

**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, **August 17, 2022** at 6:00 p.m. via Zoom Communication Media Technology and at the Lakeside Plantation Clubhouse, 2800 Plantation Boulevard, North Port, Florida.

Present and constituting a quorum:

Joe Szewczyk	Chairman
Pina Chichelli	Vice Chair
Alan (Bud) Sabol	Assistant Secretary
Bill Roumy <i>via Zoom</i>	Assistant Secretary
Bonnie Benjamin	Assistant Secretary

Also present:

Jordan Lansford	GMS – District Management
Sarah Sandy <i>via Zoom</i>	District Counsel
Brent Burford <i>via Zoom</i>	District Engineer
Margie Gertsmann	WTS Amenity Manager
Alex Murphy	WTS Operations Manager
Landscape Maintenance Professionals Representative	
Residents	

*The following is a summary of the discussions and actions taken at the August 17, 2022 meeting. A copy of the proceedings can be obtained by contacting the District Manager.*

**FIRST ORDER OF BUSINESS**

**Roll Call**

Ms. Lansford called the meeting to order at 6:00 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** (*Audience Comments Limited to 3 Minutes per Person*)

Ms. Lansford opened the public comment period. Resident Pat Lavoy requested that the CDD allow use of the nine parking spaces on the north end of the parking lot for overflow parking. Many residents had kids who drive vehicles and this would resolve the parking issues on the swale, which were not getting resolved. There being no further comments, Ms. Lansford closed the public comment period.

**FOURTH ORDER OF BUSINESS**

**Audience Comment Tracker**

There were no comments from the Board on the Audience Comment Tracker.

**FIFTH ORDER OF BUSINESS**

**District Engineer**

Mr. Sabol requested that Mr. Burford look at trees growing onto CDD property and provide an analysis of having solar panels as electric bills would double in future years.

*\*Mr. Burford left the meeting.*

Ms. Lansford suggested moving the consideration of the landscape bids since it would affect the budget. Mr. Szewczyk agreed.

- **Consideration of Informal Landscape Bids** (*Item 6C*)
  1. **Landscape Maintenance Professionals**
  2. **Brightview**

Ms. Lansford presented bids received from Landscape Maintenance Professionals (LMP), Brightview and Mainscape for landscaping services, which were included in the agenda package. The District was currently paying \$91,860 to Bloomings, who submitted their resignation. Their last day was on September 7<sup>th</sup>. The bids were as followed:

- Brightview - \$221,000 for the first year, which was an increase of \$129,140 from the current contract.
- LMP - \$154,039.66 for the first year, the lowest bid, which was an increase of \$62,179 from the current contract.
- Mainscape - \$194,999 for the first year, which was an increase of \$137,139.37 from the current contract.

Representatives of LMP and Brightview were present to answer questions. Mr. Szewczyk was not happy with the bid amounts, but would highly consider LMP, based on their rate and the District's current financial situation. In his opinion, an increase of \$62,000 was better than an increase of \$137,000. Ms. Chichelli agreed. Mr. Sabol felt that LMP was a good landscaping company and an increase of \$100,000 was a great deal of money. Discussion ensued.

A representative from LMP stated that they maintained the landscaping for the Bobcat Trail CDD and felt that Lakeside Plantation was a good fit for their company. The bid amount of \$154,039.66 included mulch and without mulch, the bid amount would be \$138,000. LMP worked with GMS in other CDDs, had a good reputation and was in businesses for 25 years. They had three offices. Their office in Sarasota handled properties from Sarasota to Port Charlotte. Mr. Roumy asked if the Arbor Care Program included palm trimming. The representative explained that the palm trimming was one time per year, but was considered a maintenance item and arbor care was for 10-feet to 12-feet high hardwood trees. They also had an online work order system. Ms. Lansford noted if more than one trimming was needed, LMP would submit a proposal.

Mr. Roumy MOVED to award the landscape maintenance contract to Landscape Maintenance Professionals with a start date of September 7, 2022 and Ms. Chichelli seconded the motion.

