

**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, **August 19, 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:

Brenda VanSickle	Chairperson
Mike Costello	Vice Chairman
Steve Realmuto	Assistant Secretary
Debby Landgrebe	Assistant Secretary

Also present were:

Jeremy LeBrun	District Manager, GMS
Jan Carpenter	Latham Luna, District Counsel
Alan Rayl <i>via phone</i>	District Engineer, Rayl Engineering
Garrett Posten	District Engineer, Rayl Engineering
Matt Fisher	Operations Manager
Christine Wells	Community Director
Pete Wittman	Yellowstone Landscaping

*The following is a summary of the discussions and actions taken at the August 19, 2024 Lake Ashton Community Development District Board of Supervisors meeting.*

**FIRST ORDER OF BUSINESS**

**Roll Call and Pledge of Allegiance**

Mr. LeBrun introduced himself and called the meeting to order at 9:00 a.m. He called roll. Four Supervisors were present in person constituting a quorum.

Ms. VanSickle called up onsite restaurant owner, Nik, to speak. The restaurant owner asked the Board how they think the restaurant is going, how they think they are interacting with the community and how they have adjusted like they said they were. Secondly, he asked for some kind of solution to the rent because they are not getting the support that they feel they should be getting from the community. He discussed all the things they have tried. He noted he didn't know what else to try to get more people to come in from the community. He asked about the upgrade to the security systems. Mr.

**August 19, 2024**

**Lake Ashton CDD**

Costello responded that the security upgrade will hopefully be covered within the next few weeks.

Ms. VanSickle provided some suggestions to the restaurant owner, which included the restaurant menu and the advertisement and communication of specials, etc.

Mr. Realmuto stated he thinks the restaurant owner needs to look at other areas besides the financial. He asked the restaurant owner for other ways for the Board to help him. He explained that the restaurant owner needs to understand that they are investing a certain amount because this is an amenity for Lake Ashton residents. They have spent somewhere between \$50,000 and \$100,000 on the restaurant this year. He further explained that they have certain expenses to cover too. He doesn't think lowering the rent even further is an option that is going to cover those expenses.

The restaurant owner stated a sign out front would be one way to help him get more people in from the outside. Ms. VanSickle responded that was in process because there is still some issues with that.

Regarding the rent, Ms. VanSickle pointed out that one thing they don't have is the property taxes. She stated she would be willing to lower it to about \$1,000 a month. She stated they aren't trying to make money off the restaurant, and they want the restaurant owner to succeed.

Mr. Costello stated they don't want the restaurant to close. He pointed out that Bingo is every Monday night. He suggested opening on Monday and offering a special on this day. Ms. Landgrebe noted her concern is that this suggestion might possibly be an obstacle for John on Bingo night. The restaurant owner suggested that he could just do the bar, so it will not be an issue for John. He stated he will look into this suggestion from Mr. Costello.

Ms. Landgrebe suggested that with the entertain series coming up, the restaurant owner could do a particular item to showcase. She discussed a few other great opportunities coming up for the restaurant business. The restaurant owner explained that this year has been a big learning curve with how things work inside the community of Lake Ashton. Ms. Landgrebe stated at this moment, she agrees that they should help the restaurant owner.

**August 19, 2024****Lake Ashton CDD**

Mr. Realmuto stated the rent at essentially \$1,000 a month would not cover the taxes as what they were 30 years ago. He thinks they should look at something that would cover the taxes. He asked the restaurant owner if he was not seeing the revenue or the traffic. The response was both. Mr. Realmuto asked the restaurant owner to give the Board some idea of the magnitude of the revenue shortfall. The restaurant owner explained the restaurant's revenue shortfall. Mr. Realmuto stated he is trying to understand the difference and how much it needs to improve. Mr. Nik responded that number wise, it needs to go up at least \$5,000 a week in both seasons to make ends meet. Mr. Realmuto stated he thinks there are things that Mr. Nik can do about that and things that the Board might can do to help make that happen because they want to keep Mr. Nik there as the restaurant owner in Lake Ashton. He asked Mr. Nik to keep in mind that that's the amount that needs to be made up and \$500 reduction in rent is not going to get them there. He added a lot more needs to be done. Mr. Realmuto asked the restaurant owner when he plans to become current with rent. The restaurant owner's response was that he can start paying after this meeting.

Ms. VanSickle stated she thinks Nik, the restaurant owner, is trying to work with them and she thinks they need to try to work with him. She again stated she would be willing to lower the rent to \$1,000 a month.

Ms. Landgrebe asked the Board and staff if they could also look at expediting a sign outside. Ms. Wells stated she had a quote that is ready to be presented to the Board. Mr. Realmuto asked where this sign would be placed. Ms. Wells responded that it would ultimately be up to the Board of Supervisors, but her suggestion was to put it at the front entrance of the community. Ms. Wells stated the goal was to put it towards facing traffic, which is why they may need one on each side because otherwise the signs may not be seen until they pass the entrance. Ms. Carpenter recommended Board approval of the sign and to let the engineer work with Ms. Wells to see the best placement.

Ms. VanSickle stated she is willing to work with Nik on things they can do, but in order to change the rent, it needs to be a Board decision. Mr. Realmuto stated it was a little inclined not to do it while there are amounts pending. He thinks the rent should be current before the Board considers any change. He suggested they put this item on the agenda for the next meeting. Mr. Realmuto made a motion to defer consideration to

**August 19, 2024****Lake Ashton CDD**

decrease rent to their next meeting. There was no second motion, and the motion failed 1-3.

