

MINUTES OF MEETING
LAKESIDE PLANTATION
COMMUNITY DEVELOPMENT DISTRICT

The regular meeting of the Board of Supervisors of the Lakeside Plantation Community Development District was held on Wednesday, February 16, 2022 at 6:00 p.m. at the Lakeside Plantation Clubhouse, 2800 Plantation Boulevard, North Port, Florida.

Present and constituting a quorum were:

Joe Szewczyk	Chairman
Pina Chichelli	Vice Chair
Alan (Bud) Sabol	Assistant Secretary
Bill Roumy	Assistant Secretary
Bonnie Benjamin	Assistant Secretary

Also present:

Tricia Adams	District Manager
Darrin Mossing <i>(by phone)</i>	GMS
Jordan Lansford <i>(by phone)</i>	GMS
Sarah Sandy <i>(by phone)</i>	District Counsel
Brent Burford <i>(by phone)</i>	District Engineer
Alex Murphey	WTS Operations Manager
Courtney Sears	WTS Resident Services
Residents	

The following is a summary of the discussions and actions taken at the February 16, 2022 meeting. A copy of the proceedings can be obtained by contacting the District Manager.

FIRST ORDER OF BUSINESS

Roll Call

Ms. Adams called the meeting to order at 6:02 p.m. and called the roll. All Supervisors were present.

SECOND ORDER OF BUSINESS

Pledge of Allegiance

The pledge of allegiance was recited.

THIRD ORDER OF BUSINESS

Audience Comments on Specific Items on the Agenda *(Speakers will fill out a card*

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and submit it to the District Manager prior to beginning of the meeting)

Ms. Adams opened the public comment period. Request to Speak Forms were submitted by the following residents:

- Mr. Gary Buehler of 1995 Scarlett Avenue questioned the status of the sidewalk leveling. A woman fell down at 1987 Scarlett Avenue a year-and-a-half ago and the sidewalk has still not been leveled. There was another incident this week. *Ms. Adams stated that this item would be discussed under the Amenity Manager's Report.*
- Ms. Donna Keller of 2395 Savannah Drive reported that twice, no one from the new management company was present to start water aerobics. On New Year's Eve, 14 women were in the pool waiting for someone to show up and the same thing happened yesterday. If no one was going to be present, participants wanted to know.
- Ms. Ann Tyler of 1988 Scarlett Avenue felt that there should be ample food if the wine and cheese event cost \$2 per person and did not affect the District's budget. At the last event, there were two trays of cheese.
- Mr. Bob Edenberg of 2444 Magnolia Circle was on the Board for The Villas and wanted to know when the sidewalks would be repaired. *Ms. Adams stated that the status of the proposal approved at the last meeting for the sidewalks would be discussed under Staff Reports.*

Ms. Adams closed the public comment period.

- **Discussion Regarding Tax Certificate Sales Process (Added)**

Ms. Adams stated yesterday, a memorandum regarding the tax certificate sales process was circulated to the Board, which was prepared by Mr. Darrin Mossing of GMS. At last month's meeting, Mr. Mossing presented the concept of the District purchasing unsold tax certificates. This past month, staff gathered additional information, which was included in the memorandum. Mr. Mossing reiterated the tax certificate sales process explained in detail at the last meeting. Discussion ensued and Mr. Szewczyk questioned the following:

- *If the District could file for the tax deed sale after two years.* Mr. Mossing explained that the District would buy the tax certificates but would not buy a tax deed until year seven. If they purchased two years' worth and then filed for the

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tax deed sale, they must pay 18% to the prior five-year certificate holders. The benefit for the District was to follow the process to year seven and then take ownership of the property.

- *If they must purchase this tax certificate every year for seven years.* Mr. Mossing explained at the end of May 2022 for Lot 6, they would be three years into a seven-year process and there would be another four years before all of the prior tax certificates were null and void. In year seven, the District would not have to pay anyone because it owned all of the prior tax certificates. The tax certificates that were outstanding for Lots 3 and 6 were listed on the back of the memorandum.
- *How much the District was losing if they did nothing.* Mr. Mossing confirmed that they would not realize the tax revenue on those properties, which was \$38,000.

