

**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, **January 22, 2024** 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
Brenda VanSickle
Steve Realmuto
Mike Costello
Debby Landgrebe

Chairman
Vice Chairman
Assistant Secretary
Assistant Secretary
Assistant Secretary

Also present were:

Jill Burns
Jan Carpenter
Garrett Posten
Christine Wells
Matt Fisher

District Manager, GMS
Latham Luna, District Counsel
District Engineer, Rayl Engineering
Community Director
Operations Manager

The following is a summary of the discussions and actions taken at the January 22, 2024 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. Five Supervisors were present constituting a quorum.

SECOND ORDER OF BUSINESS

Approval of Meeting Agenda

Mr. Howison asked for any comments on the agenda. Hearing no changes to the agenda, he asked for a motion to approve.

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.

Roy Aull thanked the Board on behalf of the bocce group for their support of the refurbishment of the courts. Mr. Aull specifically thanked Matt Fisher for staying on top of the contractors to make sure everything went well.

FOURTH ORDER OF BUSINESS

Consideration of Minutes from the November 20, 2023 Board of Supervisors Meeting

Mr. Howison presented the November 20, 2024 minutes and asked for any comments or changes.

Ms. Burns stated that she received two minor changes to typos from Debbie that are corrected in the version the Board has.

Ms. VanSickle stated that she felt like she attended a different meeting than what was reflected in the November 20, 2023 minutes. She stated in the past the minutes have been accurate, transparent, and consistent, but she felt that the November minutes did not meet that standard. Ms. VanSickle asked that staff redo the meeting minutes. Ms. Burns suggested tabling the minutes to a future meeting for approval.

Mr. Realmuto asked for clarification about what was not accurate in the minutes. He felt that the minutes captured a lot of details that aren't normally captured. He noted that staff had spent a lot of time listening to the meeting and pulling out the relevant information for the minutes.

Ms. VanSickle stated that Ms. Burns had already been informed on what needed to be updated.

Mr. Realmuto stated that each Board member could work with staff to review the minutes. Ms. VanSickle stated that the transcriber should do an independent transcription. Mr. Realmuto questioned if the minutes they had were not an independent transcription. He asked if Ms. VanSickle was working with staff to resolve her changes to the minutes. Ms. VanSickle stated that she has not worked with staff nor does she want

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to. She has given her comments to Ms. Burns. Mr. Howison stated that the minutes would be placed back on a future meeting agenda for approval.

FIFTH ORDER OF BUSINESS

Landscaping Update

A. Presentation of Monthly Landscaping Checklist and Report

Mr. Fisher presented the monthly landscaping update. He noted that staff continues to meet with Yellowstone every week to review the CDD property.

Ms. Landgrebe asked about the tree on the boulevard that Mr. Fisher discussed at the November 2023 meeting. Mr. Fisher stated that it is taking a little longer than usual because they are removing them at no cost. He noted that they will only be paying for the install. He stated that he would get with them to see if they can finish that and get new plants in by March.

Ms. VanSickle stated that the ixora keeps staying out there and asked what the story was on those. Mr. Fisher stated that he keeps getting told that they cannot find a replacement that we will be happy with. Mr. Fisher stated that he is going to get with Pete, the branch manager, and see if he can purchase plants himself and Yellowstone give them a credit.

SIXTH ORDER OF BUSINESS

Old Business

A. Discussion Regarding Access Credential Fees

Mr. Realmuto stated that fees have been passed by LAII CDD. The Board is being asked at this meeting to approve a sponsorship agreement which further reduces the cost. He noted that they already spent the money back in August for the security contract, this discussion is about how the Board will fund it. Mr. Realmuto reviewed the breakdown of costs to residents per lot. The spreadsheet shows if funded 100% from assessments on the lot that the total cost per lot owner will be \$372 over the five-year period, or if the \$31,000 sponsorship is included it would cost residents \$195. Mr. Realmuto stated the RFIDs would cost \$10 and the amenity access device would cost \$87.

Mr. Landgrebe stated that she would have liked the material to review before the meeting. Mr. Realmuto noted that he had shared the information at prior meetings but had been working to refine the numbers based on new information and amounts of the sponsorship agreement.

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Mr. Costello stated that they already obtained the money through the sponsorship and questioned why they would want to keep putting their hands in residents' pockets. He stated that the only plan he would vote for is zero.

Mr. Realmuto stated that his understanding is the proposed sponsorship gets us \$31,000. And that includes some things that otherwise would have been paid for directly. Mr. Realmuto stated that the actual cost of the system is around \$360,000 so they haven't gotten even 10% of it through sponsorship.