Mr. Costello made a motion to waive late fees and penalties, to lower rent for restaurant to \$1,000 from July to December and to delegate the Chair to work with the restaurant owner.

Mr. LeBrun opened the public comment period. He informed the Board that the internet was still down. For the Zoom listeners, they will use a mobile hotspot to stream the audio.

Resident Al Cooney (4303 Ashton Club Drive) asked if they would be paying the taxes or will the restaurant owner be paying the taxes. Ms. VanSickle responded that there would probably be a small shortfall. Mr. Carpenter responded that there is contingency in the budget for next year as well as money left for this year to cover that small amount. Mr. Cooney stated the way he is looking at it he doesn't think there is enough money in there to pay the taxes. Mr. Costello responded that there is going to be a shortfall but asked if they want to go without a restaurant. Mr. Cooney responded that he wasn't talking about the restaurant but is talking about the taxes. Mr. Costello responded that there should have been enough money to pay the taxes. Mr. Cooney stated that there isn't enough now. Mr. Realmuto responded that staff has done a great job helping the Board manage the general fund budget, which is where the taxes are paid out. He noted they saved enough in other areas that there is enough money to cover that. Mr. Costello stated it was going to impact them on the income side of the budget as far as they are not bringing in the amount of money they thought they were going to bring in from the restaurant.

Resident Dan Davis (4445 Turnberry Lane) stated Nik, the restaurant owner, has bent over backwards for this community to try to keep the restaurant open. He added that anything the community and the CDD Board can do to make this restaurant owner's business succeed should not be a problem.

Resident Francis Kennedy (3065 Dunmore Drive) stated he was going to commit to going to the restaurant once a week minimum and he is going to ask his fellow residents to do the same. He also stated that if everyone within this community could go a minimum once a week, it would help Mr. Nik and his staff a lot.

**August 19, 2024**

**Lake Ashton CDD**

Resident Michelle (4073 Stone Creek Loop) stated Nik, and his staff have been so hospitable. She is offering to help. She commented on how to get the community members involved to help with the ideas as well because she has a few ideas herself. She thanked Nik and his incredible team. Ms. VanSickle thanked Ms. Michelle and told her she would be in touch with her.

On MOTION by Mr. Costello, seconded by Ms. Landgrebe, with Ms. VanSickle, Ms. Landgrebe, Mr. Costello in favor and Mr. Realmuto opposed, Waiving Late Fees and Penalties, Lowering Rent for Restaurant to \$1,000 from July to December and Delegating Chair to Work with Restaurant Owner, was approved 3-1.

The pledge of allegiance was recited.

**SECOND ORDER OF BUSINESS**

**Approval of Meeting Agenda**

Ms. VanSickle apologized for everything being out of order so far. The meeting agenda was amended to add the restaurant discussion.

On MOTION by Ms. Landgrebe, seconded by Mr. Costello, with all in favor, the Meeting Agenda with Addition of the Restaurant Discussion, was approved 4-0 as amended.

**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. LeBrun opened the public comment period. Mr. LeBrun noted again that the internet is not working, so there are no comments that can be pulled from Zoom.

John Sebastian (Lot 931) commented that he is so excited that they are looking at new colors for the clubhouse. He noted his favorite color is intuitive off white. He added that he doesn't think they could go wrong with any of the color presented in the minutes, but he thinks it's time to change it up and go with something other than yellow. He

**August 19, 2024****Lake Ashton CDD**

explained that the white brings a freshness, new look, a more modern look. He noted his favorite colors are PPG1022-2, PPG1022-1, PPGG1136-5, and PPG1022-5.

Francis Kennedy (3065 Dunmore Drive) also commented on the clubhouse paint colors and agreed with Mr. Sebastian's recommendation on the intuitive off white color. He stated he appreciated the engineer's report because it is very detailed and definitive. He reiterated the importance of Lake Ashton attaching to all PO's and extensions a detailed terms & conditions clause including such things as consequential damages, liquidated damages, warranty clause, failure to perform, payment terms, force majeure, etc. Ms. Carpenter responded that they prepared contracts that include all those provisions for anything that is material. On the smaller contracts, they are generally not asked to do that. She explained that they have to weigh the benefits versus the cost. She stated that is up to the Board if they would like for them to review and add addendums to all the purchase orders that the Board receives. Mr. Realmuto asked Ms. Carpenter if the three major contracts that they have coming up later in this agenda have terms and conditions attached to each or any of those that maybe weren't included. Ms. Carpenter responded that until they are approved they general don't. She explained that the extensions were just renewals, so those provisions are already in all those contracts. She added that these are just the renewals. She noted for anything that is approved by the Board, they can do it after the fact. She further explained that they add just a short addendum adding the government provisions if it's just a purchase order. If it's anything that is material, then they are asked to do a full contract. Ms. Landgrebe asked what is considered material. Ms. Carpenter responded that it was usually up to staff, but generally if it's in the \$8,000 to \$10,000 range. She noted again that it's up to the Board if they wat them to renew all the purchase orders. Mr. Realmuto responded that they need to make sure that most their staff has oversight to be sure that they review those terms very carefully. Ms. Landgrebe noted in regard to warranties, she wants to make sure they are included, especially with the landscaping. Ms. Carpenter responded that she is hoping that Yellowstone has the warranties in their proposals that are an attachment, but they will double check that. She stated if the Board approves, it will be subject to them making sure the warranty language is in there.

