

**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, **October 18, 2023** 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:

Alan (Bud) Sabol	Chair
Pat LaVoy	Vice Chair
Pina Chichelli	Assistant Secretary
Mary (Sue) Martin	Assistant Secretary
Bonnie Benjamin	Assistant Secretary

Also present:

Jordan Lansford	GMS – District Management
Richard McGrath	GMS
Sarah Sandy (<i>via Zoom</i>)	Kutak Rock, LLP
Alex Murphy	WTS Operations Manager
Margie Gertsmann	WTS Amenity Manager
Security Officer	
Residents	

The following is a summary of the discussions and actions taken at the October 18, 2023 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.

- **Chairman's Comments**

Due to problems at meetings for the last two or three months with people getting out of hand, Mr. Sabol requested that an officer be on duty and in the future, if there was a problem at a meeting, they would call a recess until the issue was cleared and then the meeting would proceed. Mr. Sabol heard that several people in the community wanted an Advisory Board; however, this CDD Board was an Advisory Board. If residents were not happy with the way that the CDD Board was operating, they could run for a seat at the next election. In addition, during the public comment period, residents had the right to be heard, but the Board did not have to answer the residents. If they find a real problem, the Board could look at it, discuss it and have an answer for residents in the future.

THIRD ORDER OF BUSINESS

Audience Comments on Specific Items on the Agenda *(Audience Comments Limited to 3 Minutes per Person)*

Ms. Lansford opened the general audience comments period. The following residents addressed the Board:

- Mr. Ronald Perry of 1663 Scarlett Avenue urged the Board, prior to making a decision on the Reserve Study, although Reserve Advisors was \$400 more than Custom Reserves, they had a track record with the CDD versus Custom Reserves being a one man show. Secondly, the light fixtures along Plantation Boulevard that were installed three or four years ago, were damaged from high winds; however, some were still functioning. They were the wrong type of fixtures to install because they were residential fixtures that could be purchased at Home Depot for \$85 each. The ones on Jonah Drive were much larger. In his opinion, all 40 should be replaced.
- A Resident felt that the cost should be divided between the single families and The Villas.
- Mr. Robert Sixt of 1274 Jonah Drive voiced concern about the fountains in front of the community, which had been down for a year. According to an email, the parts were on order, but now the fountains were shut down. This was their first impression to outsiders.

There being no further comments, Ms. Lansford closed the general audience comments period.

FOURTH ORDER OF BUSINESS

District Engineer

Ms. Lansford reported that Mr. Burford received no additional proposals on the sidewalk or lake bank repairs, but the Southwest Florida Water Management District (SWFWMD) felt that the inspection requirement due on October 30th, was redundant and they agreed it was not required. Mr. Sabol was informed by Mr. Burford, that he was working part-time, due to physical issues and would no longer serve as District Engineer, but an individual that worked in Port Charlotte who worked for Johnson Engineering, was going to cover the meeting. Ms. Lansford confirmed that Mr. Chris Spears would be the new District Engineer; however, he was on sabbatical for another three weeks and Mr. Burford was covering for him until Mr. Spears returned. Mr. Spears would attend the next meeting to introduce himself.

FIFTH ORDER OF BUSINESS

Business Administration

A. Approval of Minutes of the September 20, 2023 Meeting

Ms. Lansford presented the minutes of the September 20, 2023 meeting. Ms. Martin noted on Page 7, Ms. Benjamin asked if the lights for Plantation Boulevard could be placed on a timer. Ms. Chichelli stated on the bottom of Page 4, Mr. Shlossberg took “*her*” by the arm, not “*them*.”

On MOTION by Ms. Chichelli seconded by Mr. Sabol with all in favor the Minutes of the September 20, 2023 Meeting were approved as amended.

B. Approval of Check Registers

C. Balance Sheet & Income Statement

D. Special Assessment Receipts Schedule

E. Budget Amendment, Resolution 2024-01

Ms. Lansford presented the September Check Register, Unaudited Financial Statements ending September 30th and Special Assessment Receipts Schedule, which were included in the agenda package. Some invoices would accrue in Fiscal Year 2023, but as of October 1st, they were in a new fiscal year. Resolution 2024-01 was for a budget amendment, which was a

requirement as the District overspent their Operating Budget, so the District would not receive any findings during the audit. Ms. Martin questioned what they paid Late Night Entertainment, as the price was 400, there was a deposit of \$100 and a remaining balance of \$400. Ms. Lansford would follow up with Ms. Hannah Henry. Ms. Chichelli noted that they were paying taxes on the bill for PEAC Solutions for the copier lease. Ms. Lansford confirmed that the District should not be paying \$6.86 and based on all of these comments and questions, the Check Register would be brought back at the next meeting but requested that the Board take action on the budget amendment.