Mr. Sabol questioned the termination period for LMP. Ms. Lansford stated that typically, termination was 30 days with cause and 60 days without cause. Bloomings was going to terminate with 30 days' notice, but since it was without cause, they remained for 60 days until September 7<sup>th</sup>. Ms. Sandy stated that a form of contract was sent out with the RFP, but at the Board's direction, the contract could be revised to include a 30-day termination with cause and 60 days without cause. In response to Mr. Szewczyk's question, the representative from LMP confirmed that they could start on September 7<sup>th</sup>.

On VOICE VOTE with all in favor awarding the landscape maintenance contract to Landscape Maintenance Professionals with a start date of September 7, 2022 was approved.

**SIXTH ORDER OF BUSINESS****New Business Items****A. Public Hearings****1. Public Hearing on Amending the Amenity Facilities Policies & Amenities Rates, Deposits & Fees, Resolution 2022-11**

Ms. Lansford presented Resolution 2022-11 and the most up-to-date Amenity Policies, which include the tennis rates. Mr. Roumy addressed the following:

- Requested on Page 4, splitting tennis guests into resident/renter guests and tennis member guests and having it reflect that the resident/renter guest must be staying at the resident/renter's house for a period of time, but the tennis member can invite a guest to play for a \$10 fee.
  - Ms. Sandy would amend the Guest Policy under the tennis section to provide for the Pay-to-Play Policy, stating the limitation on tennis guests does not apply to registered guests staying in a resident/renter's home located within the District for a period of time.
- Referred to the provision on Page 6 under the Guest Policy, "All guests under 15 years of age must be accompanied full-time using the amenity facility by a parent or adult over 18 years old" and asked what happened if a guest was between 15 years of age and 18 years of age or a 17-year-old.
  - Ms. Gertsman explained that the person accompanying the person under 15 years of age must be 18 years of age. Ms. Sandy clarified that guests 15 years of age or younger must be accompanied by a guest 18 years of age. A 17-year-old would not have to be accompanied.
- On Page 9, Item 16, where it says, "Skateboarding was not allowed on amenity facility property at any," the word, "Time" was omitted.
  - Ms. Sandy would add the word, "Time" as well as update the definition for tennis; however, the provision for non-resident members renting the amenity facilities would remain, due to a non-resident member paying the rate having the same rights as a resident member to rent the facilities.
- Questioned the provision for normal operating hours on Page 11.
  - Ms. Gertsman confirmed that the normal operating hours were the hours that the building was open. Ms. Benjamin noted that the tennis court hours were 8:00 a.m., but the gates were programmed for 7:00 a.m., when the

pool opened.

- Referred to the provision on Page 12 where no food or beverage was permitted on the wet deck area within 4-feet and requested that food be prohibited on the pool deck as there were tables in the breezeway.
  - Mr. Szewczyk stated that food was permitted on the pool deck as long as it was away from the wet deck area.
- Questioned whether the Guest Policy on Page 15 for guests who frequently play should be monitored or be no more than twice a month for free.
  - Mr. Szewczyk agreed that it should be defined with a number for guests who frequently play. Mr. Roumy requested that a tennis guest become a tennis member if they play more than twice per week.
- Requested that the Tennis Court Facility Policies include the Ball Machine Policy and fees, turning off the light and Reserve My Court limitations. Ms. Sandy would include this change.
- Requested that the 3% increase for the Tennis Membership Rate effective on October 1<sup>st</sup> be changed to 5%.
  - Mr. Lansford noted that 3% was standard and could be reviewed each year. Ms. Sandy recalled that when the Board adopted the tennis membership rates last fall, the 3% was based off of a chart for each fiscal year that was included with the rates; however, this was the maximum amount that the Board could go up to. Mr. Szewczyk agreed with 3% as the Board had the flexibility to increase it at any time.

Ms. Chichelli requested a provision to respect wildlife. Ms. Sandy would include this change.

On MOTION by Mr. Szewczyk seconded by Ms. Benjamin with all in favor the Public Hearing on amending the Amenity Facilities Policies and Amenities Rates, Deposits and Fees was opened.
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Ms. Lansford opened the public comment period. Residents were asked to state their name and limit their comments to three minutes. Resident Monica Lewis of 1560 Scarlett Avenue questioned why community clubs fall under the Sunshine Law and if the provision on

Page 19 referring to amenity facilities not being used for commercial purposes, pertained to swim and tennis lessons, classes and if there was compensation back to the CDD. Mr. Szewczyk did not believe that community clubs should follow the Sunshine Law since they were not committees. Ms. Sandy agreed as long as they were not official designated CDD clubs, provided information or advised the Board.