**August 19, 2024****Lake Ashton CDD**

Jonathan Ridpath (4135 Aberdeen Lane) stated he was not commenting on anything specific to the agenda, but he sent a letter to the Board on July 16. He noted one Board member never responded and the other two responded with what seemed like a form letter. He wants to get his letter into the record, and he was told he had to come here and read it. He read his letter aloud stating he was commenting on the behavior he witnessed during the CDD meeting on Monday, July 15, 2024. He is appalled with the treatment of Mr. Realmuto by other Board members during the meeting. He specified that during agenda item 4A tabled business from June 17, 2024, Mr. Realmuto made a motion to discuss the language of Florida Statute 190.006, which clearly states that in an event of a vacancy, the Board shall appoint or replace the member. He noted in legal terms “*shall*” is an imperative command, usually indicating that certain actions are mandatory, not permissible. He added that Mr. Costello, Ms. Landgrebe and Ms. VanSickle refused to second the motion and there was no discussion. He asked the Board of Supervisors why they refused to discuss the motion and why they would want to go months with only four Board members. He explained that the perception was that some of the Board are eluding to keep Greg Ulrich off the Board until November. He also pointed out that when Mr. Realmuto attempted to put forth some reasonable reductions in the budget, he was immediately attacked and yelled at by Mr. Costello, Ms. Landgrebe kept interrupting and Ms. VanSickle did nothing. He questioned why Mr. Realmuto is being bullied. He stated over the last two years he observed that Mr. Realmuto and Mr. Howison are the only Supervisors who entertained budget reduction ideas. He also stated that there are quite a few people in this community who feel the Board is not spending their money wisely. He believes the CDD Board has a spending problem. He asked the Board of Supervisors to please remember they are on the Board to represent all the members of the community, not just friends or the ones yelling the loudest. He also stated the Board of Supervisors need to take into consideration that many people are struggling. He suggested that if something comes in front of the Board, an important question to ask is if it’s needed or something that would be nice to have. He feels that Mr. Costello, Ms. Landgrebe and Ms. VanSickle are in violation of Florida Statute, and they should all resign immediately.

Ms. Carpenter noted if anyone has a letter or anything they want the Board to see, they can submit it to the manager, and it can be included in the agenda, so they don’t

**August 19, 2024****Lake Ashton CDD**

have to attend the meeting if they are not able to. She also clarified on the 190.06 issue that the language does say “*shall*”, and it’s mandatory, but there is no time designated time-period. She explained that several CDDs hold off on appointing someone until the election since they know that is coming soon. She further explained another alternative that CDDs use is to put out a request for resumes or interest for anyone else who wants to so the Board can see if there is anyone else that wants the position.

Mr. Costello responded that this isn’t the first time that this has happened. He also commented on the accusation of collusion made about the three Board of Supervisors.

Ms. VanSickle responded that one comment about the Board behaving better that was made was valid, but she didn’t think it was just the three Board members. She noted there is an underlying issue that keeps bringing this forward. She explained that there is two sides to every story.

John Parizek (4167 Aberdeen Lane) commented on the color schemes for the clubhouse, the guard shack and some of the other buildings in the community. He stated he doesn’t like the light colored hues. After reviewing the color scheme, he stated only the color in that scheme, halo, is an approved color by the HOA. He question why they would be choosing colors that the rest of the community is bound through certain colors. He reviewed the CC&Rs to see if anything references this and he came across three sections. He also commented on Florida Statute 190.0064 stating he agrees that it doesn’t include a timeline to appoint somebody. In saying that, he added that it also doesn’t say that they can choose to appoint somebody or not. It says you “*shall*” appoint someone. He stated that it makes sense since Mr. Ulrich will be assuming that seat in November that he would be a likely candidate for early appointment. He doesn’t think it makes sense to keep that seat vacant. He believes the seat should be filled and it should be filled by Mr. Ulrich.

Ms. Carpenter addressed the comment about CC&Rs. She noted that the CDD is not a lot owner or a member of the HOA. She explained that guest practice has been that the CDD complies when they can but is not bound by all the terms that lot owners are going by. Ms. VanSickle added that Ms. Wells has gone over the community looking at the colors and would never pick anything that wouldn’t blend in well with the rest of the



**August 19, 2024****Lake Ashton CDD**

houses. She also pointed out that this is a lot bigger building than their personal homes, so they have to think about the color.

Charles Witski (4179 Aberdeen Lane) commented that there was a load of gravel dumped in the back parking lot. He requested for that to be cleaned up, so the presentation is better. He also commented that there was a lot of mulch missing where they did the gas lines out front. He explained that every time it rains, they get mud on the sidewalk. He requested to get the mulch down. He also commented on overgrown bushes on the fence line. He requested that the bushes be leveled with the fence line because he thinks it would improve the appearance of their community. Ms. VanSickle responded that she thinks staff can look into those requests.

**FOURTH ORDER OF BUSINESS****Consideration of Minutes from the July 15, 2024 Board of Supervisors Meeting**

Ms. VanSickle presented the June 15, 2024 Board of Supervisors meeting minutes. She asked for any comments or changes. Mr. Realmuto commented that there were two handouts given to Supervisors, one from Mr. Realmuto and one from Ms. VanSickle. He has two issues with the minutes. One that only one of the handouts was provided and he thinks both should be provided. The other issue was that the Board's discussion was not reflected in the minutes on the four items he provided for each fiscal years budget and the examples and ways they could save money. He asked the Board to not approve the July 15, 2024 minutes until both handouts are included as well as the discussion related to those handouts. The minutes from the July 15, 2024 meeting will be redone and brought back for approval.

