

MINUTES OF MEETING TALIS PARK COMMUNITY DEVELOPMENT DISTRICT

The regular meeting of the Board of Supervisors of the Talis Park Community Development District was held on Wednesday, October 18, 2023, at 10:00 a.m. at 16665 Toscana Circle, Naples, Florida 34110.

Present and constituting a quorum were:

James Proctor
Steven Wishner
Barry Sinoway
Mike Smale
Barbara Hurt-Simmons

Chairman
Vice Chairman
Assistant Secretary
Assistant Secretary
Assistant Secretary (by phone)

Also present were:

Paul Winkeljohn
Sarah Sandy
Josh Evans
Pat Trevis
Allan Weiss
David Hannum
Christopher Chilton
Several Residents

District Manager
District Counsel (by phone)
District Engineer (by phone)
Landscape Architect - Outside Productions
Resident
Talis Park HOA Member
KWP Management

FIRST ORDER OF BUSINESS

Roll Call

Mr. Winkeljohn called the meeting to order and stated we have a quorum.

SECOND ORDER OF BUSINESS

Audience Comments (Related to Right to Speak Statute Changes)

Mr. Winkeljohn: Alright, so we have a few HOA members here today so, did you want to talk at the beginning of the meeting or the end because we wouldn't get to the lake stuff until the end, so if you have better things to do with your morning, and if the chairman doesn't mind, we can take your comments now.

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Mr. Proctor: That's fine.

Mr. Weiss: Thank you. So, I'm sure you're aware there are two ponds, really one pond with a walkway between, depending on the level of the border behind the properties, it's one lake or two, and it's basically not as nice as it could or should be with just minimal mediation. I took some pictures yesterday of the lake, and they're just amateur pictures so they don't show the silt so much, just the dead weeds around the perimeter, and I think it's much better with the aerator, so first off, thanks for putting in the aerator. It's working now, and it had some engineering problems but, it's very clever, it's totally electric, and it picks up enough energy, I'm thinking of starting about 3:00 or 4:00 in the afternoon, and it goes some time through the night, I have no idea when it stops but, it puts some air into the water. We have a frog problem, and in the springtime the frogs are very noisy and they're tiny little frogs. I think they're cricket frogs but, just by getting some normal wildlife, namely some bass fish or whatever, that should break up the cycle of the frogs, and it's a healthy way of doing it, it might take a generation or two to decrease the frog population and would also probably clean up the pond and make it more attractive in general. The other way is getting and aerating the water to make it hospitable for fish would be to get one of those little fountains and that size pond would take a very small fountain that probably costs \$400 and \$1,000 and it uses less than \$200 of electricity per year, and that Corsica Way Condo has a common electrical power to run a little fountain, and that would be the appropriate size. The library on Orange Tree if you ever go by there, they have a fountain a little bit bigger than we need and it's the same thing, we're not reinventing the wheel, we're just copying what works in other places, and that's it for me.

Mr. Winkeljohn: Ok, thank you, and just from a staff standpoint I can definitely agree with the comment about removing the tadpoles, naturally is the most effective way, birds and smaller fish, turtles are ridiculously good at eating them, believe it or not, so I know that's sort of the best practice is to get the pond as healthy as possible and let nature take it's course, and it will diminish the frog population naturally and then after that we can probably look at, and that's all essentially free, fish are not very expensive to add.

Mr. Weiss: I have some high school boys but unfortunately, they're playing basketball this evening so they're busy but, they can help get some bass fish.

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Mr. Winkeljohn: And all the lake companies use some farm-grown and they're very inexpensive, they come about 4" to 5" long and they reproduce pretty fast, and some grow, and some of the native species will take care of it.

Mr. Weiss: And I have a question, I know the Board met a couple of times last spring and the vendor wasn't doing a good job as far as the lake, and cleaning up, and I think the last report was they had done a much better job on the turnover to you all with the last little bit being completed.

Mr. Proctor: I think you're very accurate, except for the last sentence, the turnover is still in process, and we're hoping not to have litigation for everyone's sake but, other than that, your summary is actually correct. The other comment that I want to make in this conversation and part of the meeting is that all the villas have been finished now, all the exteriors are done, and it's been landscaped, so that takes care of a lot of the silt running off, they're still doing some cabinet work inside but, that won't affect anything in the ponds but the construction was a mess.