On MOTION by Ms. Chichelli seconded by Ms. Benjamin with all in favor Resolution 2024-01 Approving a Budget Amendment was adopted.

SIXTH ORDER OF BUSINESS

New Business Items

- A. Consideration of Proposals to Perform a Reserve Study Update**
 - 1. Reserve Advisors**
 - 2. Custom Reserves**

Ms. Lansford recalled at the last meeting, the Board requested an additional proposal for the Reserve Study and provided proposals from Custom Reserves and Reserve Advisors. Originally the proposal from Custom Reserves was higher as it was for a Level 1 review, but after she provided them with the prior Reserve Study from Reserve Advisors to use as a guideline, they decreased the price, since they would not have to perform an initial site visit. The District used Reserve Advisors in the past, which quoted \$5,300 and Custom Reserves quoted \$4,900. Mr. Sabol questioned whether they had the funds as a Reserve Study cost \$4,000 to \$5,000. Ms. Lansford indicated that they were in a new fiscal year and funds were budgeted for the Reserve Study. Mr. LaVoy agreed with Mr. Perry’s comments about Reserve Advisors. Ms. Lansford noted a difference of \$400 between Custom Reserves and Reserve Advisors.

On MOTION by Ms. Chichelli seconded by Ms. Benjamin with all in favor the proposal from Reserve Advisors for a Reserve Study in the amount of \$2,300 was approved.

B. Consideration of Proposal from Innotech Construction Services, LLC to Replace 40 Light Fixtures & Bulbs along the Boulevard

Ms. Lansford presented an email from Ms. Gertsman and a proposal from Innotech Construction Services in the amount of \$4,500 for 40 light fixtures and bulbs along Plantation Boulevard. The total insured value was \$346,000, the deductible was 5% deductible, the District already met their deductible amount of \$17,300 and the gross amount claimed without the \$4,500 was \$43,488.30. In order to be proactive, Ms. Lansford submitted the invoice to the insurance company for their review and to provide any input. If the Board did not want to approve this, she would inform the insurance company that they would not be moving forward. Ms. Gertsman reported that Sergeant Electric, who was doing the work on Plantation Boulevard, was going to charge the District to install the light bulbs for a lesser amount, but when they went out to replace them, after they replaced the bulbs, the lamps still did not function. It turned out that the light bulbs in the fixtures were too heavy and when the wind blew, the sockets that screw the lightbulb in, broke off. Ms. Lansford indicated if it was more than \$4,500, it needed to be submitted to the insurance company. The cost to replace 40 fixtures, was \$2,800 and the installation cost was \$4,500.

Mr. LaVoy asked if it was a direct replacement of the current bulbs. Ms. Gertsman explained that the existing bulbs were not made for the current fixtures. The proper ones were ordered and hopefully once they were installed, they would not have this issue again. Ms. Benjamin asked the proper light bulbs were going to provide more light. Ms. Gertsman stated they were the same wattage and were LEDs. Mr. LaVoy asked if the lumens were the same. Ms. Gertsman indicated they were almost identical to the current ones. Ms. Martin asked if they would use the same fixtures. Mr. LaVoy believed that the top of the bulb was the issue. Ms. Martin asked if they could get reimbursement for hurricane damage. Ms. Lansford confirmed if they were damaged by the hurricane, they would be covered under the 5% deductible, but if it was a structural issue, the replacement would be outside of the hurricane damage. Ms. Chichelli noted they could not do anything with the lamp posts unless they had the money to replace all of them. Mr. LaVoy questioned how long they lasted. Mr. Sabol recalled they were installed about seven or eight years ago. Mr. LaVoy stated the total amount was \$7,320 and questioned the warranty. Ms. Gertsman would find out.