**FIFTH ORDER OF BUSINESS****Engineering Report**

Mr. Posten presented the Engineering Report to the Board. The first item discussed is regarding the City of Lake Wales sanitary sewer inspection. He explained that they are making progress with the city, and they have now got back to them. They reviewed the CCTV footage, and they provided them some commentary and notes that he thinks they need to take more time to address. He further explained that they came back to them Friday stating that they are going to get a third party contractor to come and

**August 19, 2024****Lake Ashton CDD**

do a better inspection of the lines than what they could provide in-house. He noted they are agreeable to that; they will make sure that happens in a timely manner and they will bring it back to the Board. Ms. Landgrebe requested that it be within the next 10 days. Mr. Costello responded that he agreed with Ms. Landgrebe, but he doesn't see that happening. Mr. Realmuto stated timeline aside from that, he asked Mr. Posten to address some of the things he saw in the video that was provided, what problems it caused for them and how the city should address it. Mr. Posten explained that what they saw in the footage was areas where there is definitely infiltration in the lines silt sediment buildup. He added that they did not find many locations where it's a panic that that is where it's coming in. It's just in the lines. They also saw some low points in the lines, which indicates that it is settled. He noted direct ties to what is going on on the surface, they don't have that yet aside from one location on Ashton Palms, which is a broke pipe that was saw on the video. The city will repair the pipe and the pavement on top. Ms. Landgrebe ask if they could request the city to reimburse them for incurred costs. Ms. Carpenter responded that they could certainly request it. Ms. Carpenter is going to stay on top of this.

Mr. Posten discussed his next item which is the Hole #4 pond bank repair. He explained that the repair was done, but the rain is still pushing through. It's brought the main area of concern back. He explained that the contractor made that repair twice. They don't think there was a construction defect. They do think it is due to the weather and timing. They are looking for alternative options for that. He noted there is also a full bank restoration plan on that in the next fiscal year and this may be one of the alternatives as they monitor it and get it completed with the full bank restoration. Mr. Realmuto noted concerns. He stated they were not talking just about the repair that was done. For reference, that was a repair they paid \$1,750 for. He noted that repair was done well before the hurricanes. He pointed out that it was washed out when they had a normal Florida thunderstorm. He doesn't buy the fact that it was something unusual that caused it. He understands the proximity, but when they do repairs, they should be expecting rain. He pointed out that the levels of the pond didn't rise prior to the effect from the hurricane. He suggested that perhaps the design of the change wasn't sufficient to handle conditions reasonably expected. He thinks they should be able to expect that we get more than a week or two, which is what they got out of it. He noted he doesn't think the engineer

**August 19, 2024****Lake Ashton CDD**

should have signed off on it. He stated they need a better repair. He suggested that this does not need to, and they need to take an emergency measure before they lose the entire cart path. Mr. Posten clarified that he wasn't linking it to the one significant rainfall event, it's the frequent rainfall events. He explained when they approved the repair, it was the transition between a dryer part of the season and the wet part of the season. Ms. Landgrebe responded that the repair was obviously not a proper repair. She asked what the solution was. Mr. Posten responded that the solution is to restore the whole bank and make it a significantly wider section next to the cart path. He added that is what they have recommended the CDD budget for the next fiscal year. He doesn't know if the funds are there to make that size of a repair now. Mr. Realmuto responded that the reason they maintain their reserve is to handle emergency repairs like this. He wants to see a plan for what would fix the problem with frequent rain. He thinks this should be their #1 priority in terms of things that need to be addressed to prevent further damage. He also stated that if it's that much of a problem that it can't be addressed, they should perhaps consider moving that portion of the path to where it can be maintained. Mr. Posten stated they can bring a recommendation back for the Board next month. Ms. Landgrebe asked if the recommendation would include preliminary pricing. Mr. Posten responded that he would do his best on that. Mr. Realmuto stated essentially they threw away the \$1,750 and he wasn't happy with that. He doesn't think the responsibility necessarily falls on the contractor because he implemented what the engineer proposed. He doesn't think the District was well served by the engineer's decision and he hopes they don't see that again.

Mr. Rayl asked the Board to keep in mind that the golf courses cart path were constructed almost 20 years ago. He explained that there has been no known maintenance of any erosion. He noted that there were many locations where the irrigation system is under water. He further explained that the failure at this location has been underway for 20 years. He stated, as the Board has already determined, there is going to have to be an action plan for these areas. He stated explained that they can dive into the examination and bring back a resolution. He explained that what they did here was they took an opportunity while the contractor was out there making a repair on the flume area. While they were there, they made their best attempt, and they repeated those attempts at trying to hold this other area through the rainy seasons and a tropical event. He offered

**August 19, 2024****Lake Ashton CDD**

to revisit that. Mr. Realmuto stated his concern is if they look along that entire section of the cart path from where the flume repair was done to the other end of the pond, that whole area of the cart path seems that it is approaching imminent failure where there is voids under several sections of the golf path and the other sections the soil has eroded right up to that cart path. He noted they are looking for Mr. Rayl to do an evaluation of that entire bank and what they can do to prevent further damage. He emphasized that the need seems imminent. Mr. Rayl responded that they will look into that further.

