

**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, **September 21, 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	Assistant Secretary
Bonnie Benjamin	Assistant Secretary

Also present:

Jordan Lansford	GMS – District Management
Sarah Sandy (<i>via Zoom</i>)	District Counsel
Brent Burford	District Engineer
Margie Gertsman	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 September 21, 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. There being none, Ms. Lansford closed the public comment period.

FOURTH ORDER OF BUSINESS

Audience Comment Tracker

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

FIFTH ORDER OF BUSINESS

District Engineer

A. Consideration of New Rate Schedule for FY23

Ms. Lansford presented the new rate schedule for Fiscal Year 2023 to the Board under separate cover. Mr. Burford requested an increase in his rate from \$140 to \$150, since they had not requested a rate increase in six or seven years. Mr. Roumy asked if there was a provision in the current contract for increases. Ms. Sandy stated the standard current contract did not provide for a rate increase at certain points in time, but provided that the vendor would bring a rate increase before the Board for approval. Mr. Roumy did not want to approve something that the Board did not review ahead of time, as he wanted to compare the old fees to the new fees. *Discussion ensued and there was Board consensus for Mr. Burford to provide the updated pay schedule to management and include on the next agenda for a 7% increase.*

Mr. Burford reported that he was still working on the lake bank restoration proposal and would provide at the next meeting. Mr. Szewczyk requested that the lakes be prioritized based on Mr. Burford's recommendation. Mr. Burford met with a solar panel company, at Mr. Sabel's request, but had not heard from them since and would look at other companies at the Board's request. Mr. Roumy agreed with using solar power as they would save \$2,000 per month and questioned the cost per kilowatt-hour per meter, as they used 17,800 kilowatt-hours for the pool and tennis court in May of this year compared to 10,000 last year. Ms. Gertsman believed that it was due to the pandemic. Mr. Burford would reach out to their Florida, Power & Light (FPL) representative for an explanation. *There was Board consensus for Mr. Burford to provide a quote for solar panels for the Clubhouse area at the next meeting.*

Mr. Burford left the meeting.

SIXTH ORDER OF BUSINESS**New Business Items****A. Consideration of Suspension of Amenity Privileges – Russell Behe**

Ms. Lansford presented a letter that was sent to Mr. Russell Behe on August 19th advising that a public hearing was scheduled at this meeting to address a violation of General Facility Provisions, Rule 11 of the General Lakeside Plantation Amenity Facility Usage Policy, Tennis Facility Policies and Suspension and Termination of Privileges. Ms. Gertsmann reported that on August 13th, Mr. Behe pushed somebody with a tennis racket. An incident report was submitted to District Counsel who sent the letter to Mr. Behe. Mr. Roumy wanted the witness named in the report to speak before the Board to prove that Mr. Behe did something wrong. Ms. Lansford explained that the CDD did not call witnesses and the purpose of the public hearing was for Mr. Behe to address the Board. The Board would then decide if any additional information was needed or make a decision based on the facts. Mr. Behe apologized to the Board. It was a hot day and some words were exchanged with another player. He had not used the tennis courts for six weeks, which felt like six months, but there was more to the incident than what was reported. He had lived in the community for 18 years and never had anything like this occur and would never do it again. Mr. Sabol pointed out the fact that Mr. Behe struck the individual. Mr. Behe admitted pushing the individual after they called him names, but this was due to stress at home and an anxiety disorder and requested a second chance.

Mr. Sabol preferred taking action at the next meeting as more information was needed. Ms. Sandy was under the impression that the Board received the incident report. There was a police report, but most of the information was redacted because it was an ongoing investigation. The violations pertained to exhibiting unsatisfactory behavior, abiding by the District's rules or policies, engaging in contact improper or likely to endanger the welfare, safety or reputation of the District or its management, as well as disregard for rules and policies. Because it was not a criminal proceeding, they did not typically call witnesses and District Staff was knowledgeable about the incident to provide the facts as reported as well as follow up by reviewing security footage and speaking to the people involved and the police detective investigating it. Mr. Szewczyk questioned the staff recommendation. Ms. Gertsmann recommended time served as Mr. Behe was already suspended for six weeks. Ms. Chichelli wanted to see the police report. Ms. Lansford presented the Board's options:

- Option 1: Reinstating Mr. Behe's privileges.
- Option 2: Extending the suspension for a longer period of time.

- Option 3: Terminating Mr. Behe's privileges.

