

**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, **February 26, 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 <i>by Zoom</i>	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
Christine Wells	Community Director
Matt Fisher	Operations Manager
Garret Posten	District Engineer, Rayl Engineering
Jose Romero	Yellowstone

The following is a summary of the discussions and actions taken at the February 26, 2024 Lake Ashton Community Development District Board of Supervisors meeting.

**Mr. Howison attended by Zoom and his vote is not reflected in the motions due to issues with hearing the 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. Three Supervisors were present constituting a quorum.

SECOND ORDER OF BUSINESS

Approval of Meeting Agenda

Ms. VanSickle asked for any comments on the agenda. Hearing no changes to the agenda, she asked for a motion to approve.

On MOTION by Mr. Costello, seconded by Mr. Realmuto, with all in favor, the Meeting Agenda, was approved 3-0.

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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*)

Ms. VanSickle opened the public comment period. There being no public comments, the next item followed.

**Supervisor Lloyd Howison joined the meeting via Zoom at this time.*

FOURTH ORDER OF BUSINESS

Consideration of Minutes from the November 20, 2023 Board of Supervisors Meeting and the January 22, 2024 Board of Supervisors Meeting

Ms. VanSickle presented the November 20, 2023 and the January 22, 2024 Board of Supervisors meeting minutes and asked for any comments or changes. Mr. Realmuto sent Ms. Burns minor corrections to each meeting minutes.

On MOTION by Mr. Costello, seconded by Mr. Realmuto, with all in favor, the Minutes from the November 20, 2023 Board of Supervisor Meeting and the January 22, 2024 Board of Supervisors Meeting, were approved as amended 3-0.

FIFTH ORDER OF BUSINESS

Landscaping Update

A. Presentation of Monthly Landscaping Checklist and Report

Mr. Fisher presented the monthly landscape report. He stated that they had a couple of irrigation repairs outlined in the report. He is going to start including the irrigation repairs in his report. He informed Jose that he would like to be included in the irrigation inspections.

Mr. Romero provided a Yellowstone update report. He did a review of the community and noted that the front entrance looked really nice with the japanese blueberries and the ixora filling in. He stated that they do have a few replacement ixoras that are coming in Wednesday, and they will try to schedule those this week. He explained that there were a few the wrong color and a few that needed to be replaced. They are working on getting a few extra salvias that need to be replaced at the front monument signs. He explained that the salvias have been unavailable, but they are working to source those. He further explained that it sounded like they would be available in March, but if they find them sooner, they will go ahead and get those put in. He noted that they did do cutbacks on the salvias, and they

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were starting to come back for the ones they planned on replacing, but they may just fill in. They did an application for weed control in the turf areas last month and they have a granular fertilizer scheduled for March. He added that they have ordered the material. He explained that they will be going through and doing a pre-emergent that is built into the fertilizer, which will get the green up and also have weed control capabilities. They have worked through all the irrigation issues, but they are doing another inspection right now in regard to doing their monthly reports. He stated that they will want to talk in the near future about the dog park sod replacement. Mr. Romero concluded his update report and was happy to answer any questions. Hearing no questions, Mr. Fisher continued his monthly landscaping report.

Mr. Fisher explained that the dog park was the topic of discussion with the community director and himself. They are trying to figure out the best avenue to go and will have more updates to provide in the future. He noted that there were some areas that missed mulching, which they will get filled in. Mr. Fisher concluded the monthly landscape report. Mr. Romero asked if everyone was happy with the blown-in mulch. The Board agreed that it was much better. He added that they did some renderings for the Reflection Garden. They are going to be working through some of those proposals. He explained that they did the design renderings and now it's time to put together some numbers for that, which they will have at the next meeting.

SIXTH ORDER OF BUSINESS**Old Business**

Ms. VanSickle asked if anyone had anything to add to old business. Mr. Realmuto pointed out that he thought the security update was an item they were keeping under old business. Mr. Costello and Ms. Wells provided an update on security.