**A. Consideration of Proposal from JNS Environmental for 4081 Dunmore Drive S – 555 Catch Basin Repairs**

Mr. Posten discussed the next item on his report, which is the Dunmore Inlets. He stated they have reached out and discussed with some contractors. AAA has put them with JNS Environmental. He presented a proposal from JNS Environmental for \$8,845 per inlet to seal pipes and fill subsurface voids. They recommended the Board do one inlet to make sure that things work. He added they are not very familiar with this form of repair. The Board questioned them not being familiar with this repair.

Mr. Rayl discussed the Dunmore inlets as well and an alternative construction method. He explained that this was an initial construction defect that the developer handed to the CDD, and it's been their problem to fix since then. He further explained that this was an alternative construction method that is different than what has been attempted before. He noted he doesn't have any direct experience with this firm, but he is familiar with the technology. He stated it is done when they are in restricted areas. He stated if this can be done in a non-destructive way, all the better. However, if this method doesn't do it, then they are talking about digging up that entire roadway and rebuilding or they just keep throwing asphalt into depressions. Mr. Realmuto stated he was trying to understand why they want to redo it. He asked Mr. Rayl and Mr. Posten if they have reexamined it in the last month and what they see that has changed from 18 months ago. Mr. Rayl responded that the depression is not the same as it was 18 months ago when the repair was done. Mr. Posten responded that it seems to him that they are deeper than what they have been in the past. He noted that the complaint to them initially was that it has gotten worse. Discussion ensued on the Dunmore inlets. Mr. Realmuto asked if this was

**August 19, 2024****Lake Ashton CDD**

something they should address imminently. Mr. Posten presented an option to the Board from AAA.

**B. Consideration of Proposal from AAA Top Quality Asphalt for Asphalt Patching of Dunmore Inlets**

Mr. Posten presented the proposal from AAA for asphalt patch for \$2,000 per inlet or \$4,000 for all three locations. He explained that they could patch the asphalt and then start taking measurements making sure the depression doesn't reoccur. Mr. Posten stated they recommend the asphalt repair. He explained to fix the surface depression, AAA has to make the asphalt repair and JNS is doing the internal stuff to prevent it from happening again. Discussion ensued on the presented quotes for repairs of the Dunmore inlets. Mr. Realmuto stated even though they save money by repaving them all at the same time, he is hesitant to throw away money on repaving those that they don't do the internal repair on. He noted that it seems like they are repeating the same mistake they made 18 months ago. He added that perhaps they could just do the internal repair on the one most in need. His recommendation is to go ahead and do the one inlet and see how that holds up over time. Mr. Rayl explained that the reason they are having these depressions at these inlets is there is a failure somewhere below the surface. He discussed all the components above the storm pipe. Ms. Landgrebe asked Mr. Rayl if after work is completed, he or Mr. Posten physically go out, validate everything and take photos. Mr. Rayl responded yes. Mr. Realmuto made a specific request that before and after photos be taken with a measurement of the depression all in the photos so there is no question about what was there before and where it is after the repairs are completed. Mr. Posten and Mr. Rayl responded that they could do that. The Board agreed to do the three asphalt repairs for \$4,000 and the one internal repair for \$8,845.

On MOTION by Ms. VanSickle, seconded by Mr. Costello, with all in favor, Items A&B with all Three Asphalt Spots Repaired, was approved 4-0.
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**C. Presentation of Pavement Assessment Report dated August 12, 2024**

Mr. Posten discussed the final item he had, which is the PCI index update. This is provided in the agenda packet for review. He noted there was no immediate action item

**August 19, 2024****Lake Ashton CDD**

involved. Mr. Costello asked if Mr. Posten felt like action needed to be taken on Turnberry at this time. Mr. Posten's response was that it was already slated to be repaved by the CDD. The recommendations are the standard what they apply with the PCI index. He pointed out that Lake Ashton has relatively good road conditions. Mr. Costello explained that they want to be proactive in the fact that they don't want to do it all at once. Mr. Posten stated that there were spot repairs that they continue to maintain annually. He pointed out that on Turnberry a spot repair would be around that inlet where they are doing all the sewer work and that would certainly need to be repaired in the near future. He noted that they want to wait for the sanitary sewer inspection and Turnberry is slated to be repaved. He stated that most of the significant repair needs in the community are based around the curblines and the sunk in curbs, but the asphalt conditions are pretty good. He pointed out that was reflected in the PCI index. Discussion ensued on the PCI index. Ms. VanSickle stated after the last joint meeting, Mr. Mecsics and herself have been meeting to discuss things they can be doing to be more cost-effective and efficient. She noted one of the things they thought of is if they could coordinate some of their pavement projects, they could save the mobilization. She added that this could be advantageous to both sides and they could keep that in mind.