Mr. Mossing recommended that the District purchase all of the county tax certificates and the District replace the county as the tax certificate holder. It was a win-win for the District because the District would end up with property exceeding the value of the cost the District has into the property and if a private certificate holder files for a deed, they must pay 18% to the District. Ms. Sandy clarified that the District would only get a portion of the money back less the taxes outstanding on the property. Mr. Mossing noted in 2026 for Lot 6 and 2027 for Lot 3, the District would have property valued at \$318,000 and would only be paying \$36,000. The District could then sell that property and recover not only all of the costs, but a tax certificate windfall. Ms. Benjamin questioned the worst-case scenario. Ms. Adams noted several legal aspects still would need to be looked at. Staff just wanted to make sure that the Board was comfortable spending money on a legal analysis for monies that could be used and potential repercussions.

If approved, Mr. Mossing stated that the 2018 certificates would be purchased first for Lot 6 in the amount of \$41,000, but if it was more than projected, it would be brought back to the Board. Mr. Sabol did not see this as a losing process because the State of Florida was projected to double in size. Mr. Mossing felt that the risk was limited as they would not take the next step until the money was returned from the first step. Once the money was returned, that money would be used to buy the next year's tax certificate. Ms. Sandy advised that potentially capital reserve funds could not be used for this process because it was not known whether the bonds originally levied by the District could be used for this purpose. Mr. Mossing recommended

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checking with the auditor to see if this was an investment. Mr. Szewczyk recommended proceeding and directing staff to determine how to pay for this. With no further questions, Ms. Adams stated that staff will investigate the investment aspect and the appropriate funding sources. *There was Board consensus. Mr. Mossing left the meeting.*

FOURTH ORDER OF BUSINESS**District Engineer's Report****A. Consideration of Scope of Work for Preserve Area Maintenance**

- i. Treatment and/or Removal of Exotics**
- ii. Thinning of Palmettos**
- iii. Removal of Grapevines**

Ms. Adams stated that Mr. Burford was going to present this item, recalling last month that as Mr. Burford was inspecting the property, noted there were some dead grapevines. The Board may want to consider removing the grapevines, thinning palmettos, and removing exotics in some of the preserve and conservation areas. In order to provide the Board with some background information, Mr. Burford re-circulated a memorandum from 2015. Then the Board can decide if they want staff to obtain proposals. Mr. Burford recommended focusing on removing the exotic plants, especially the Brazilian Peppers and managing the Palmettos and grapevines, which were native plants. They must grind and chop to remove the Saw Palmettos and cut back the grapevines close to the ground, remove as much as vines as possible from the tree and treat what remained on the ground. The last maintenance of the preserve area was in 2019. Treatments in the preserves were recommended, especially the exotics once a year for five years. This was typical in a lot of communities, especially where mitigation takes place. Mr. Burford recommended having their ecologist revisit the site, revise the report and provide recommendations, so they could prepare a bid package with specifications. He would provide separate prices to treat the exotics, thin the Palmettos and remove grapevines.

Mr. Roumy questioned the cost when the exotics were treated in 2019. Mr. Burford recalled that Earth Balance had the low bid of \$14,000 for exotic removal. Mr. Roumy questioned the cost for effective treatment each year. Mr. Burford estimated \$20,000 to only treat the exotics and suggested asking the contractor to look at it again. Mr. Roumy asked how soon they would need to do the applications this year. Mr. Burford recommended treating before the rainy season. Mr. Sabol asked before they do anything if the ecologist should look at it. Mr. Burford recommended a thorough study. When they go out for prices, at Mr. Szewczyk's request, Mr. Burford would provide a breakdown of prices by the exotics. Ms. Adams

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recommended that the Board set an estimated amount to maintain the preserves each year as this was not a budgeted item. Mr. Szewczyk proposed not taking action at this time but planning for this maintenance in the upcoming budget and for Brent's team to prepare the report closer when the Board would take action. Ms. Adams would add this item to the Action items List.

Mr. Burford was asked at the last meeting if it would be possible to do some grading to allow the water to flow off from the pool equipment. It does not appear feasible. They must install a drainage inlet to pipe into the existing concrete drainage structure. He was working with the contractor to get a price. Mr. Burford met with the contractor to look at the drop off along the sidewalk at the tennis courts along Court 1 and was still waiting for a price. Ms. Adams asked if there was an update on the status of the Stormwater Needs Analysis Report. Mr. Burford was halfway through the report. Once he gets to a certain point, he will send an email to the District Manager to verify the information in the report was correct.

Mr. Burford left the meeting.