On MOTION by Mr. LaVoy seconded by Mr. Sabol with all in favor the proposals from Innotech Construction Services to replace 40 light fixtures and bulbs along Plantation Boulevard in the amount of \$4,500 and from Lighting New York for 40 light fixtures in the amount of \$2,820 were approved.

C. Acceptance of Annual Audit Report for Fiscal Year 2022

Ms. Lansford presented the Fiscal Year 2022 Audit Report, which was included in the agenda package. It was a clean audit.

On MOTION by Ms. Benjamin seconded by Mr. LaVoy with all in favor the Fiscal Year 2022 audit was accepted.

SEVENTH ORDER OF BUSINESS

General Audience Comments

Ms. Lansford opened the general audience comments period. The following residents addressed the Board:

- Mr. Ronald Perry of 1663 Scarlett Avenue requested that the Board direct the District Manager to prepare and send out a survey to all residents asking if they were in favor of retaining the fountains and rebuilding the pergolas, direct a Supervisor to include, starting in November, an accounting of the charges on the debit card for the prior month and for the District Manager to amend the agenda to include a question-and-answer period.
- A Resident felt there was a misunderstanding of the Advisory Board and that Mr. Sabol was looking at it as a way for residents to assist the Board based on their experience. According to Ms. Lansford, they could not have Advisory Board, but there was nothing wrong with residents getting together to present their opinion to the Board. They would work for the Board. The Resident also requested that the Board evaluate whether an amenity company was necessary as it cost \$300,000 and many of the events were not well attended.
- Resident Ann Tyler of 1988 Scarlett Avenue suggested having Advisory Committees.

There being no further comments, Ms. Lansford closed the general audience comments period.

EIGHTH ORDER OF BUSINESS

Staff Reports

A. Attorney

1. Discussion of Pergola Insurance Reimbursement

Ms. Sandy sent an email to the Board on the insurance company’s response on the pergola reimbursement. EGIS agreed, if the District did not want to proceed with the replacement of the pergolas, to pay out the actual cash value for the pergolas up to the insured value and were not requiring that the District wait the full two years as outlined in the policy. They also noted no limit or restriction on what the District could use the funds for and there was no requirement to rebuild the pergolas; however, they did want to know whether to remove those items from the property schedule. In terms of the amount that would be paid out, the actual cash value of the pergolas, was in excess of the full insured value, which was \$70,000. However, since there were previous payments under the policy for removal of the pergolas, as well as a small credit for the deductible that was previously applied, as the District already met their deductible, the District would actually receive \$65,538 from EGIS. An updated claim breakdown and proof of loss were included in the agenda package; however, Ms. Sandy requested that EGIS update the claim breakdown because the entrance pergolas still reference the Cheyenne proposal, which the District was not proceeding with. If the Board was in agreement with the payout amount, she requested that the Board approve the claim breakdown and proof of loss in substantial form, subject to finalization by District Council.

On MOTION by Ms. Benjamin seconded by Ms. Chichelli with all in favor the claim breakdown and proof of loss for the pergola reimbursement in substantial form, subject to final approval by District Counsel was approved.

Mr. LaVoy reported that EGIS reversed their decision and the District was receiving \$65,538, which would be placed into reserves. Mr. Sabol credited Mr. LaVoy for doing this. Mr. LaVoy pointed out their Claim Agent did this work for free. Ms. Sandy advised that if the District was to have any formal committees that the District appointed, if they advise the Board, they will become subject to many of the same statutory requirements that the CDD was subject to, i.e., Sunshine Law requirements, noticing meetings, taking minutes and Public Records Laws. However, if informal groups of residents wanted to form their own committees and bring

information to the District, it was fine, as long as it's not a formal committee established or appointed by the CDD. Mr. LaVoy asked if a Board Member could be on a committee as a resident. Ms. Sandy agreed, as long as it was not a formal CDD committee, but multiple Board Members could not participate as there would be Sunshine Law issues.

B. District Engineer

There being no comments, the next item followed.