**SIXTH ORDER OF BUSINESS****Old Business****A. Discussion Regarding Status of Lake Ashton Storage Road Repairs on Dunmore Drive (*requested by Supervisor Landgrebe*)**

Ms. Landgrebe stated she has been very concerned that the ripped up road outside the storage unit area is not being attended to. She has brought this up previously that this was not good neighbor policy. She pointed out that most recently they have attempted to dump rock in there. It is still not level and not up to their expectations. She doesn't feel like this item has been expedited and now they also have their construction debris, dirt and skid marks all over the area. Ms. Carpenter responded that there is a lot of communications going back and forth. She knows Rayl Engineering has been on top of that issue. Mr. Posten stated they have submitted plans for the restoration of that portion of the road. They think that work is acceptable the way they have proposed it. He stated they were staying on top of notifying them that the road conditions are unacceptable. Ms. Carpenter responded that they submitted repairs that their engineer

**August 19, 2024****Lake Ashton CDD**

prepared, they have been approved and they are looking for the Board to approve the engineer's recommendation to go forward. Board discussion ensued on the repairs. Mr. Realmuto asked if there were two different types of pavements specified and what is the total thickness or depth of the pavement. Mr. Posten does not have the plans in front of him right now. Mr. Realmuto asked if the plan provided was reviewed and ok. Mr. Rayl responded yes. He discussed the thickness, the depth of the pavement and all the elements. He stated the total depth of the asphalt in the trench is three inches and in the area of overlay it's one and half inches. Mr. Realmuto noted there is an additional problem, which is the debris gathering in the gutter. He asked if there was any requirement specified about clean up downstream heading toward Litchfield Loop. Mr. Posten responded yes; they have brought that to their attention multiple times, and he thinks that is one area they are not doing what they are asking. Ms. Carpenter stated they can make a formal demand that they do those repairs the week of September 6, 2024. They will make it formal and have them acknowledge that they will do the clean-up and everything else they are requesting. The Board agreed. Ms. Carpenter suggested that they demand the cleanup within five days to get that cleaned up and if not, then they will have to get the lawyers involved. After discussion, the Board moved forward with the motion for the engineer to proceed with deadline given, September 6, 2024, to vendor and cleanup of areas, counsel to follow-up with engineer.

On MOTION by Ms. VanSickle, seconded by Ms. Landgrebe, with all in favor, the Engineer to Proceed with Deadline given (9/6/2024) to Vendor and Cleanup of Areas, Counsel to Follow-up with Engineer, was approved 4-0.

**SEVENTH ORDER OF BUSINESS****New Business****A. Consideration to Amend and Extend Agreements for District Services:****I. Third Extension and Amendment to the Landscape Maintenance Services Agreement with Yellowstone Landscape-Southeast, LLC**

Ms. Carpenter explained that these are the annual one-year extensions beginning October 1, 2024. She is providing these a month early so the Board has them. She noted the one comment is on the landscape maintenance. They will confirm the warranty information in there and if not, they will add that to the extension.

August 19, 2024

Lake Ashton CDD

- II. **Extensions to Aquatic Management Services Agreement with Applied Aquatics**
  - a) **East Conversation Area, Mitigations 1B & 7A, Wetlands 2-6 & 8, Pine Island & Utility Easement**
  - b) **West Conservation Area from Clubhouse to Boat Ramp**
  - c) **Lakefront, Twenty-One (21) Golf Course Ponds, E-1 Littoral Shelf, Two (2) Canals, and Thirteen (13) Stormwater Ponds**
- III. **Security Services Agreement with Securitas (*Information regarding this item may be exempt from Public Records Requests; Supervisors will be provided a copy under separate cover*)**

Mr. Realmuto stated these all fall within the budgeted amounts. Ms. VanSickle asked for a motion to approve Items 7A I., II., III.

On MOTION by Ms. VanSickle, seconded by Mr. Costello, with all in favor, Items 7A I, II, and III, were approved 4-0.

**B. Consideration of Draft Changes to Pet Play Park Policies (*requested by Supervisor VanSickle*)**

Ms. VanSickle presented this item to the Board. She stated she met with Ms. Littlewood, Ms. Wells and Ms. VanKirk and one of the concerns with the pet play park is that they be consistent in their rules among all three play parks. She discussed the things that were taken out. One was *"The Security Staff will unlock and lock the gates daily."* because that is not being done on either side. Another was *"No children are allowed in the parks without adult supervision."* because they felt this needed to be defined better. They added *"All Patrons under eighteen (18) years of age must be accompanied at all times by a parent, guardian, or adult Patron over twenty-one (21) year of age."* She noted that part of the committee felt that smoking should be listed as not permitted in the Pet Play Park areas. A change that they wanted was *"No food or dog treats are permitted. Exceptions can be made by the Amenity Manager for special events and activities."* She noted these were suggested changes to the amenity policy that would have to be ratified at a joint meeting. Mr. Realmuto asked if all the concerns and suggestions were addressed with these changes. Ms. VanSickle responded that feedback was considered. Discussion ensued on the Pet Play Park Polices. Ms. Carpenter noted concern with the



**August 19, 2024****Lake Ashton CDD**

verbiage of the policy, “*All pet play parks welcome all sized pets.*” Board discussion ensued on replacing the word “*Pet*” with “*Dog*”. After discussion, the Board agreed to replace the word “*Pet*” with “*Dog*”. Discussion ensued on Policy #14 regarding pet toys being picked up and removed when done. The Board noted the policy should address other items from Patrons than just pet toys should be cleaned up as well.

On MOTION by Mr. Costello, seconded by Ms. Landgrebe, with all in favor, the Draft Changes to Pet Play Park Policies, was approved as amended 4-0.