On MOTION by Mr. Szewczyk seconded by Ms. Benjamin with all in favor the Public Hearing on amending the Amenity Facilities Policies and Amenities Rates, Deposits and Fees was closed.

Mr. Roumy addressed the following:

- Requested on Page 17, that pickleball fall under same Guest Policy as the Tennis Policy for playing no more than twice per week and have the same hours as tennis.
  - Mr. Szewczyk agreed, as long as it was for residents only because there were no memberships for pickleball. Mr. Roumy confirmed that it would be for residents and renters. Ms. Sandy must verify whether the advertisement included a tennis guest fee, but if there was a limitation on guests for pickleball, they would not be able to play at a certain point. *Ms. Sandy would include that guests could only play pickleball no more than twice per week.* Mr. Roumy also wanted pickleball to be open at 8:00 a.m. versus 7:00 a.m. due to the noise. Mr. Szewczyk preferred that the pickleball hours be the same as the tennis hours. Ms. Sandy would include the same hours as tennis for pickleball in the policy.

Mr. Szewczyk requested changing the provision under General Facility Reservation Policy to allow reservations to be made for a maximum of six hours, for all facilities listed in the reservation policy and include a fee in additional 30-minute increments. On Page 17, under the Tennis Facility Policies, he requested the following language to the Sports Policies: “Remember, not only is pickleball a lifetime sport, it is also a game of sportsmanship, proper etiquette and fair play.” For the Bocce Policies, Mr. Szewczyk requested no bare feet and cover-ups for swimwear. Ms. Chichelli requested that the rental by HOA, limit the number of copies. Mr. Szewczyk

suggested limiting to 25 black and white pages per meeting. Mr. Roumy requested not making copies for individuals unless it was an emergency. Ms. Sandy would include these changes.

On MOTION by Ms. Chichelli seconded by Mr. Szewczyk with all in favor Resolution 2022-11 Amending the Amenity Facilities Policies & Amenities Rates, Deposits & Fees was adopted.

**2. Public Hearing on the Adoption of the Fiscal Year 2023 Budget**  
**• Presentation of FY 2022-2023 Budget**

Ms. Lansford presented the Fiscal Year 2023 Budget, noting that the overall increase from last year was \$88,194, of which \$85,905 was due to the new amenity contract with WTS and \$2,289 in other fees that increased. She received several questions about the tax certificate funds of \$75,000 and explained that these were funds that were already existing and not being assessed. The budget was adopted at \$91,860, with the anticipation that Bloomings would not have resigned, which was increased to \$155,000, based on the contract from LMP. The Board set aside \$134,000 based on the Reserve Study for repairs this year. Since Bloomings resigned, \$62,179.66 of the \$134,000 would be used for landscaping, leaving \$70,000 for the Clubhouse and AC repairs. She reminded the Board that just because funds were set aside for the tax certificates, did not mean that the Board had an obligation to purchase them. According to the Special Assessment Receipt Schedule, the District was 102% collected, which meant that someone purchased tax certificates; however, the county website did not show that tax certificates were purchased and were confirming this.

**a. Open the Public Hearing**

On MOTION by Mr. Szewczyk seconded by Ms. Benjamin with all in favor the Public Hearing on the Adoption of the Fiscal Year 2023 Budget was opened.

**b. Presentation of FY 2022-2023 Budget**  
**c. Public Comments**

Ms. Lansford opened the public comment period. Residents were asked to state their name and limit their comments to three minutes.