Mr. Costello stated that they has been gone from there for a week or two weeks, but they would be coming back in this week. Ms. Wells stated that the last time they spoke they were still on schedule to be completed when they originally thought they were going to be completed. She added that they moved their training back a week. Mr. Costello explained that they had said that they were going to update the projections as far as what would be going on. He further explained that they moved that back a week or a week and a half. It was noted to add the security update to all agendas going forward.

SEVENTH ORDER OF BUSINESS**New Business**

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A. Consideration of Engagement Letter for Audit Services for the Fiscal Year 2023 Audit with Berger, Toombs, Elam, Gaines & Frank

Ms. Burns explained that the Board awarded a three-year contract for the audit, and this was the renewal for the Fiscal Year 2023. It is consistent with the approved agreement they bid for three years. Mr. Realmuto pointed out an issue with the timeframe that they were able to get it done for them last time. He asked if they addressed that somehow. Ms. Burns responded that they were late, but they did not provide a reason why it was late. She explained that they had everything in plenty of time and this firm had more late audits than others. She added with that being said, they could go through the process to select a new auditor for this year. She pointed out that the price they are paying was half of what they would normally pay. They are paying \$3,930 for their audit service. Mr. Realmuto noted he was all for saving money. He asked if there was any consequence to them from the fact that they were late. Ms. Burn explained that they get a letter from the Auditor General saying they have not received it and they give them until September 15th, but there was still no fine that they impose. She further explained that they are basically just on a list until they provide it. Ms. Carpenter stated that on some of their Districts, they have started getting audit letters from them along with other accounting firms and it seemed like they were at least catching up or progressing. After discussion, it was decided to renew the audit services for the Fiscal Year 2023 audit with Berger, Toombs, Elam, Gaines & Frank.

On MOTION by Mr. Costello, seconded by Mr. Realmuto, with all in favor, the Renewal for Audit Services for the Fiscal Year 2023 Audit with Berger, Toombs, Elam, Gaines & Frank, was approved 3-0.

B. Consideration of 2024 Non-Ad Valorem Contract Agreement with Polk County Property Appraiser

Ms. Burns stated that the Polk County Property Appraiser requires an annual renewal of their agreement. She explained that they need to do this if they want to collect their assessments on roll. Mr. Costello noted that they do this every year. Mr. Realmuto agreed, but wanted confirmation that there were no changes to the terms or rates.

On MOTION by Mr. Costello, seconded by Mr. Realmuto, with all in favor, the 2024 Non-Ad Valorem Contract Agreement with Polk County Property Appraiser, was approved 3-0.

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Ms. Carpenter stated that it had been a quiet month. She noted they worked on a short amendment to the Restaurant Contract to reflect the \$500 reduction for three months.

B. Engineer

Mr. Posten provided his Engineer's Report to the Board, which included bridge board replacements and cart path repairs. He noted that the bridge board replacements were completed. He also noted that some cart path repairs were brought to their attention through the staff. He stated that those repairs are located mostly at the corner of where the tennis courts and the lift station are and a few on Hole 4. He explained that these repairs were where the cart path has raised up and is presenting a tripping hazard. They went out for quotes for those repairs. He explained that the repairs themselves would be grinding the smaller ones or on the places where the lip is larger and they would be replacing a panel of cart path. He only received one bid so far and it was \$4,356, which includes five portions of repouring the concrete panel and six areas where they will grind the lip down to level out the cart path.

Mr. Realmuto requested to see a map of the areas in question. Mr. Posten will provide a map of the areas. Mr. Realmuto stated that he was not in favor of approving amounts before they've had some time to preview the proposal. He didn't think anything changed dramatically regarding the path making this an emergency. In saying that, he understood that there may be safety issues. He requested going out, looking at it and having a quote that details the work to be completed. He pointed out that they recently had some work done where there were major oversights and he believes that this Board and staff needs to do a better job anticipating unexpected costs because some of their projects have run over with things that probably could have been foreseen. He added that they all need to take responsibility for that. Mr. Costello stated that they allot money every year for the repairs of the cart paths. He asked if this was going to be within budget. Ms. Wells stated that there was \$10,000 in a contingency for pathway repairs. Mr. Costello agreed with Mr. Realmuto that they should see some sort of written information before they make a final decision. Ms. VanSickle stated that her only concern is how much of a safety issue this is. Mr. Realmuto asked Mr. Posten if he had been out there to personally inspect these areas. Mr. Posten responded yes. Mr. Realmuto asked what Mr. Posten's assessment of the relative safety issue in terms of severity. Mr. Posten