FIFTH ORDER OF BUSINESS

Unfinished Business

There being none, the next item followed.

SIXTH ORDER OF BUSINESS

New Business Items

A. Consideration of Proposals for HVAC Preventative Maintenance

- i. Air 360**
- ii. Cool Today**

Ms. Adams recalled that the Board wanted to enter into a Preventative Maintenance Program for the HVAC units. Ms. Alex Murphey of WTS presented proposals from Air 360, Cool Today and Honest Air. Air 360 serviced existing HVAC systems at Lakeside Plantation and WTS worked with Cool Today and Honest Air at other sites. Air 360 was the lowest but did not offer as much as Cool Today and Honest Air. They included priority customer service, which was extremely important with their older units. The only difference between Cool Today and Honest Air was that Honest Air included flushing of the drain lines and algae control tablets and Cool Today did not charge overtime.

Mr. Roumy noted that Air 360's quote did not specify the type of units or duration of the contract. Ms. Murphy stated that Air 360 looked at the units. One unit was commercial and one was residential. Mr. Roumy stated the price was based off of their service calls and a one-year contract. Cool Today and Honest Air did not include a 15% discount on parts and labor like Air

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360 did; however, Air 360 charged \$600 per year plus \$59.95. Ms. Murphy clarified the \$59.95 was a service rate outside of their regular visit. Mr. Sabol voiced concern that Air 360 was charging \$600 per year to come out to check the belts and filters. Ms. Adams stated the scope of the preventative maintenance services for each company was on the comparison list. The total cost from Air 360 was \$600, \$1,012 from Cool Air and \$826 from Honest Air per year. There were additional fees for service calls and labor rates per hour. Mr. Sabol felt unless there was a catastrophe, they should only come out once per year. Ms. Benjamin questioned the number of service calls in the last several years. Ms. Adams noted several service calls and the age of the HVAC equipment. Based on the scope of services, Mr. Szewczyk eliminated Air 360. Since Cool Today and Honest Air were comparable and Honest Air was \$200 less, he selected the proposal from Honest Air.

Mr. Szewczyk MOVED to approve the proposal with Honest Air for HVAC preventative maintenance in the amount of \$826 and Ms. Benjamin seconded the motion.

Mr. Roumy had an issue with WTS not negotiating with vendors. Mr. Sabol preferred Air 360 as their rates were not higher to be onsite weekends and after hours versus Honest Air, which charged \$179 per call. In the future, Ms. Adams would work with amenity management regarding getting the most competitive bids.

On VOICE VOTE with Ms. Chichelli, Mr. Szewczyk and Ms. Benjamin in favor and Mr. Roumy and Mr. Sabol dissenting, the proposal with Honest Air for HVAC preventative maintenance in the amount of \$826 was approved, subject to District Counsel review and providing an addendum in favor of the District. (Motion Passed 3-2).

B. Approval of Resolution 2022-03 Designating Registered Agent

Ms. Adams stated Resolution 2022-03 updated the contact information for Registered Agent, which is Ms. Sarah Sandy at Kutak Rock.

On MOTION by Mr. Szewczyk seconded by Mr. Sabol with all in favor Resolution 2022-03 Designating the Registered Agent was adopted.

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C. Ratification of Proposal for Upgrade/Replacement of Fire Alarm System

Ms. Adams stated the proposal to replace a fire alarm control panel in the amount of \$4,995 was signed by the Chairman on February 8th. This was a health/safety issue as this system automatically signals the Fire Department when there was an event. Ms. Benjamin asked what happens if it was not ratified. Ms. Adams stated the ratification protects the Chairman as well as the District.

Mr. Szewczyk MOVED to approve the proposal for the replacement of a fire alarm panel in the fire alarm system in the amount of \$4,995 and Ms. Benjamin seconded the motion.

Mr. Roumy asked if the \$4,995 was in the budget. Ms. Adams stated it would be considered a capital purchase that was factored into the budget.

On VOICE VOTE with all in favor the proposal for the replacement of a fire alarm panel in the fire alarm system in the amount of \$4,995 was approved.

SEVENTH ORDER OF BUSINESS**Business Administration****A. Approval of Minutes of January 19, 2022 Meeting**

Ms. Adams presented the minutes from the January 19, 2022 meeting. Since Board Members just received the minutes yesterday, the Board could either email their corrections and approved the corrected minutes at the next meeting or approve them now if they had ample time to review them.