- Resident Donna Keller of 2395 Savannah Drive understood that the tax certificate was off the table, but if not, she had strong objection to the District purchasing tax certificates.
- A Resident received an Excel document showing the increase for the CDD assessments, noting that the assessment in 2020 was \$700 for the townhomes and was now over \$1,000, for a 35% increase and questioned the \$88,194 increase. Ms. Lansford would speak to the resident after the meeting.
- Resident Monica Lewis of 1560 Scarlett Avenue thanked Mr. Szewczyk for responding to the following concerns on the budget: There was a \$25,000 line item for *Security Patrol*, but according to the March minutes, *Security Patrol* was eliminated; the revenue line item was optimistic; *Sidewalk Repair* was under budgeted at \$2,500 when \$13,830 was spent through April 30<sup>th</sup>, with much more sidewalk repairs; *Water Utility Services* should be increased; *Personnel Services (Management Contract)* should be increased for more coverage in the evening and a professional should provide an opinion on the tax certificates and not the attorney.
- Resident Irving Alston of 1762 Scarlett Avenue questioned the beginning fund balance of \$28,257, as there was \$36,500 in revenue and what could be done to increase revenue.

**d. Close the Public Hearing**

On MOTION by Mr. Szewczyk seconded by Ms. Chichelli with all in favor the Public Hearing on the Adoption of the Fiscal Year 2023 Budget was closed.

The Board requested the following changes:

- Increasing *Road & Sidewalk Repairs & Maintenance* by \$12,500 to \$15,000
- Decreasing *Landscape Maintenance – Contract* by \$15,000 from \$170,000 to \$155,000
- Decreasing *Telephone & Internet Service* by \$500
- Decrease *Pool Maintenance – Other* to \$5,000

- Removing *Mulch*
- Removing *Irrigation*
- Removing *Security Patrol*

Based on the changes, Ms. Lansford estimated \$60,740 was removed from the budget and \$12,500 was added for a difference of \$48,020. The Board had two options, leaving the reserve transfer at \$71,820 or adding \$48,020 to the *Reserve Fund* for capital improvements, for a total amount of \$120,060. Mr. Szewczyk wanted to lower the assessment slightly, yet maintaining the reserve as they had an aging facility. Ms. Chichelli questioned the cost to repair the AC. Ms. Lansford stated the replacement of the AC was a capital expense that was estimated to cost \$30,000 to \$40,000. To answer the resident's question about the amount of the assessment increase, Ms. Lansford stated for the single-family homes, the overall operation and maintenance (O&M) assessment increase was \$247.08 or \$20 per month, \$197.26 or \$16.44 per month for the villas and \$166.50 or \$13.88 per month for the multi-family, for an overall increase of 20%.

At Mr. Szewczyk's request, Ms. Lansford explained that the CDD fee was made up of the debt service, which was a fixed amount to pay back a 30-year bond and O&M, which goes directly to the Board. Of the \$1,400 or \$1,500, the District only received 40% to 50%, with the remaining to repay the debt service. The debt service could be lowered by refinancing the bond, which would cost \$100,000 to \$20,000 to go through the process, but interest rates must be low. Ms. Sandy recalled that several underwriters recently looked at refinancing, but with the history of the bonds and having a few delinquent properties, the District would not be able to refinance at this time. Mr. Szewczyk confirmed that the tax certificate purchase was not part of this budget and staff was verifying whether the tax certificates were purchased. Ms. Lansford clarified that the budget anticipated the District purchasing tax certificates, but if this did not occur, the Board could increase the capital transfer and the budget could be amended to decrease revenues.

*The meeting was recessed at 7:53 p.m.*

*The meeting was reconvened at 8:00 p.m.*

Mr. Roumy suggested by decreasing *General Supplies* by \$500, *Maintenance* by \$3,500, *Office Supplies* by \$7,000, *Security* by \$300, *Security Patrol* by \$25,000, *Janitorial Supplies* by \$1,500, *Pool Cleaning* by \$500 and *Tennis Courts – Maintenance* by \$3,500 to realize savings of \$35,000. Ms. Lansford noted some of these items were contractual amounts that could not be removed, and if the goal was to reduce the budget, they would need \$100,000 to make up the

reserve balance of \$134,000 and have a \$2 decrease in assessments. Discussion ensued regarding line items to lower in the budget. Ms. Chichelli questioned why \$3,000 was budgeted for *Water Utility Services – Entrance Feature* when \$6,000 was projected. Mr. Szewczyk believed this was because of the decreased water usage and repairs due to the maintenance contract. Ms. Lansford would verify, but in her opinion, \$3,000 was sufficient. Mr. Roumy suggested having the entry fountain on reclaimed water as reclaimed water cost \$0.50 per 1,000-gallon usage versus city water, which was \$10.50 per 1,000 gallons for a savings of \$2,000.