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responded that some of the areas are less severe and the most severe was on Hole 4 where the cart path is broke apart. Discussion ensued on the cart path repairs. Mr. Realmuto asked Ms. Wells if anything had come out of this budget item yet. Ms. Wells responded there was around a \$2,000 repair that did come out of that budget item. After discussion, it was decided to do a NTE \$4,500 for the cart path repairs.

On MOTION by Ms. VanSickle, seconded by Mr. Costello, with all in favor, NTE \$4,500 for Cart Path Repairs, was approved 3-0.

C. Lake Ashton Community Director

Ms. Wells reviewed the Lake Ashton Community Director report. She stated that they were doing their first Senior Expo on March 15, 2024. They have thirty vendors signed up so far. She noted that they were still taking a few extras. They are charging for vendor spots as well as additional advertising in the program. She stated that with the Home Improvement Expo, they usually do it every other year, but they are going to start doing it annually now. The Health & Fitness Center will be doing the Health Expo once a year. The Senior Expo and the Home Improvement Expo will be done once a year as well. She discussed the activities going on. She pointed out that the Lake Ashton Activities Advisory Group was continuing to meet to come up with new activities for Lake Ashton CDD and Lake Ashton II CDD. She noted that they were working on trying to change up Monday Coffee because they have not had as much attendance as they would like to have. She encourage residents to come to Monday Coffee because the vendors that come, pay for a spot there. It's a good revenue strength for Lake Ashton residents and it's a good time to see what is going on in the community. They have the City of Lake Wales coming in March. She also noted that Dr. Vargas was coming with Orchid Springs Animal Hospital and Jay Jarvis was coming with Polk County Roads in April. She added that they have a candidate meet and greet scheduled after Monday Coffee on March 18, 2024.

Ms. Well reviewed the cost saving analysis portion of her report stating that they were still trying to work with TECO to see if they can switch up the light fixtures to save money. She added that every other option they have given them has fallen short of that. She stated that staff was continuing to work with Alternative Gas Solutions to provide a quote to convert their current propane equipment to natural gas. She was hoping to have the cost benefit analysis done, but she still has not received everything she needs from Alternative Gas

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Solutions and the equipment replacement options. She is hoping to have this done by March to give a full report. She stated that she did get some information last week on some leak adjustments they were waiting on for the City of Lake Wales and they are going to get a total of about \$11,200 in leak adjustments for their bills. Mr. Realmuto asked if they refunded all of the difference because it was over at least a two-month period. Ms. Wells responded that for 4821 Lake Ashton Boulevard, which is the guardhouse, it was \$9,600.96 and it was applied to this month's bill. She is going to double check. They are going to add it all up and have that at the next meeting. She explained that they did an energy audit on January 30, and they were waiting to get the report back. Once the report is received, staff will evaluate and submit suggestions as part of the March Budget Workshop. She noted that staff worked with the pool inspector to make adjustments that will result in less chemicals being used on a monthly basis. They also have a new rental agreement with Pitney Bowes that they are working on finalizing, which will take their amount from \$31.99 per month to \$19.99 per month. This is a small savings of \$22 per month and \$264 per year. She explained that Mr. Fisher, the Operations Manager, has been researching companies to purchase windscreens at the tennis courts and was able to save about \$4,250 from a vendor online compared to a quote from a vendor they normally use. She added that staff installed them, which also saved money on labor.