C. District Manager

1. District Property Insurance Schedule for Fiscal Year 2024

Ms. Lansford presented the Property Insurance Schedule for Fiscal Year 2024. There were many updates to the total insured value, based on real time pricing as well as a few clerical updates. EGIS agreed to credit the District back, if the Board wanted to remove the pergolas. It was required to be submitted before October 1st, so that the District was insured as of October 1st. However, the pergolas were still listed on the Property Schedule at \$70,000, as quoting them at \$200,000 would increase the District's premium and asked if the Board wanted to remove or rebuild them. Mr. LaVoy preferred to remove the pergolas as well as the fountains and include the fountains when they were repaired. Ms. Chichelli questioned the debris removal expense and lawns, plants, trees and shrubs on the Extensions of Coverage. Ms. Lansford stated the debris removal expense was denied, but Ms. Sandy would request clarification from the insurance company. Ms. Lansford indicated that the water fountains and pergolas would be removed from the Extensions of Coverage.

D. Amenities Manager

1. Report

Ms. Gertsman presented the Monthly Summary Report. Ms. Chichelli questioned the status of the tennis courts as the District Engineer stated a permit was not needed. Ms. Lansford clarified that a permit from SWFWMD was not necessary. Mr. Sabol questioned the status of the tennis court lighting. Ms. Gertsman would contact Welch Tennis (Welch) tomorrow. They asked if they could install smaller light, which would be \$6,000 less. Mr. LaVoy sent a note to Ms. Sarah and Ms. Lansford asking if they could forego the lights and do their own fencing and use the money for the pergolas. Ms. Sandy would verify. According to Mr. Wes Haber, they did

not have to put up lights at the tennis courts. Mr. LaVoy did not think that they needed lights as no one was playing tennis at night. Mr. Sabol felt it would be nice to have some type of lights and suggested putting up lights in the middle. Mr. LaVoy spoke to the Tennis Club and they did not want the lights. Mr. Sabol noted in 10 to 12 years, very seldom did anyone play tennis at night. Ms. Chichelli questioned the cost. Ms. Lansford stated the tennis court lights were not separately priced out and were included as part of other estimates, but the overall insured value she believed it was included with was \$346,000. The District met the deductible of \$17,300 and \$50,000 was claimed. Everything above the \$346,000 would not be reimbursed. Ms. Chichelli questioned why they would not want the lights if they were paid for. Ms. Sandy would verify if the money received for the tennis court lighting could be placed into reserves. Ms. Lansford requested that they also revise the contract to separate the lights out in order to start the repairs. Ms. Benjamin preferred to include the lights. Mr. LaVoy disagreed. Mr. Sabol stated it depends on the amount of lighting. Ms. Chichelli wanted confirmation first on whether they are going to receive the funding because if they did not receive the money, she did not want to do the lighting. Ms. Sandy stated the policy provides if the District was not going to replace it within the next two years, the insurance company would pay the actual cash value, which was different from the replacement value, which is based on the proposals. The actual cash value would be the value of the item, but depreciated over time. She would get clarification from the insurance company. Mr. Sabol preferred to wait until the November meeting to make a decision about the tennis court lighting. Ms. Lansford suggested that the Board remove the tennis court lighting from the Welch proposal at this time and proceed with the street lighting in order to avoid delay.

On MOTION by Ms. Martin seconded by Ms. Chichelli with all in favor revising the Welch Tennis proposal to include street lighting and remove the tennis court lighting was approved.

2. Surge Protection Options

Ms. Gertsman provided options for surge protection. For the pool equipment, Marco Plumbing charged \$575, but Florida, Power & Light (FPL) had a program called SurgeShield® for \$34.95 per month that covers the well pump, pool heaters, pool pump and refrigerators. With this program, they would pay up to \$5,000 per item. Ms. Gertsman recommended

SurgeShield® as it covered many items for \$34.95 per month. Mr. LaVoy concurred as he used this program at his house. Mr. Sabol felt it did not hurt to have more insurance.

On MOTION by Mr. LaVoy seconded by Mr. Sabol with all in favor the contract with Florida, Power & Light for SurgeShield was approved.

3. Proposals for Staking Magnolia Trees

Ms. Gertsmann provided proposals from LMP and MSF Tree and Landscaping for staking four Magnolia trees that needed staking along Plantation Boulevard. Three of the trees were very bad. The proposal from LMP was in the amount of \$1,760 and the proposal from MSF, which she was not familiar with, was in the amount of \$1,400. Mr. Sabol asked if they could straighten out the trees just like before the hurricane. Ms. Gertsmann did not think that anyone was going to be able to guarantee that because it may not work, but if they did not stake them, the trees would die. Mr. Sabol suggested removing the three magnolia trees completely and planting new trees. Mr. LaVoy agreed. Ms. Gertsmann would obtain a proposal.