Mr. Roumy did not understand why this was a major issue as Mr. Behe apologized and was suspended for six weeks. Mr. Sabol felt that Mr. Behe striking another man with a tennis racket was serious. Mr. Roumy pointed out that Mr. Behe pushed the man to stay away from him. A resident felt that due to the circumstances time served would be sufficient as Mr. Behe realized what he did and apologized. Ms. Benjamin recalled that the Board suspended a resident last year. Mr. Szewczyk explained that a resident was suspended for three months due to a verbal altercation with staff. Discussion ensued regarding the suspension and the other party, which was identified as a resident, Mr. Herb Siegel. A Resident Charles Heflin of Scarlett Avenue, who was a personal friend of Mr. Behe, recommended reinstating Mr. Behe as he was considerate to the other players and a gentleman, but Mr. Siegel was not the most pleasant person, unorthodox and aggravating.

On MOTION by Mr. Szewczyk seconded by Mr. Roumy with Mr. Szewczyk and Mr. Roumy in favor and Mr. Sabol, Ms. Benjamin and Ms. Chichelli dissenting, lifting the suspension of Mr. Russell Behe and reinstating his privileges as of September 22, 2022 was not approved. (Motion Failed 2-3)

Ms. Lansford asked if the Board wanted to make another motion to continue the suspension or terminate it. Mr. Sabol felt that Mr. Behe should be penalized. Mr. Behe disagreed as he was getting legal repercussions. Ms. Chichelli recommended a 60-day suspension. Ms. Benjamin felt that a two-month suspension was appropriate based on the physical nature of the incident. Mr. Szewczyk agreed as Mr. Behe was suspended for six weeks already and two additional weeks would equate to two months. The Board agreed an additional two weeks was appropriate.

On MOTION by Mr. Sabol seconded by Ms. Benjamin with all in favor suspending Mr. Russell Behe for an additional two weeks from September 21, 2022 and reinstating his privileges as of October 5, 2022 was approved.

B. Consideration of Proposal for Sidewalk Repairs *(to be provided under separate cover)*

Ms. Lansford presented a proposal for sidewalk repairs, which was sent to the Board under separate cover and recommended that the Board approve a not-to-exceed amount so the sidewalks could be completed by priority based on funds budgeted for next fiscal year since this was a capital expense. Ms. Gertsman pointed out if it was completed in phases, she could not guarantee that the price would remain the same. Mr. Szewczyk asked if there were trip hazards. Ms. Gertsman explained that the sidewalks with trip hazards were constantly marked. Mr. Roumy questioned how many pieces of sidewalk would be replaced. Ms. Gertsman stated they were replacing 16 and nine would be grinded down. Discussion ensued. Ms. Gertsman would provide a priority list to the Board. Mr. Roumy requested that the list include lot numbers.

On MOTION by Mr. Szewczyk seconded by Ms. Benjamin with all in favor the proposal from Bradley Ray Concrete to repair the sidewalks in a not-to-exceed amount of \$13,000 starting on October 1, 2022 in order of priority was approved.

Ms. Sandy will draft an agreement to attach to the proposal.

C. Consideration of Proposals from LMP

Ms. Lansford noted that representatives of Landscape Maintenance Professionals (LMP) were present and requested that the Board wait until next Fiscal Year to expend any funds. Mr. Chris Berry, the Branch Manager of LMP, thanked the Board for the opportunity to work for the District and introduced Mr. Giorgio Rojas, Account Manager for the property, Mr. Bill Gibbs, Business Developer and Jonathan, Irrigation Manager. They started trimming throughout the community and had more to do. It would take time to learn the route. They would move from being in the community on Saturdays to during the week.

Mr. Roumy noted from September 1st when LMP started, there was a \$15,000 estimate for 19 broken rotors and 14 broken spray heads and wondered if Bloomings should have repaired them as nothing would break in the 20 days that LMP was here. Mr. Berry explained that the broken heads were noticed during their inspection and Bloomings was supposed to meet with them the day of the turnover, but failed to show. Ms. Lansford confirmed that Blooming's last payment was withheld. Mr. Roumy requested that Blooming's repair the irrigation. Ms. Sandy

offered to send a letter to Blooming's notifying them of their obligation under their contract and including an itemized list of items to be remedied, the cost of which would be offset from their final payment. Mr. Szewczyk recommended including an itemized list of repairs under their scope and an estimate. *There was Board consensus for Ms. Sandy to send the letter to Blooming's as discussed and for staff to include the LMP proposals on the October agenda.*

Mr. Roumy questioned LMP's plan to kill the weeds on the walkway on Plantation Boulevard. Mr. Berry would have their Fert and Pest Manager, Mr. Scott Richardson spray chemicals on the weeds, once the temperature was below 90 degrees. Some of the worst areas were the annual beds. Mr. Szewczyk requested that the existing flowers be removed. Ms. Chichelli confirmed that there would be new flowers in November. According to Mr. Berry, LMP had 30 days to perform a full inspection of the property.