On MOTION by Ms. Bishop seconded by Ms. Chichelli with all in favor the Minutes of the January 19, 2022 Meeting were approved as amended.

B. Approval of Check Register

Ms. Adams presented the summary of invoices from January 1st to January 31, 2022 in the amount of \$64,501.13. Ms. Benjamin asked what the deluxe business deposit slips were for. Ms. Adams believed that it was a banking fee and would investigate further. Ms. Benjamin noted the Comcast bill was a dollar off. Mr. Szewczyk questioned the Innotech invoices. Ms. Adams stated that Innotech was a general contractor that did odd jobs around the property. Ms. Murphy noted that some of the invoices were old. Mr. Szewczyk asked why the North Port Utilities bill

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increased from \$445 to \$1,640. Ms. Adams explained during the summer months, there was a high-water bill related to a leak. They petitioned the city for a leak adjustment, which the city approved. There were also some escalating water expenses related to another meter, which staff was investigating as the bill was in excess of their previous average. They were anticipating that it was related to a recent issue and needed to apply for a leak adjustment once repairs were made. This was being investigated.

On MOTION by Mr. Szewczyk seconded by Ms. Benjamin with all in favor the January Check Register was approved.

C. Balance Sheet and Income Statement

Ms. Adams presented the Unaudited Financials through the end of January 31, 2021. \$135,000 was transferred to the General Fund to the Capital Reserve fund. No Board action was required.

EIGHTH ORDER OF BUSINESS

General Audience Comments

Ms. Donna Keller (Savannah Drive) felt that it was too risky for the District to purchase unsold tax certificates. The air conditioner at her home was serviced twice per year.

NINTH ORDER OF BUSINESS

Staff Reports

A. District Counsel

Ms. Sandy requested that the Board schedule a rulemaking hearing to amend the rules governing the portion of the driveway within the District right-of-way (ROW) as the District owns the ROW and has the right to maintain that area.

Mr. Roumy asked how they could know whether the road was common area. Ms. Sandy stated it was not clear in the declarations and covenants how common area was defined, but for the carriage homes it was more specific as the ROW owned by the District did not qualify as common property. Mr. Sabol concluded it was not a CDD problem as the apron belonged to the homeowner and it was up to the individual HOAs to maintain it. Ms. Sandy noted only in a circumstance of a health/safety issue would the District have an obligation to take action. Ms. Adams stated if an apron was cracked, it was the responsibility of the homeowner to maintain it, but the District had the ability to repair it, should the Board choose to do so. Furthermore, it was Ms. Sandy's recommendation, based on her review of the covenants and other authoritative

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documents, the apron was the resident's responsibility and Resolution 2018-06 would be amended to that effect through a rulemaking hearing. Discussion ensued.

On MOTION by Ms. Chichelli seconded by Ms. Benjamin with all in favor scheduling a rulemaking hearing for April 20, 2022 at 6:00 p.m. at this location to amend the rule governing the road verge was approved.

B. District Manager

Ms. Adams recommended summary minutes versus verbatim. There was Board consensus to have summary minutes.

i. Action Items List

Ms. Adams presented the Action Items List, which was included in the agenda packet and reported on the following:

1. Drainage Behind Tennis Courts: Reported by the District Engineer.
2. Determine Feasibility of Fountains and/or aerators on Certain Ponds: On hold.
3. Proposals for Access Control and Security Cameras: Presented to the Board at the Closed Session.
4. Traffic Calming: Management reached out to the City of North Port Police Department regarding traffic enforcement. They will provide a Speed Study.

Mr. Sabol noticed that traffic has calmed down. Mr. Szewczyk witnessed police enforcement on Plantation Boulevard. Mr. Roumy questioned the delay in getting speed bumps. Ms. Adams stated that the Board's priority was the access control system and security cameras and less on funding speed humps. She recommended working with the Police Department as no expense was incurred to the District directly for enhanced traffic enforcement efforts.

5. Pool Equipment Area Drainage: Discussed.
6. Nuisance Vegetation in Natural Areas: There was a recommendation by the District Engineer that the preserve areas were maintained. Staff will seek further information to provide a budget for future years.
7. Consideration of Tax Certificate Purchase: Under investigation. An update will be provided at the next meeting.

Ms. Adams will include the Stormwater Needs Analysis Report on the Action Items List.