Mr. Winkeljohn: And I know our engineer went out a couple of times to both the projects to check on the lake and keep the treatment of the lake as protected as possible.

Mr. Proctor: Right, and that was something we didn't have control over, now, with the builder being out of there, we'll have better control and ongoing, and Barry you visited a couple of times as well, didn't you?

Mr. Sinoway: I did, and the last I recall we were supposed to send out some kind of letter to the contractor indicating to him that the silt fences they put up were inadequate and they were falling down, they weren't well maintained. I don't know whether that letter went out but, it may be moot at this point.

Mr. Winkeljohn: We got all of that done, and also they did correct it, then Josh was out there on a regular basis checking with them, we had a little traction problem like we had talked about but, that got approved and he's pleased generally speaking but, he's been on top of it pretty carefully, and I think he may be on the phone and he can fill in the blanks on that.

Mr. Wishner: So, just to be clear in my mind, given the issues we had with the builder, and with silt runoff, etc., I'd like to understand the degree to which we are responsible for any issues/remediations versus the HOA, versus the builder.

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Mr. Winkeljohn: Right, and ultimately the landowner is responsible to the CDD because the landowner wants to transfer to the District, and that's our stop point, so upstream of there we've participated as we described and before that transfer, we'll have either a punch list or a to do list, if you want to call it that before we would accept it.

Mr. Evans: And Paul this is Josh, I have that punch list and I'm going to get them when the time is right because some of it is just investigative because of their lack of ability to maintain the silt heads, so there's maybe a little bit more silt in the pipes, for example, we're going to have some video and inspect those pipes before they give us the lake.

Mr. Winkeljohn: Excellent.

(At this point several people were talking at one time, and no one conversation could be heard)

Mr. Winkeljohn: Yes sir?

Mr. Sinoway: I have another question with respect to the landowner being responsible still for the condition of the lake. How about with respect to the remediation with respect to purchasing the fountains?

Mr. Winkeljohn: I don't think we have the ability to obligate a fountain but, we could certainly recommend it as described, I like that, that's not unusual.

Mr. Sinoway: Ok, well if they have a duty to remediate, if they have a duty because they're still the owner of the property, they may very well have an obligation to provide those fountains.

Mr. Winkeljohn: I like your thinking.

Mr. Weiss: And in that little handout I did some research, and it would cost about \$1,000, from \$400 to \$1,000 for that fountain.

Mr. Winkeljohn: Right, it's a pretty small fountain.

Mr. Weiss: Right, you don't need a big one that the library has, I'll use that as an example, this other picture, it's way too big, you need a tiny little fountain, and the electrician is going to cost more than the fountain to do the installation because you have to run a line below where the landscaper won't cut it, dig a trench, get it in there, it's not a big deal. If I were a homeowner, I would consider doing it, and I can't speak for the condo association but, if the first plan didn't pan out, rather than going to war, maybe just get the condo association to pay for it, you have 64 people of whom the majority have access, not

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everybody has access, the ones that face the golf course, they're not that interested but, it's not a big material cost for anybody.

Mr. Winkeljohn: Ok, so for the Board's sake we'll keep this on a regular basis as an agenda item, and we'll monitor with these requests. Very good.

Mr. Smale: What are we being requested to do, anything? Is our Board being requested to do anything?

Mr. Winkeljohn: Not today, but we got the message and the needs of the residents in this project, and I know Josh is listening, so when he does his punch list I would ask that he add aeration improvement, potentially they can stock it with the fish, they can do all that as described and that's reasonably nominal.

Mr. Smale: Ok.

Mr. Winkeljohn: So, we can play through that process and hopefully it's amicable.

Mr. Smale: So, right now this is just a heads up.

Mr. Winkeljohn: Yes.

Mr. Smale: Ok, thank you.

Mr. Winkeljohn: That's all I'm thinking.

Mr. Weiss: Good, thank you all.

Mr. Winkeljohn: Thank you.

Mr. Weiss: And if I can assist in any way, please let me know.