**e. Consideration of Resolution 2022-12 Adopting the Budget for Fiscal Year 2022-2023 Budget**

On MOTION by Mr. Szewczyk seconded by Ms. Chichelli with all in favor Resolution 2022-12 Adopting the Budget for Fiscal Year 2022-2023 Budget as amended was adopted.

**3. Public Hearing on the Imposition of Special Assessments and Certifying an Assessment Roll**

**a. Open the Public Hearing**

On MOTION by Mr. Szewczyk seconded by Ms. Benjamin with all in favor the Public Hearing on the Imposition of Special Assessments and Certifying an Assessment Roll was opened.

**b. Presentation of FY 2022-2023 Assessment Analysis**

**c. Public Comments**

**d. Close the Public Hearing**

Ms. Lansford opened the public comment period giving the District the right to levy assessments. There being no public comments, Ms. Lansford closed the public comment period.

On MOTION by Mr. Szewczyk seconded by Mr. Sabol with all in favor the Public Hearing on the Imposition of Special Assessments and Certifying an Assessment Roll was closed.

**e. Consideration of Resolution 2022-13 Providing for the Collection & Enforcement of Special Assessments for Fiscal Year 2022-2023**

On MOTION by Mr. Szewczyk seconded by Ms. Benjamin with all in favor Resolution 2022-13 Providing for the Collection & Enforcement of Special Assessments for Fiscal Year 2022-2023 was adopted.

**B. Consideration of Resolution 2022-14 Adopting the Annual Meeting Schedule for Fiscal Year 2023**

Ms. Lansford presented Resolution 2022-14 Adopting the Annual Meeting Schedule for Fiscal Year 2023, which was the third Wednesday of each month, with the exception of December and July, due to holidays. Mr. Szewczyk requested that the December and July meetings be included in the meeting notice.

On MOTION by Ms. Chichelli seconded by Mr. Sabol with all in favor Resolution 2022-14 Adopting the Annual Meeting Schedule for Fiscal Year 2023, as amended to include the December and July meetings in the meeting notice was approved.

**C. Consideration of Informal Landscape Bids**

- 1. Landscape Maintenance Professionals**
- 2. Brightview**

This item was discussed.

**D. Acceptance of Annual Audit for Fiscal Year 2021**

Ms. Lansford presented the Fiscal Year 2021 Audit Report, which was included in the agenda package. There were no findings from the auditor.

On MOTION by Mr. Szewczyk seconded by Ms. Chichelli with all in favor the Fiscal Year 2021 audit was accepted.

**E. Consideration of Resolution 2022-15 Designating a Registered Agent & Registered Office of the District - ADDED**

Ms. Sandy presented Resolution 2022-15, Designating the Registered Agent and the

Registered Office, which was included in the agenda package. This was more of an administrative item to change Mr. Mike Eckert to Ms. Sandy as the Registered Agent and the new address of their office as the Registered Office.

On MOTION by Mr. Szewczyk seconded by Ms. Chichelli with all in favor Resolution 2022-15 Designating Michael C. Eckert and his office of Kutak Rock, LLC. as Registered Agent was adopted.

**SEVENTH ORDER OF BUSINESS**

**Business Administration**

**A. Approval of Minutes of the June 15, 2022 Meeting**

Ms. Lansford presented the minutes of the June 15, 2022 meeting, which were provided under separate cover.

**B. Approval of Check Register**

**C. Balance Sheet and Income Statement**

**D. Special Assessment Receipts Schedule**

Ms. Lansford presented the June Check Register, which was included in the agenda package, Balance Sheet and Income Statement and Special Assessment Receipts Schedule, showing a 102% increase.

On MOTION by Mr. Szewczyk seconded by Ms. Benjamin with all in favor the Minutes of the June 15, 2022 Meeting were approved as presented.