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C. Amenities Manager – Monthly Report

Ms. Murphey presented the Amenities Manager Report, which was included in the agenda package. The deteriorating bocce ball court benches were removed and maintenance staff cleaned the concrete pads. The new benches were ordered and should arrive shortly. The area between the tennis foot wash station had a temporary fix. They were looking for better improvements. The pool signs arrived and will to be installed. Proposals for fountain preventative maintenance would be presented at the next meeting. One Clubhouse speaker was needed along the patio. Three were out and two were replaced. They were trying to find a single speaker that matched the other two. The fountain spotlights were repaired within a couple of days. They were looking at replacing the treadmill versus repairing the track. Regarding the sidewalk repairs, a walk-through was scheduled with the vendor on February 21st. There was one walk-through with the vendor and the Board approved the repairs. All areas identified to be hazardous will be marked during the walk-through on Monday and the grinding was scheduled on February 28th.

Mr. Roumy questioned the sidewalk on Plantation Boulevard. Ms. Murphey stated they were trying to determine if it was city or District property as it was on Plantation Boulevard where it meets the District's sidewalk. Last week, the city claimed it was not their property. Mr. Roumy asked who would be responsible if someone falls. Ms. Adams stated staff notified the city about the portion of sidewalk owned by the city. Mr. Roumy felt that it was safety issue and should be corrected right away. Mr. Roumy suggested sending a letter to the city. Ms. Adams stated staff would continue to investigate and get District Counsel involved if necessary. Ms. Murphy would investigate areas reported by residents at this meeting and follow up.

Ms. Murphy reported a lake filter hose and floating ducks were placed in the pond to help with the muck. Quotes were being received for the cracks on the pickleball court and the areas were marked. All items identified on the EGIS Insurance Report were handled. The dead Palm tree in front was removed on Monday. The annuals lost in the recent freeze will be replaced, but many will come back. The spring annuals may be planted earlier. As of February 28th, staff proposed changing the amenity hours to 9:00 a.m. to 8:00 p.m. Monday through Thursday, 9:00 a.m. to 7:00 p.m. on Friday and Saturday and 10:00 a.m. to 4:00 p.m. on Sunday. There was a last-minute change on Monday, which affected water aerobics. This will be communicated better to residents. There was less usage of the facility after 7:00 p.m. with the exception of CDD

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meetings. A resident noted that the card group met until 8:30 p.m. on Thursdays. Mr. Sabol suggested changing the Sunday hours from 9:00 a.m. to 4:00 p.m. to accommodate tennis players.

On MOTION by Mr. Szewczyk seconded by Ms. Chichelli with all in favor the proposed amenity staffing hours effective February 28, 2022 were approved.

Ms. Murphy stated that the wine and cheese event was not breaking even and staff will look at how that money was being spent. Resident Ann Tyler noted that people were sneaking into the event. Ms. Murphy stated they may need to implement a check-in system. Once they implement the access control system, they will roll out a resident registration system and improve the new resident orientation process. Staff was working on reviewing the Amenity Policy. The Amenity Manager was sending bi-weekly e-blasts to the community. The last one was sent two weeks ago and one will be sent this week. An Emergency Action Plan was being worked on. The plan was to have it in time for hurricane season. A new tennis instructor was starting. There will be additional promotions for the tennis membership.

TENTH ORDER OF BUSINESS

Other Business

There being none, the next item followed.

ELEVENTH ORDER OF BUSINESS

Supervisor's Requests

Mr. Sabol provided the name of a non-resident that was using the tennis courts. Ms. Murphy requested the name. Mr. Sabol stated one individual goes into the office requesting copies. Ms. Murphy was aware of the issue and would address it. Their printers were not equipped for that purpose.

TWELFTH ORDER OF BUSINESS

Closed Session - Confidential

Ms. Adams stated in accordance with the Florida Statutes, the District has the ability to meet without the public being present. Members of the public were asked to leave the room. *The Closed Session commenced at 8:15 p.m. After the Closed Session, the meeting was adjourned.*

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THIRTEENTH ORDER OF BUSINESS

Adjournment

On MOTION by Mr. Roumy seconded by Ms. Benjamin with all in favor the meeting was adjourned.

DocuSigned by:

Tricia Adams

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Secretary/Assistant Secretary

DocuSigned by:

Joe Szewczyk

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Chairman/Vice Chairman