Mr. Winkeljohn: Yes, thank you. So, we have a lot of housekeeping-type items on our agenda, if you want to take things out of order, Mr. Chairman, we can do that, or do you want to just knock out those items first?

Mr. Proctor: Well, I don't know how long David or Chris can be here.

Mr. Winkeljohn: We haven't been able to meet in awhile so we have a lot of procedural items.

Mr. Hannum: How long are you going to be?

Mr. Winkeljohn: About 45 minutes to an hour.

Mr. Hannum: I have nowhere to go, so do what you want to do.

Mr. Winkeljohn: Ok, alright, and you're ok?

Mr. Chilton: I'm good.

Mr. Winkeljohn: Ok, alright, so we'll go ahead with the agenda as produced.

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THIRD ORDER OF BUSINESS

**Approval of the Minutes of the
April 18, 2023 Meeting**

Mr. Winkeljohn: Ok, so item No. 3 are the minutes from the April 18th meeting, if those are in order, a motion would be welcomed.

On MOTION by Mr. Proctor seconded by Mr. Smale with all in favor, the Minutes of the April 18, 2023 Meeting were approved.

FOURTH ORDER OF BUSINESS

**Consideration of Resolution
#2024-01 Confirming Proposed
Budget and Ratifying Staff Actions
Setting a Public Hearing**

Mr. Winkeljohn: Then item No. 4 is a resolution confirming the proposed budget and ratifying staff actions setting a public hearing. In light of what happened with our budget process we were unable to pick a hearing date in the future, so now we're doing it retroactively. So, today, resolution #2024-01 accepts those actions to get today's budget hearing advertised properly, and set for today, so a motion to approve resolution #2024-01 is welcomed.

On MOTION by Mr. Sinoway seconded by Mr. Proctor with all in favor, Resolution #2024-01 confirming the proposed budget and ratifying staff actions setting a public hearing date was approved.

FIFTH ORDER OF BUSINESS

**Public Hearing to Adopt the
Fiscal Year 2024 Budget**

A. Motion to Open the Public Hearing

Mr. Winkeljohn: So, that allows us to conduct the public hearing for today, which I would now like to ask somebody to open today's public hearing to adopt the 2024 budget by motion.

On MOTION by Mr. Smale seconded by Mr. Sinoway with all in favor, opening the Public Hearing was approved.

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B. Public Comment and Discussion

C. Consideration of Resolution #2024-02 Annual Appropriation Resolution

Mr. Winkeljohn: And at this time in the hearing within a meeting, we would entertain input from the public, and our budget is a replication of the prior year, there's no change to the assessment. Had we had a big change to the assessment we probably would have had it in a different place, different time, and it would have required a mail notice to the resident to invite them to that hearing but, that's not the case today because it is a no change budget, and I'm so I'm guessing there's no comments from the public at this time.

Mr. Smale: Well, to clarify, you said there's a no change budget, but it's no change to the assessment, however, our expenses have changed, and from the minutes of the last meeting we discussed the fact that we're budgeting a deficit now with the reduction in the number of units, etc., so I think we should maintain awareness of that so that we address it at the next budget cycle and get that budget cycle started earlier so we can have a legal public hearing.

Mr. Winkeljohn: Yes, absolutely, and for multiple reasons we definitely want to look at firming up our budget and the key dates later in our meeting today, for that reason, and your comment, I was really just describing public comment because we have two members of the public here today.

Mr. Smale: Ok.

Mr. Winkeljohn: But from a Board discussion, you did an excellent job of introducing the budget, and I don't have a lot left to say, in a good way. So, that's exactly true, what happened to the community was the final number of units reduced, on two sides of it, the debt side, there's no obligation to the current residents because of that, and that debt gets paid down by the landowner and the developer side, so that's really good news that's protected. The downside is the operations and maintenance, the annual maintenance costs for the District are divided by a smaller number, and because of that your fixed costs have to be covered, they weren't covered by the exact revenue that each prescribes and they're covered by some of our reserves. Each year, we often underspend so we should, in theory, not actually dip into our reserves to operate on a normal basis but, at some point in time you would diminish your reserves and would need to start to increase your assessment and also, in the future, we know that next year we may bite off some bigger projects and so, next year's budget cycle is going to anticipate some deeper fact finding,

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some deeper analysis and project descriptions and also a public forum of some kind to discuss it.