Mr. Costello stated as far as money goes, most of our money is received through what we assess each lot. And these people have paid for it once. Why do we want to charge them for it a second time? We've gotten a sponsorship. Mr. Costello stated ye, we're going to end up paying for the system, but I can't see why I should turn around and charge somebody.

Mr. Howison stated I think we need to understand what we were trying to accomplish with the sponsorship. First of all, to try and get a sponsor to go much higher than the amount we ended up securing. The amount that we have secured basically pays for all of the credentials. It falls a little bit short, but we also know that there are lots that will have additional vehicles. Mr. Howison stated that he felt strongly that they should not be charging residents for the basics, meaning the first RFID tags and the first to proximity cards.

Mr. Howison stated we do need to talk about, before we go there, we need to talk about what happens for additional RFID tags and what happens for additional proximity cards. Ms. VanSickle stated if we only have one vehicle, I would not expect two. And I think we need to make that real clear because we would get the first one for free under your motion. But if we went out and traded vehicles, then we would pay for the second. We wouldn't say I've got one stash back here I can use. I think we're talking about the initial outlay. It says up to two, but if I only use one, can I save the other one? No. And I think we need to be really clear in that. Ms. Burns stated I think you could say the initial distribution, up to two per household and then any additional vehicles, I think from what Mike said, would be \$10, same for additional proximity cards, would also be ten. And then I think you would also want to add in there what you would do with a replacement card. So if someone loses theirs, they have to pay for a new one.

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Discussion ensued regarding renters and Ms. Burns noted that renters would be treated the same as residents. Ms. Burns stated that the owner and the renter cannot both have amenity access, the owner will need to decide if they retain access or if they allow the renter to have access instead.

Mr. Howison stated what I'm going to throw out to the board would be that initial distribution would be free. Up to the first two RFID cards, first two proximity cards, and then anything beyond that would be \$10 each. And then for new residents moving into Lake Ashton, they would pay the fee of \$10 per credential. Mr. Realmuto stated that charging new residents that move in is consistent with what we do now if they come in and want a gate clicker, they pay for it.

Discussion ensued on dates of the rollout and how long they would be operating with both systems. Mr. Costello noted that he was suggested a 90 roll out period where they would use both systems.

Mr. Realmuto stated we need to be very clear to residents that because your renter is the first one getting this during the rollout period, they're getting it for free, you will be charged when you request one. We have to be really clear on that communication.

Ms. Burns we have a motion and a second to issue up to two RFID and proximity cards per household during the initial 90-day rollout and then charge \$10 for additional RFID and proximity cards after that.

Mr. Realmuto stated we've reduced credential fees from the \$37 for the gate opener now to \$10. So residents should be very happy with that. But I want to make it clear for those who think they're saving money. We could have had this cost each lot over the five-year period only, for example, \$195 instead, coming out of each lot owner's O&M assessment is going to be about \$370 over this five-year period. And I'm not trying to inflame any dispute between the communities, but essentially what's happening to pay for this system is that you're asking our residents, the Lake Wales, Lake Ashton CDD residents, to subsidize the total cost of this system for all residents. And that's why there's a huge cost difference, because only half of the community is paying for this. Mr. Realmuto stated I think we missed an opportunity to save our residents money.

Mr. Howison stated the tradeoff would be for a typical resident with two vehicles, would be \$174 plus \$20, would be \$194 credential fee versus \$372 assessments. So the

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point is that we can charge people \$194 today or we can give it to them for zero and that cost per lot goes up.

On MOTION by Mr. Costello, seconded by Ms. Landgrebe, with Mr. Costello, Mr. Howison, Ms. Landgrebe, and Ms. VanSickle in favor and Mr. Realmuto opposed, Issuing up to two RFID and Proximity Cards Per Household during the initial 90-day rollout, Charging \$10 for Additional RFID and Proximity Cards, was approved 4-1.

Ms. Wells noted that they currently charge different fees if credentials are damaged or lost and need to be replaced. Board discussion ensued on imposing fees for replacement cards.

On MOTION by Ms. Landgrebe, seconded by Ms. VanSickle, with all in favor, Charging \$20 for lost or damaged replacement cards, was approved.

Ms. Wells also noted that the way the policy is written now, when a homeowner comes to register their guests, the homeowner will be issued a guest pass for everyone over the age of 18 that's currently there. If they do not return that, the homeowner is charged a fee. Mr. Howison stated that he would like the fee for that to be a little more punitive. After discussion, Board consensus was after 10 days if the guest passes are not returned, they will be charged \$40.

On MOTION by Ms. Landgrebe, seconded by Ms. VanSickle, with all in favor, Charging \$40 for guest passes not returned within 10 days, was approved.