Ms. Murphy circulated a spreadsheet to the Board earlier today, breaking down all of their lifestyle programming for 2022/2023, taking into consideration the hurricane and A/C outage. It provided a snapshot of the charge for each program, revenue, expenses per program and attendance. Some events had good attendance, some had 50, 60, 80 people and some were meant to be smaller programs like the make and take craft programs. They would keep it up to date and include in their monthly report. Mr. LaVoy thought it was a great report as it allowed the Board to weigh what to look for in the future and helped staff to determine which programs to eliminate. Ms. Murphy agreed, noting that for the majority of their fee-based programs, the fees were very low; however, some fees were increased, which affected participation as people were not willing to pay higher fees.

NINTH ORDER OF BUSINESS

Other Business

There being no comments, the next item followed.

TENTH ORDER OF BUSINESS

Supervisor’s Requests

Mr. Sabol noted that residents paid \$300 to rent the Clubhouse and wanted to allow non-residents to rent it for \$400 along with signing a waiver for damages, with residents having priority. Mr. LaVoy felt it was a great idea. Ms. Chichelli asked if any requests were received by non-residents to rent the Clubhouse. Ms. Gertsmann confirmed that requests were received all the time. Ms. Murphy pointed out that other communities charged a higher fee for non-residents, but residents always had priority. Ms. Gertsmann recalled at one point in time it was open to the public but was unsure why it stopped as it was a great way to make revenue. Ms. Sandy advised in order for non-residents to rent the Clubhouse, they must set a separate rate, which could be different than the resident rate, but the cost must be reasonable. They could have non-residents sign a liability waiver and a short-term agreement. The question was whether the District wanted to require non-residents to provide insurance. Ms. Lansford pointed out the Board could schedule a rate hearing for the November 15th meeting. Ms. Chichelli wanted non-residents to provide their own insurance. Ms. Benjamin asked about security. Ms. Sandy stated if the Board wanted to require security, it would be a question of whether to have non-residents provide on their own or schedule through the District and then establish a fee and whether to require a security deposit. They must find out from WTS whether they would use amenity staff, what the cost would be and the hours. Ms. Chichelli asked if the person who rented the Clubhouse would be required to have insurance. Ms. Sandy stated they could ask EGIS or the Board could set insurance requirements. Mr. Sabol requested that Ms. Sandy investigate and bring it back to the November meeting. Mr. LaVoy suggested looking at other facilities for comparison purposes. Mr. Sabol recommended looking into whether alcohol was permitted.

If the Board wanted to discuss in November, Ms. Lansford requested that the Board take action to schedule a rate hearing for November. In order to advertise the hearing, Ms. Sandy advised that the Board must decide on the rate to include in the advertisement. Ms. Lansford asked if the Board could change the rate at the meeting. Ms. Sandy stated the noticed rate must be the not-to-exceed amount and there must be categories for the different rates. Ms. Murphy recalled that the current rental rate was \$300 for residents and recommended that the non-resident rate be \$500. Mr. LaVoy felt that was low and preferred \$2,000. For purposes of the advertisement, Ms. Lansford recommended \$5,000 for the rental, \$5,000 for security, \$5,000 for alcohol events and \$5,000 for non-alcohol events. Ms. Sandy would look at the rules for other

On MOTION by Mr. LaVoy seconded by Mr. Sabol with all in favor scheduling a public hearing for a non-user rate for November 20, 2023 at 12:00 p.m. as stated above was approved.

Mr. Sabol recalled that Ms. Martin suggested at the last meeting, removing the window next to the door and replacing with a door that had a slider, which a receptionist could open to talk with patrons. The Board agreed.

ELEVENTH ORDER OF BUSINESS

Next Scheduled Board Meeting is November 15, 2023 at 6:00 p.m. at Lakeside Plantation Clubhouse

The next meeting was scheduled for November 15, 2023 at 6:00 p.m. at this location.

TWELFTH ORDER OF BUSINESS

Adjournment

On MOTION by Ms. Benjamin seconded by Mr. LaVoy with all in favor the meeting was adjourned at 7:14 p.m.


Secretary/Assistant Secretary


Chair/Vice Chair