Ms. Wells reviewed the safety and security portion of her report. She explained that they are still working with Supervisor Costello and Supervisor Mecsics on combining the two RFID policies into one per direction given at the Joint Board of Supervisors meeting. She stated that they created an application for all residents to complete when obtaining RFID tags and amenity access cards. She explained that there was a lot of concern from residents with putting the RFID tag on the headlight. She further explained that as a CDD, they are going to take the stance of putting it on the headlight per manufacture guidelines. She added that if residents choose to put it somewhere else, they can, but they are not going to be responsible. Mr. Howison noted concern that if they do that and it doesn't work, then they are going to back up traffic. He added that the intent of the RFID tag was to move resident vehicles through the gate more quickly. He also noted that one of the reasons they chose to do this was a safety issue. He pointed out that if a resident chooses to put it elsewhere and does not follow the guidelines of Securitas and the CDD, then they are considerably creating a safety hazard. Ms. Wells noted that the District Attorney has reviewed and submitted feedback. She stated that they received the design from Advent Health for the back of the amenity access cards.

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She noted that they have sample RFID tags and amenity access cards on display in the Clubhouse Media Center and HFC activities desk. She also noted that Securitas has begun installation and will soon be done at the Clubhouse. She added that they had their training originally set for the 27th, but there was a delay in the database because residents did not fill out all the fields. Now, they have training scheduled for next week.

Ms. Wells discussed some follow-up items from previous Board meetings. She stated that the grease trap project is complete. They had to reinstall some pavers, replace some sod and make some irrigation repairs. She received confirmation from the City of Lake Wales that the project was passed, so they can make the final payment. She added that they would see that final payment in next month's financials.

Ms. Wells discussed new business. They have been researching options for an ATM since the ATM was removed from the sales office. She noted that there is no fee to the District. They only thing they need to provide is electricity and internet connection. She added that there would be a per transaction fee assessed to everyone that utilizes the ATM, there would be no fee for balance inquires, the owner would conduct all services for the ATM, and staff has identified a location near the media center/craft room/bowling alley corridor that could be a good location to install the ATM. She noted that the contract says that either party can cancel within 30 days or with a 30-day's notice. She added that she talked to Mr. Lee across the street and SouthState Bank did pull out. It was not an issue on their end. They are looking to find a replacement from another bank. Mr. Realmuto asked if they had any idea of what the expense to the CDD would be in providing that. Ms. Wells responded that she could talk to him and see if he is willing to cover the costs to bring the electricity out. She noted that there was a closet there with electricity and it would just need to be brought out as well as an ethernet connection. She stated that he has not come and looked at the facility yet. Ms. VanSickle asked if they know how many residents would be interested in using this. Ms. Wells responded that she could not tell them exactly how many, but she explained that when the ATM left, she got quite a few people reaching out wondering what they did for the ATM to go away. After discussion, it was decided to approve staff NTE \$500 to install ATM at clubhouse.

On MOTION by Mr. Costello, seconded by Mr. Realmuto, with all in favor, Staff NTE \$500 to Install ATM at Clubhouse, was approved 3-0.
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Ms. Wells reviewed the next item, which is a list of items on a surplus list for Supervisors to consider. One item is the office manager's computer that is not working. The other item is a spa lift that has some of the components not working. She also noted that they need to surplus the green golf cart to get it off their inventory.

On MOTION by Mr. Realmuto, seconded by Mr. Costello, with all in favor, to Surplus Computers, Spa Lift and Golf Cart, was approved 3-0.

Ms. Wells reviewed the general updates. She stated that staff has been continuing to communicate with Polk County Roads and Drainage with the most recent communication coming via the Lake Ashton Community Action Committee (LACAC) after a recent meeting with them. Information was provided in her report and will be included as part of an article submitted by LACAC in the March LA Times. She noted that Jay Jarvis would be there in April to discuss some of the changes. She noted that they are working to gather information for the upcoming budget. She advised that if residents have any suggestions, they are looking at what they didn't approve last year.

Mr. Howison stated that people have a lot of concerns about upgrading the ballroom, which would include a sound system. He pointed out that Bingo has used the ballroom 46 times, the residents have used it 534 for events and outside users have used it 15 times. He stated that there was a misconception on part of their community that the ballroom operates strictly with the intention of drawing in outside entities. He clarified that was not the case at all; the ballroom is for the use of their residents. He noted that sitting on the Zoom end of the meeting today, it was imperative to upgrade the sounds system so residents that attend via Zoom can hear the Board meetings.