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

Mr. Costello stated we have a tentative date of February 5 to start this installation, and hopefully we're going to be done on March 19. Mr. Costello stated we were if you put it on anything metal on your car, you're going to interrupt the capability of this. Discussion ensued about the preferred location of stickers on vehicles.

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Ms. VanSickle stated a lot of people are saying that it's against insurance regulations to have anything on your headlight. What's the legality of us requiring this? Ms. Carpenter stated that she would look into that. She suggested recommending where the sticker is supposed to be put and if someone chooses not to do that, then they will have to pay to get another.

SEVENTH ORDER OF BUSINESS

New Business

A. Consideration of Resolution 2024-04 Authorizing the Use of Electronic Documents and Signatures

Ms. Burns noted that this is a resolution they use in almost all their other Districts, that allows staff to use DocuSign instead of physical signed copies for a majority of the District's documents, almost anything that doesn't require a notary.

On MOTION by Mr. Realmuto, seconded by Ms. VanSickle, with all in favor, Resolution 2024-04 Authorizing the Use of Electronic Documents and Signatures, was approved.

B. Consideration of 2024 Data Sharing and Usage Agreement with Polk County Property Appraiser

Mr. Howison stated that they approve this agreement every year. Ms. Burns noted that this was administrative in nature, and the agreement says that they won't disclose any exempt parcels under a public records request.

On MOTION by Mr. Costello, seconded by Ms. Landgrebe, with all in favor, the 2024 Data Sharing and Usage Agreement with Polk County Property Appraiser, was approved.

C. Ratification of Sponsorship Agreement with Advent Health

Ms. Wells reviewed the agreement with Advent Health in the agenda package and noted that the agreement was for January 1, 2024 through December 31, 2026. She noted that they received the first payment of \$15,000. An additional \$8,000 is due January 1, 2025, and \$8,000 on January 2026. The Board thanked Ms. Wells for her work on this sponsorship.

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On MOTION by Mr. Costello, seconded by Ms. Landgrebe, with all in favor, the Sponsorship Agreement with Advent Health, was ratified.

EIGHTH ORDER OF BUSINESS**Monthly Reports****A. Attorney**

Ms. Carpenter stated that the Advent Health agreement was the only material they reviewed this month. She noted that for the training that comes into effect for 2024, they are putting together an email with links to various ethics training materials. The Florida Special District Association is putting together a training as well.

Ms. Landgrebe brought up fee policies regarding charities. She provided a handout with the Draft Policy for Room Rental Fee Waivers. The draft policy stated,

“Room rental rates are set by the Lake Ashton Community Development District Board of Supervisors (“the Board”) at a rate hearing that is advertised to the public. Lake Ashton Residents, Non-Resident Members, and registered Clubs, Groups, and Organizations raising money for registered charities are entitled to discounted rates as outlined in Rules Chapter III.

It is the policy of the Board to adhere to these published rental rates and decline any requests for waivers of rental fees from any non- resident organization, group, individual, or entity.”

Discussion ensued amongst the Board and Ms. Carpenter restated her opinion that the Board did not need a fee policy for charities. Board consensus was that no discounts would be given.

B. Engineer

Mr. Posten noted that the shoreline stabilization project was completed. There is one area that slumped off and the contractor came back out and fixed that area. He noted that he will monitor that area until the grass stabilizes. The bridge boards came in, and they are working on getting that work scheduled. Mr. Posten noted that the contractor is ready to go but they are waiting on dates from the golf course because bridges will need to be closed down.

Mr. Posten stated that the SWFWMD permit for the ponds came through for inspection, they are ready to make that certification and that will be completed this week.

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Mr. Posten reviewed the clubhouse parking and exhibit that he passed out to the Board. The Board discussed the potential options for the parking lot. Board direction was for Mr. Posten to bring back a single strong recommendation and estimated costs that the Board will vote on at the next meeting.

Mr. Posten reviewed the underdrain pipe issue on the ponds that are causing erosion issues. He noted that they are working with staff to determine how the CDD wants to address those areas on a case by case basis. Mr. Howison stated that they would like to make a decision on this at the next meeting.

Mr. Posten reviewed the 2024 rate schedule. Alan Rayl's rate increased by \$25 and Project Engineer EI went up \$10. Mr. Posten noted that he will be getting his PE and he will move to that rate which is staying the same. Mr. Posten stated that Mr. Rayl would be moving into a more advisory role and most of the hours would be billed at Mr. Posten's rate. Ms. Landgrebe voiced her concern about the budgetary impact of the rate changes.

On MOTION by Mr. Costello, seconded by Ms. VanSickle, with all in favor, Accepting the Engineer Rate Change, was approved.

C. Lake Ashton Community Director

Ms. Wells reviewed the Community Director Report which was located in the agenda package. Ms. Wells suggested surplus the holiday lights and garland, and she suggested planning to add that to the Fiscal Year 2025 budget.