D. Consideration of Palm Removal – Joshua Tree

Ms. Lansford presented a proposal from Joshua Tree for palm removal, which was lower than the LMP proposal. Ms. Gertsman recalled that Joshua Tree removed trees in the front when she first started working for the District and charged \$2,300 to remove three dead palm trees on Plantation Boulevard. Mr. Szewczyk pointed out that the proposal from LMP was higher, but included a flush cut versus grind stump and asked what Joshua Tree would charge. Ms. Gertsman would find out and provide an answer at the next meeting as well as pictures.

SEVENTH ORDER OF BUSINESS

Business Administration

A. Approval of Minutes of the August 17, 2022 Meeting

Ms. Lansford presented the minutes of the August 17, 2022 meeting, which were included in the agenda package. Mr. Szewczyk questioned on Page 7, whether there was confirmation that the District collected 102% in tax certificates. Ms. Lansford confirmed that the tax certificates were purchased the day before the meeting.

On MOTION by Ms. Chichelli seconded by Mr. Szewczyk with all in favor the Minutes of the August 17, 2022 Meeting were approved as presented.

B. Approval of Check Registers

1. **June 2022**
2. **July 2022**
3. **August 2022**

Ms. Lansford presented the July and August Check Registers, which were included in the agenda package. Ms. Chichelli asked if the ASCAP annual subscription was for music. Ms. Lansford explained that it was a license to play music in the building. Mr. Szewczyk did not realize that they were paying \$900 to listen to elevator music. Ms. Chichelli questioned whether there was a report and bill from the North Port Police Department. Ms. Lansford would provide it to the Board under separate cover and include on the October agenda for discussion. Mr. Szewczyk wanted to know how many tickets and warnings they wrote and what the violations were. Ms. Chichelli requested an explanation on the description as the bill from WTS International was deceptive. Ms. Lansford explained that this was how they collected revenue from events. Ms. Benjamin questioned the Marlin Leasing Corp. invoice in the August Check Register. Ms. Gertsmann explained that it was for the new lease of the copier.

On MOTION by Ms. Chichelli seconded by Ms. Benjamin with all in favor the July and August Check Registers were approved.

C. Balance Sheet and Income Statement**D. Special Assessment Receipts Schedule**

Ms. Lansford presented the Balance Sheet and Income Statement and Special Assessment Receipts Schedule, showing that the District was over 100% collected. Mr. Szewczyk asked if revenue would be received in November. Ms. Lansford explained that in the first week of December, they would receive lump-sum payments.

E. Consideration of Updated Security Alarm Corporation Agreement

Ms. Lansford presented an updated Security Alarm Corporation Agreement, which was provided to the Board under separate cover. The agreement had not been updated since 2001. The language was updated, but in comparison to the original contract of 2001, there was an increase in price of a few hundred dollars. Ms. Sandy explained that there were two original contracts; one from January of 2001 for basic monitoring of \$21 per month or \$63 per quarter and another from February of 2001 for fire alarm monitoring of \$28 per month or \$84 per

quarter. The issue with the new contract was that it was only for fire alarm monitoring and included a monthly inspection fee of \$28 per month with one inspection per year for an additional \$344 per year. The term was for three years, but did not provide the ability to terminate. She requested that the new contract include a 30-day or 60-day termination, which would provide the District the ability to terminate the contract without paying for three years' worth of services that they would not receive. *Discussion ensued and there was Board consensus for Ms. Gertsman to obtain additional quotes. Ms. Lansford requested that the contact include a burglar alarm.*

F. Ratification of Landscape Services Agreement with LMP

Ms. Lansford recalled that last month, LMP was awarded the landscape maintenance contract and the agreement was signed prior to the meeting.

On MOTION by Mr. Szewczyk to ratify the execution of the Landscape Services Agreement with LMP.

Ms. Chichelli noted a provision in the contract to inspect the property and that Pages 15, 19 and 21 in the agreement, were missing. Ms. Lansford would remove the PSA from the agreement, have all parties initial next to Pages 15, 19 and 21 and send out the full agreement electronically, which the Board would ratify at the next meeting.

EIGHTH ORDER OF BUSINESS

General Audience Comments

Ms. Lansford opened the general audience comments period. Resident Donna Keller of 2395 Savannah Drive was concerned that the Board was missing the fact that Mr. Behe was constantly being verbally abused by another person on the tennis court, who was not a resident. Residents should not have to put up with bullying and verbal abuse. There being no public comments, Ms. Lansford closed the general audience comments period.

NINTH ORDER OF BUSINESS

Staff Reports

A. Attorney

There being none, the next item followed.

B. District Manager

Ms. Lansford announced that the next CDD Board meeting was scheduled for October 19, 2022 at 6:00 p.m. at this location.