Ms. Wells stated that she hit on all the project tracking list items through the Community Director report. She asked if anyone had any questions. Ms. Carpenter commented on the memorial policy asking that she be tied into that so they can put together a policy and an application to make sure they cover all the issues. Ms. VanSickle, Mr. Realmuto and Mr. Costello thanked Ms. Wells and Mr. Fisher for all the cost savings efforts that they have made on the Boards behalf.

D. Operations Manager

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Mr. Fisher presented the Operations Manager report to the Board. He stated that the landscaping was done. They continue to meet with Applied Aquatic's technician weekly. He explained that they discussed their plan going forward heading into warmer months. They are treating the problematic ponds with treatment that treats the sediment from the bottom of the pond, which will drastically reduce the algae blooms during the warmer months. He reviewed the facility maintenance stating that they put the windscreens up and they found those at a reduced costs from an online distributor. He noted that Pool and Patio was on site, and they installed the spa lift. He pointed out that upon staff's inspection of it with the vendor, they noticed some issues. Mr. Fisher meets with Pool and Patio on Thursday to get those issues remedied. He will keep the Board up to date when he finds out more. He stated that they were looking to get a water bottle filler at the shuffleboard court. He concluded his report and asked for any questions.

Mr. Realmuto asked with regards to the spa's mat if they were planning on getting a cover to put on it after the work is complete. Mr. Fisher responded absolutely. Mr. Costello asked if they were having a lot of problems with the sprinkler system. Mr. Fisher responded that it seemed that way. He explained that considering the age of the system, the repairs were minor, and a lot of it has to do with leaks. He added that nothing major had come up.

E. District Manager's Report

Ms. Burns stated that the only thing she had was finalizing the tax-exempt application that is due March 1st for all District owned property. She noted that they will have to change this year now that the restaurant is on the lease.

NINTH ORDER OF BUSINESS

Financial Report

A. November 2023

- I. Combined Balance Sheet**
- II. Capital Projects Reserve Fund**
- III. Statement of Revenues, Expenditures, and Changes in Fund Balance**
- IV. Approval of Check Run Summary**

The financials were included in the agenda package for review. Ms. Burns explained that they have November on there. She further explained that when they canceled the December meeting, they inadvertently left it off January. She clarified that both sets were included for the Boards reference, as requested.

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B. January 2024

I. Combined Balance Sheet

II. Capital Projects Reserve Fund

III. Statement of Revenues, Expenditures, and Changes in Fund Balance

IV. Approval of Check Run Summary

The financials were included in the agenda package for review.

On MOTION by Mr. Realmuto, seconded by Mr. Costello, with all in favor, the Check Run Summary for November and January, was approved 3-0.

TENTH ORDER OF BUSINESS

Public Comments

Ms. VanSickle opened the meeting up to public comments.

Frank Kennedy (3065 Dunmore Drive) commented on the cart path repairs being an immediate urgent need because it is a safety hazard. He explained that it isn't just repairing the concrete; it is the ground underneath it that is on either side of the retention pond and on the channel to the lake. Ms. VanSickle responded that it was approved to be repaired.

ELEVENTH ORDER OF BUSINESS

Supervisor Requests / Supervisor Open Discussion

Ms. VanSickle asked for any Supervisor comments or open discussion.

Mr. Realmuto asked the attorney to address the legalities behind whether a vote would count if a Supervisor attending the meeting via other means couldn't hear or be heard. Ms. Carpenter responded that Mr. Howison did not know because he couldn't hear. She clarified that they need to be able to participate fully in a meeting to vote. Mr. Realmuto asked if the vote tallies in the minutes need to reflect that. Ms. Carpenter responded yes; Mr. Howison didn't vote on any of the motions. The sound system issues were discussed. Mr. Realmuto stated that he would like to give staff direction to investigate what the issues are. He added that perhaps they could address what appears to be the audio feed from the meetings and the microphones so that it improves at a lower expense than redoing the entire sounds system.

TWELFTH ORDER OF BUSINESS

Adjournment

The meeting was adjourned.

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

Jill Burns

Secretary

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Vice Chair