**C. Discussion Regarding Parking on CDD Property (*requested by Supervisor Landgrebe*)**

Ms. Landgrebe asked for the Board’s opinion regarding the parking on CDD property. She noted that there are cars, pickup trucks, trailers, vendors, etc. parking on CDD property in the grass and it’s leaving indentations in the ground and damage and the CDD is held responsible. She asked the Board if they still want to allow this parking on CDD property, do they want to consider no parking or do they want to only allow parking in certain areas. Mr. Realmuto suggested that if there is an area where it is creating a problem, they could address that individually with no parking signs. He added that he isn’t aware of any such area now, but if there is they should address it on a case-by-case basis. Mr. Costello noted one of the things that he has said in the past was alternate side of the street parking due to the fact that these streets are narrow. He suggested that maybe this was idea they could revisit. Ms. Landgrebe noted the specific areas she is concerned about are to the right of the clubhouse to the ponds, to the left before Berwick, down Dunmore, and down Berwick at the pond. Mr. Realmuto suggested one way to address the issue is roving patrol. It was decided to add this item to the agenda for further discussion next month.

**EIGHTH ORDER OF BUSINESS**

**Monthly Reports**

**A. Attorney**

Ms. Carpenter stated the reciprocal easement was signed. She explained that they were just waiting to get the final attachments to show the actual depiction of where it is, so people don’t have to try to figure it out from the legal description. She further explained

**August 19, 2024****Lake Ashton CDD**

that they got the signature from the developer Friday, so it will get recorded today or tomorrow. She noted that they have talked at length regarding the restaurant letter. The only other thing on her report was regarding the new that was passed effective July 1, 2024. She explained that this new law requires that all governments that enter into contracts with non-governments to get an affidavit from the non-government that they have not coerced anyone into employment. It's in the criminal law for human trafficking. She noted they will have a memo for the Board next month that they will put in the agenda. She added that they will have to get affidavits from most of their vendors going forward.

**B. Lake Ashton Community Director****I. Consideration of Additional Paint Colors for Painting Clubhouse and Surrounding Amenities**

Ms. Wells presented the Community Director Report to the Board. She provided a security update stating they attended their training. She explained that the training for residents will be on her report month to month until it happens, but it's not going to happen before September 10, and it will be once they are finished with credentials. She pointed out that the training does not affect anything that residents are going to get. It just shows residents how to use the visitor management system once they have their credentials and they send them a registration link. She pointed out that they would see those for a couple of months and it's intentional and not anything that has been delayed. She noted the installation has been redone. She stated there were a couple of minor follow-up repairs and they did a walkthrough on August 12, 2024. On the walkthrough, they found some things that need to be repaired. Once the repairs are done and the test happens this week, they will get a point of signoff once they have everything Ms. Wells has requested. She stated the additional work where they uninstalled the conduit did not cost the District any extra money, it was all on them. She stated they have did the first of many final walkthroughs. She reviewed a list of items, but noted they are relatively minor. Mr. Realmuto stated there was going to be no sign off on the Board's side until she has witnessed everything working including all the capabilities of things like cameras that were promised. Ms. Wells stated there was no rush on her end to sign off on anything until everything is right. She added she wants to make sure everything is signed off. She explained that it doesn't mean that they lose service after that because once they sign

**August 19, 2024****Lake Ashton CDD**

off, it just goes into a service and maintenance contract and things are still covered under their warranty, but she needs to make sure everything is as it is in the contract before they sign off on it. She noted they are getting there though, and they are still scheduled for September 10. She put something into the September newsletter, so the residents are aware. She stated news blasts will start going out towards the end of this month letting residents know what to bring and how to be prepared. She is working with Karen on volunteers. She stated they have a procedure in place that they want to show volunteers that will be assisting them. She added that the main thing is to make sure the RFID tag is being placed on the vehicle while they are there or at the HFC under the presence of staff or volunteer. She stated they are planning on distributing Tuesdays through Thursdays from 10 a.m. to 3 p.m. and it will be called by street. She explained they did that, so they had Mondays and Fridays to take care of other tasks that staff has to do. She stated this will be sent out in a blast the week before. They are organizing this with Karen over at HFC. The next thing she reviewed is that they put several articles addressing driver and pedestrian safety in the August newsletter, and they will continue to do that each month to make people aware. She also discussed the item regarding the autonomous golf carts.

Ms. Wells provided a TECO follow-up stating they did have all the poles painted. She added the leaning poles have been taken care of. Since she did this report, they are about 90% done with the identifying numbers. She explained that they have the lights that stay on during the day and they have one light out that they are still working on. They have submitted reports, and they are submitting again. She is going to follow-up with their TECO contact to make sure they are taken care of because one is a safety concern.

Ms. Wells reviewed the general updates and follow-up. She stated the appraisal company has been retained to evaluate the sales office, which will be occurring this week. She will provide more information regarding that at the September meeting. They are still working with RTC Outdoor. She will have the sign options at the September meeting. She stated staff will be presenting quotes for trim lights at the September meeting. She asked the Board if they still want staff to provide quotes at the September meeting for the ballroom kitchen rehab. It was suggested that maybe they should start with an overall plan, break it up and go from there. The Board noted that they would rather allocate some of that money to what is more readily seen rather than the ballroom kitchen. Discussion

**August 19, 2024****Lake Ashton CDD**

ensued on the ballroom kitchen rehab. After discussion, Ms. Wells stated in an effort to keep things moving, she will get some quotes together for the ballroom kitchen rehab so the Board can look at the entire project and then they can determine if they want to do a piece of it or if they want to just defer that way they at least have those plans and then they can decide if they want to discuss it later. The Board agreed.

Ms. Wells presented the project tracking list to the Board.