C. Amenities Manager**1. Monthly Report**

Ms. Gertsman presented the Amenities Manager Report, which was included in the agenda package. In the monthly report under "*Programming*," income would be included under "*Approximate Profit Loss*." Ms. Chichelli asked how the credit card system was working. Ms. Gertsman stated that it was starting on October 1st and they were giving people the option of putting their credit cards on file, if they choose, and the cash option would be eliminated. It was completely optional and she would be sending out an email. Mr. Roumy questioned the response from the community regarding the fence. Ms. Gertsman confirmed for the most part, feedback was good. According to the footage that was reviewed almost every day, occasionally people tried to get into the pool, but ended up walking away. In her opinion, it was working well. Mr. Szewczyk reported that his wife was against fences, but in his opinion, the black fence could not be seen and did what it intended to do. Ms. Gertsman was happy with the fence. There were many programs coming up, but she wished they had better participation. Mr. Sabol lived five houses down from the tennis courts and every time someone missed the ball, they screamed. Ms. Gertsman would look at the footage and try to identify them.

2. Proposals for AC Unit

Ms. Gertsman obtained three estimates for the replacement AC unit; one from Conditioned Air, the current AC company, the second from Innotech and the third from Symbiont, which was included in the agenda package. Two were for the same type of AC unit. Symbiont was the lowest, but Innotech offered quarterly service. Mr. Szewczyk questioned whether they needed quarterly service and if it was built into the current service agreement. Ms. Gertsman stated that Conditioned Air charged \$826 to come out twice per year; however, they charged for labor. In her opinion, they did not need to four times per year service. Mr. Roumy asked if the existing duct was being utilized. Ms. Gertsman believed all three companies were using the existing duct. Mr. Roumy questioned why refrigerant line piping was needed. Ms. Gertsman believed it was for the freon. Mr. Szewczyk explained that in order to run a new line,

the system must be vacuumed and the refrigerant must be replaced before the new unit was put in; however, based on the age of their system, a different type of refrigerant would have to be used. *After further discussion, there was Board consensus to table this item to have representatives from Conditioned Air, Innotech and Symbiont attend the next meeting to answer Mr. Roumy's questions.*

3. Consideration of Treadmill Proposals

Ms. Lansford presented treadmill proposals, which were included in the agenda package. Two treadmills were not working and in her opinion, it was not worth continuing to repair them. The brand was under the brand name of True, which was comparable in the style and function of the current equipment, but better-quality commercial equipment. One quote was directly from True Fitness Technology and the other was from a local distributor. They try to work directly with manufacturers whenever possible, but there were cases where the local distributor was slightly lower than the manufacturer; however, if they order directly through the manufacturer, they provide a discount. Mr. Szewczyk questioned Ms. Gertsmann's recommendation. Ms. Gertsmann recommended replacing it in pieces, if all of the equipment could not be purchased at one time. Mr. Szewczyk pointed out that the machines were built into the Reserve Study and had a life expectancy and recommended replacing them after October 1st, as some pieces may have exceeded their life expectancy. Ms. Gertsmann recommended replacing both treadmills first and would provide proposals from Fitness Logic at the next meeting. Ms. Chichelli requested a comparison of the models, which Ms. Lansford would circulate. Mr. Roumy suggested looking at refurbished equipment. Ms. Gertsmann preferred to have commercial equipment so the District did not have any liability, but would contact some distributors. Mr. Szewczyk preferred to replace the equipment in stages. Ms. Gertsmann suggested leasing the equipment, but Ms. Lansford felt that it would cost more.

Mr. Roumy asked if the air conditioner in the room was turned off or turned up at night. Ms. Gertsmann stated it was left at 75 degrees, but turned down during the day. Mr. Roumy requested that it be turned up to 78 or 80 degrees and asked if the fans on the breezeway were on a timer. Ms. Gertsmann confirmed that they were on a timer. Mr. Roumy requested a list of all the members. Ms. Gertsmann would provide. Mr. Roumy questioned what happened to the water fountain by the tennis courts. Ms. Gertsmann explained that it was not possible because

there was no water source and it would be expensive if they had to go underground. She recommended placing it next to the gazebo and would bring options to the October meeting. Mr. Roumy requested a drop-down menu on the website to view all motions and resolutions for 2022. Ms. Lansford could upload the resolutions, but the motions were in the minutes. Removing motions from the minutes could be expensive. Mr. Szewczyk felt that there was already a public record and they did not need to have something separate that would cost the District additional money. Ms. Lansford would contact the website vendor to add the resolutions. Mr. Sabol asked if the air conditioner proposals were good for more than 30 days. Ms. Gertsman would verify.

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.

TWELFTH ORDER OF BUSINESS

Next Scheduled Board Meeting is October 19, 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 Ms. Benjamin with all in favor the meeting was adjourned.


Secretary/Assistant Secretary


Chairman/Vice Chairman