report stating that the Board approved AAA to do the drainage investigation at Ventana and it would happen the second week of November. He stated that the Board also approved EMC Docks for the bridge board replacements but did not have the schedule for that yet. He also updated the Board on the ADA clubhouse entry.

C. Lake Ashton Community Director

Ms. Wells reviewed the community director report with the Board. She stated that the Good Neighbor Day Potluck was a success, and there would be a Community Social Potluck every month moving forward. They will be alternating between the Clubhouse and HFC. The next scheduled potluck is October 19, 2023 at the HFC. She stated that the Home Improvement Expo was scheduled for November 29, 2023. They have over 30 vendors signed up to attend the event. She noted that staff introduced an additional revenue stream this year in the form of publishing a vendor’s logo and contact information in the program for an additional fee of \$100.

Ms. Wells discussed the cost savings analysis stating that they were still working with TECO, and it would be a slow process. They are evaluating their contracts right now to see if they can change the poles and/or light fixtures to realize the savings on their streetlight contracts. She pointed out that they were over on their water bills when they had some leaks. She submitted leak adjustments to the City of Lake Wales, and they will get those credits, but it takes about 90-days. She also noted that on the filling of the pool, they will give them a credit on the sewage line item for that.

Ms. Wells stated that they were still working with Spectrum to identify all outstanding credits and to discuss internet options. She pointed out that staff was continuing to work on bringing natural gas into the community. She stated that Mr. Fisher asked the person doing the fire extinguishers at the restaurant for a quote and they were able to save about \$350 for the annual fire extinguisher inspection.

Ms. Wells reviewed the safety and security item stating that staff noticed that there were underlying damages to the gate arms that were being hit by vehicles coming through the gate. Board discussion ensued on the damage to the gate and how the people hitting the gate and knocking the arm off should be liable for the gate arm replacement and not just a \$50 charge. Mr. Realmuto stated that he agreed that they should charge every time the gate is hit because there is damage to the gate. He noted that his concern was that the higher the amount charged, the more resistance there will be, and they may end up spending more money on attorney fees, letters going back and forth and potentially in litigation. He asked what the cost of the gate was. Ms. Wells responded that she couldn't give an exact number, but it was around \$1,700. Discussion ensued on the gate damages and the increase in charges for the damage. It was decided that if someone hits the gate and it's knocked off, they will file a report through their insurance for the replacement cost of the gate arm. Ms. VanSickle suggested that they put out this information to the residents that this is coming.

Ms. Wells provided an update on the ballroom marketing stating that staff booked three ballroom rentals from the Bridal Expo that staff attended in September. The staff scheduled a Bridal Expo on Saturday June 1, 2024. It was noted that staff would be working with local event planners and vendors to promote this event. She explained that this would generate additional revenue. She also reviewed a general update stating that they set up two mandatory facilitator meetings, one at the Clubhouse on 10/25 and one at the HFC on 10/26 to advise them of the policies in place governing clubs in addition to the resources available to them to promote their activities and events to residents.

Ms. Wells stated that the two treadmills were set to be there by the end of October. Mr. Fisher is still working on the grease trap installation and the permit was still being processed. The bocce ball court refurbishment is moving along, and they were looking at a little over \$16,000 for the project right now. She updated the Board on the media

center/game room switch stating that they were going to hold off on that right now because it's tight to install a wall that will be functional and not really do much. She noted that if the wall isn't there, there is no purpose for a second door. She explained that her plan was to get with Securitas and take that additional card reader off from the second door that is not going to be installed right now. It was noted that they can always add it later if they decide they want an additional door. Mr. Costello asked about replacing the rotting wood on the chess board. He suggested replacing it with plastic lumber. Ms. Wells responded that they were coming up with what they feel will be the best solution and they may have a more economical way of doing it without having to do the plastic lumber.

D. Operations Manager

Mr. Fisher reviewed the Operations Manager Report which was included in the agenda package for review. His report review included landscaping, aquatic management, and updates on the facility maintenance.

E. District Manager's Report

Ms. Burns provided an update received from counsel from Lake Ashton II that the boundary amendment hearing was scheduled for tomorrow at the City of Lake Wales at 6:00 p.m. and the second hearing was scheduled for November.

NINTH 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

The financials were included in the agenda package for review. Mr. Howison asked for any discussion or concerns. Hearing none,

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

TENTH ORDER OF BUSINESS

Public Comments

Mr. Howison opened the meeting up to public comments.

A member of the public asked how much money it was for the erosion project. Mr. Howison responded that it was \$37,000.

ELEVENTH ORDER OF BUSINESS

Supervisor Requests / Supervisor Open Discussion

Mr. Howison asked for any Supervisor comments or open discussion. Ms. Burns asked about changing the time for the next joint meeting because they moved their meeting time, but not the joint meeting time. They decided to discuss this further in the joint meeting following this meeting today.

Mr. Realmuto asked if they needed to decide at a Board meeting on the fees that they may charge for access credentials. After Board discussion, it was decided to add this item to the next agenda for discussion regarding access credential fees.

TWELFTH ORDER OF BUSINESS

Adjournment

The meeting was adjourned.

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


Secretary / Assistant Secretary


Chairman / Vice Chairman