Mr. Szewczyk requested that the Check Register for June and July be placed on the September meeting agenda.

**EIGHTH ORDER OF BUSINESS**

**General Audience Comments**

Ms. Lansford opened the general audience comments period. Resident Mary Martin of 1771 Scarlett Avenue thanked the Board for installing the fob system. Mr. Szewczyk noted that a couple of times, people were standing outside of the gate waiting for it to open and the fob system was only as good as the residents using it properly. Ms. Lansford received a comment from a resident that left, requesting a fob system on the middle gate to retrieve tennis balls that

go over the fence. Mr. Szewczyk suggested that the Board consider it in the future. There being no additional comments, Ms. Lansford closed the general audience comments period.

**EIGHTH ORDER OF BUSINESS**

**Staff Reports**

**A. Attorney – Retention & Fee Agreement**

Ms. Sandy prepared a Retention and Fee Agreement with Kutak Rock, LLP., transferring attorney services from Hopping, Green & Sams, as she was now employed by Kutak Rock. The Board approved the transfer last year, but not the Retention and Fee Agreement. The same rates would apply, with the potential for increases in the future.

On MOTION by Mr. Szewczyk seconded by Mr. Sabol with all in favor the Retention and Fee Agreement with Kutak Rock, LLP. was approved.

Ms. Sandy would be sending an amenity suspension letter, due to an incident that occurred on the tennis courts, to hold an amenity suspension hearing at the September meeting.

Mr. Roumy did not see the need for a fob system for the middle gate as tennis balls do not go over the fence every time.

**B. District Manager – Update on Memorial**

Ms. Lansford was working with Bloomings on the memorial and would now work with the new landscaping company. Mr. Roumy questioned why the CDD was involved with the remembrance tree. Mr. Szewczyk recalled that residents were looking for a border when Del Webb expanded and it should be up to the Del Web HOA. There was Board consensus for this matter to be tabled and revisited in the future.

Ms. Lansford announced that the next CDD Board meeting was scheduled for September 21, 2022 at 6:00 p.m.

**C. Amenities Manager**

**1. Monthly Report**

Ms. Gertsman presented the Amenities Manager Report, which was included in the agenda package. They distributed 601 fobs to residents and 31 fobs to vendors. There were some

issues with the fob system at the pool gate, which she was working on with ADT. The flowers were planted, the fence was installed by the playground and the irrigation timer was changed.

Mr. Sabol asked if there were AC proposals. Ms. Gertsmann provided them. The last one was received this morning, but she did not have time to ask any questions and since the AC unit would not be installed until October, she would come back in September with the proposals.

**2. Incident Reports**

Ms. Gertsmann presented the incident reports, which were included in the agenda package.

**3. Project List**

Ms. Gertsmann presented the Project List, which was included in the agenda package and asked if the Board wanted to roll new tennis lines as she had a quote for \$5,500. Mr. Roumy felt that not all of the tennis lines needed to be replaced and could be handled by maintenance staff. Ms. Gertsmann stated that she was out there every day and the edges were lifting, which could cause a hazard. Mr. Roumy suggested that the tennis courts be rolled with a roller after it rains when the tennis courts were wet to push any nails down. Ms. Gertsmann noted that the District had a roller, but it was very light. There was Board consensus to table this matter until the next meeting to research this matter, but if it became a safety hazard, Mr. Szewczyk wanted Ms. Gertsmann to send him an email.

**4. Proposals for AC Unit**

This item was discussed.

**TENTH ORDER OF BUSINESS**

**Other Business**

There being none, the next item followed.

**ELEVENTH ORDER OF BUSINESS**

**Supervisor's Requests**

There being none, the next item followed.

August 17, 2022

Lakeside Plantation CDD

**TWELFTH ORDER OF BUSINESS**

**Next Scheduled Board Meeting is  
September 21, 2022 at 6:00 p.m. at  
Lakeside Plantation Clubhouse**

This item was discussed.

**THIRTEENTH ORDER OF BUSINESS**

**Adjournment**

On MOTION by Mr. Szewczyk seconded by Mr. Sabol with all in favor the meeting was adjourned.



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Secretary/Assistant Secretary



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Chairman/Vice Chairman