On MOTION by Mr. Costello, seconded by Ms. Landgrebe, with all in favor, to Surplus Lights and Garland, was approved.

Ms. Landgrebe asked Ms. Wells to explain why fees are being charged for Zumba. Ms. Wells stated that fees are charged because the instructor charges a fee. The fees go directly to the instructor, the fees do not go through the CDD. Ms. Wells did note that they negotiated a fee with the instructor and she charges less for classes in Lake Ashton than outside of the community.

Ms. Wells provided an update on the bocce court refurbishment. The work is complete and the budgeted cost was \$22,000 and the actual final cost was \$19,442.78.

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I. Discussion Regarding Converting to Natural Gas at the Clubhouse

Ms. Wells noted that they have been trying to get natural gas to the clubhouse since 2020. She reviewed the cost saving potential and asked if the Board was interested in this project before getting counsel involved in reviewing the agreement that would be needed. Board direction was for Ms. Wells to bring back cost estimates and cost saving estimates for the Board to review at the next meeting.

D. Operations Manager

I. Consideration of Memo and Quotes for Spa Lift

Mr. Fisher reviewed his report for the Board. He noted that he had three prices for the Board to consider regarding the spa lift.

On MOTION by Ms. Landgrebe, seconded by Mr. Costello, with all in favor, the Not To Exceed \$7,500 for Chair Lift Proposal from Pool and Patio, was approved.

E. District Manager’s Report

Ms. Burns stated reminded the Board that the February meeting would be a week later than usual due to the holiday.

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.

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Iris Realmuto asked for clarification on the RFID cards. She stated that Lake Ashton 2 CDD is providing two RFID cards to their residents and Lake Ashton is providing up to two RFID cards and two amenity access cards to both Lake Wales and Winter Haven residents. Mr. Howison stated that was correct.

John Sebastian also commented about the amenity access card fees. He stated that he did not think that Lake Wales should subsidize Winter Haven residents access cards. Mr. Realmuto clarified that the \$10 covers the cost of the access credential. That credential does nothing without the \$300,000 system that they are installing to read the cards and lock and unlock the doors. Mr. Realmuto noted that the \$370 covers the entire system, not just the access credential or card cost.

David Fix asked for clarification on the access cards. He asked if he moved would his card be deactivated, the Board answered yes. David asked if he had guests visit him for a week would they get the same type of access card, and the Board answered yes. David discussed the parking space at the clubhouse and stated his opinion that it should not be changed. Ms. Burns noted that after speaking with Ms. Carpenter, they both agreed that the entrance near that space was not as ADA compliant as the main entrance and would likely not be used as much for that instance. Mr. Realmuto suggested holding off until the parking lot needs to be repaved and restriped, then they could address that issue. The Board agreed that they could hold off on this project, and Ms. Wells was directed to inform Mr. Posten of the Board's change regarding the parking lot project.

ELEVENTH ORDER OF BUSINESS**Supervisor Requests / Supervisor
Open Discussion**

Mr. Howison asked for any Supervisor comments or open discussion.

Mr. Costello suggested looking into alternative energy services that could potentially cut costs and suggested that Mr. Realmuto, having experience with solar, should look into it. Mr. Realmuto noted that he does have experience with solar energy and could look into that option if the Board directed him to do so.

Mr. Howison stated that Nick came to him and said that the restaurant hasn't had the level of business that he was looking for. Nick asked for consideration of relief on his rent. Mr. Costello stated that they haven't had many issues since Nick took over, and he stated he personally thought they would be foolish to not consider cutting his costs. Ms.

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VanSickle agreed and noted that she had residents in the community tell her they valued having the restaurant in the community.

Ms. Carpenter stated that the Board would need to take public comment on this item since it was not on the agenda. David Fix stated that Nick should consider why he is not getting the numbers he wants. David stated the food was phenomenal but it is a limited menu. He gave a few examples to the Board about Nick not responding to his questions.

Multiple Board members agreed they felt the menu needed to be expanded according to what residents had been expressing. Board consensus was to reduce the rent for February, March, and April.

On MOTION by Ms. VanSickle, seconded by Mr. Costello, with all in favor, Reducing the Restaurant Rent by \$500 for the next 3 months, was approved.

Mr. Howison stated that he has had health issues that have kept him from paying as much attention to Board related things. He recommended the Board look at roles within the Board and potentially move himself out of the Chairman position.

TWELFTH ORDER OF BUSINESS

Adjournment

The meeting was adjourned.

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

Jill Burns

Secretary / Assistant Secretary

DocuSigned by:
Bruce VanSickle
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Vice Chair