Ms. Wells also presented paint color options for the clubhouse and surrounding amenities. She noted she is waiting on the larger samples of paint to come in but provided some samples of paint for the Board to view. After discussion, the Board agreed that they are open to new colors, but they don't want not new colors that will require two coats of paint. Ms. Wells asked the Board if they want to paint the guardhouse the same color as the clubhouse and look at painting the columns the same color as the guardhouse. The Board requested that they leave the guardhouse like it is now. Mr. Realmuto stated he thinks they can get away with choosing a slightly lighter shade of the same color. It was decided for staff to make these decisions. Ms. Wells clarified that they would paint the shuffleboard court, the pool columns and the pavilion the same color they choose for the clubhouse. The Board confirmed Ms. Wells statement. There was Board consensus for staff direction to use #3 through #6 choices and make the decisions. Ms. Wells did not recommend painting the gutters and to keep them white as they are now. The Board agreed with Ms. Wells recommendation to keep the gutters white.

## **II. Consideration of Quotes to Replace the Clubhouse Gutter System**

Ms. Wells stated this is the original gutter system and there were repairs done in 2019. She stated that this was a reserve study project that was added to the project list for Fiscal Year 2024. She presented three quotes to replace the clubhouse gutter system. The Board decided to go with the quote from Tropical Seamless Gutters of Central Florida for \$16,400.

<p>On MOTION by Mr. Costello, seconded by Ms. VanSickle, with all in favor, the Proposal from Tropical Seamless Gutters of Central Florida to Replace the Clubhouse Gutter System for \$16,400, was approved 4-0.</p>
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**August 19, 2024****Lake Ashton CDD****C. Operations Manager****I. Landscape Update****a) Presentation of Monthly Landscaping Checklist and Report**

Mr. Fisher presented his report to the Board. He stated in landscaping there are two areas that staff is working on getting updated and new plants installed. He stated he got a quote from Yellowstone. He talked to Mr. Wittman, and he has no issues with them looking at cheaper prices and he will do the labor to install. For Aberdeen, he stated he is going to get with Yellowstone to get a couple of pallets of Bahia sod and fill some of the sandy areas while it's rainy season. He will keep the Board updated, but it should be done by the next Board meeting.

Mr. Wittman stated they got the palm pruning all done. He stated they are waiting on the Bermuda install. It added that it should be available this week and they will get that area done. He noted they removed some palms at the front entry. He stated they are scheduling weed control for the turf areas. He noted for Aberdeen they may send their detailed team there to clean the line up on the fence as mentioned by resident. Ms. Landgrebe wanted to make sure that they are talking about outside of the fence and not on the residents side. Mr. Fisher confirmed that they would be staying east of Berwick. Mr. Wittman stated they would be working on the mulch for November, and they would get it in before Thanksgiving.

Mr. Fisher noted that they also spoke about keeping the fire bush at the entrance about two feet for visual reasons for drivers. He added that it's there, growing back and looks really good. He stated Applied Aquatics is doing fantastic. He noted the ponds look great for this time of year. He also stated they were able to get the boat in to the pond along the green to treat grasses. He is going to go look at that today and see how it's doing so he can update concerned residents. Mr. Costello noted he went through there the other night, and it looks like everything is dying. Mr. Fisher stated honey bees were removed from an area above the ramp leading to the stage of the ballroom. He also stated they had to remove some stucco on the building in the area the bees were removed. He added that they also have some stucco repairs being done in the gate house this week. Ms. Landgrebe asked about the bike rack. Mr. Fisher noted they had some turf left over from the bocce ball courts and they are going to pin down the turf in an area along the cart path to make it the new bike rack area. He pointed out that it can easily be removed

**August 19, 2024**

**Lake Ashton CDD**

if it doesn't work. Mr. Realmuto asked Mr. Fisher to update the Board on the status of the internet and Wi-Fi. Mr. Fisher provided an update on the internet and Wi-Fi stating it was up and running. He noted he would provide an update at the next meeting. Ms. Landgrebe asked about the fountain in the front. Mr. Fisher addressed Ms. Landgrebe's question about the fountain and stated he will get with Angel to take of the fountain.

**D. District Manager's Report**

Mr. LeBrun had nothing specific to report to the Board, but he was happy to answer any questions.

**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**

Mr. LeBrun presented the financial report to the Board.

On MOTION by Ms. Landgrebe, seconded by Mr. Realmuto, with all in favor, the Check Run Summary, was approved 4-0.

**TENTH ORDER OF BUSINESS**

**Public Comments**

Resident Iris Realmuto (Lot 1031) encouraged the Board and staff to paint the building with the paint color samples so they can see how it looks on the building. She also encouraged them to look at other shutter colors than green.

**ELEVENTH ORDER OF BUSINESS**

**Supervisor Requests/Supervisor Open Discussion**

Ms. VanSickle commented with the distribution of the credentials going out, she asked that the Board and staff curtail some of their meetings with Ms. Wells and to be very cognizant with her time. She also commented that a resident brought forward a request to re-name the fitness center for J. Davenport because he was in there almost daily and was one of their most senior residents. The Board all agreed.

**August 19, 2024**

**Lake Ashton CDD**

On MOTION by Mr. Costello, seconded by Mr. Realmuto, with all in favor, Renaming Fitness Center for J. Davenport, was approved 4-0.

**TWELFTH ORDER OF BUSINESS**


**Adjournment**

The meeting was adjourned.

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

*Jill Burns*

Secretary / Assistant Secretary

Signed by:  
  
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Chairman / Vice Chairman