Mr. Proctor: And David is the president of the HOA, and just for his benefit, the number of units was only reduced by 9, from 578 to 569.

Mr. Hannum: And what caused that reduction?

Mr. Proctor: It was a change in the developer's plans for the remaining parcel buildout.

Mr. Smale: I think they just built fewer units on the property than they had originally planned.

Mr. Winkeljohn: Yes.

Mr. Sinoway: So, they re-platted.

Mr. Winkeljohn: Exactly.

Mr. Sinoway: And I believe, correct me if I'm wrong, there's a possibility for further reduction if and when that other remaining parcel near the Pro Shop is built out, and if that winds up having fewer units than are in the numbers currently, it could be reduced further.

Mr. Proctor: Yes.

Mr. Winkeljohn: Right, so we'll take those battles at their time but, today's responsibility is to adopt resolution #2024-02 which is the annual assessment and appropriation resolution, which your current assessment is \$959 per unit, and it has been unchanged for several years.

Mr. Wishner: So, before we approve that should we not be talking about the various projects that might lead to an adjustment to that?

Mr. Proctor: Just remember Steve that there's a notice provision if you're going to increase the budget, and Paul explained that.

Mr. Wishner: Right, and we only had until June to do that?

Mr. Winkeljohn: Well, you can't increase by any means today. In fact, you can't change to be honest with you, and I can explain later why. You're in a peculiar spot with your budget adoption, and you've taken corrective action with the previous motion to allow you to have today's hearing, and we're slightly out of cycle but, you're adopting the budget because there was a material change to the budget, and the key point is, throughout the year if there are adjustments we can make them at that time.

Mr. Wishner: Ok.

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Mr. Winkeljohn: There's no hearing requirement, it's just the majority motion of the Board.

Mr. Wishner: Ok, thank you.

Mr. Winkeljohn: Yes, sir. So, with those descriptions and overview, resolution #2024-02 is before you to be approved.

On MOTION by Mr. Wishner seconded by Mr. Sinoway with all in favor, Resolution #2024-02 the Annual Appropriation Resolution was approved.

D. Consideration of Resolution #2024-03 Levy of Non-Ad Valorem Assessments

Mr. Winkeljohn: Then resolution #2024-03 is the collection of that assessment which is on the Non-Ad Valorem tax process through the county, and a motion approving resolution #2024-03 authorizes that process. Is there a motion?

On MOTION by Mr. Wishner seconded by Mr. Proctor with all in favor, Resolution #2024-03 the Annual Appropriation Resolution was approved.

E. Motion to Close the Public Hearing

Mr. Winkeljohn: Then a motion to close this portion of today's meeting, the public hearing portion for the budget.

On MOTION by Mr. Wishner seconded by Mr. Sinoway with all in favor, closing the Public Hearing was approved.

SIXTH ORDER OF BUSINESS

Consideration of:

A. Resolution #2024-04 Establishing an Electronic Signature Policy

Mr. Winkeljohn: Item No. 6 is a couple of procedural matters, the first one is resolution #2024-04 which is establishing an electronic signature policy. The State of Florida evolved into the modern era and authorized electronic signatures and notaries for any government document, or any document in the State of Florida, with a few exceptions, and that fits perfectly for our world, we've gotten rid of the printed books, we've gotten rid of excessive public record copying and such, and so adopting this policy just memorializes

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that we're using a signature policy that includes electronic signatures. I just need a motion for resolution #2024-04.

On MOTION by Mr. Sinoway seconded by Mr. Smale with all in favor, Resolution #2024-04 establishing an electronic signature policy was approved.

B. Engagement Letter with Grau & Associates to Perform the Audit for Fiscal Year Ending September 30, 2023

Mr. Winkeljohn: Item B is the annual fiscal audit and every year we authorize the engagement with the auditor, so that's all you're doing is authorizing the execution of their annual engagement letter to begin the audit for next year.

Mr. Proctor: Are we behind on that audit?

Mr. Winkeljohn: No, your audit is done, this is the kickoff, we weren't at a meeting to go ahead and give them their engagement letter but, we authorized them to begin, and this is paperwork if you will.

On MOTION by Mr. Smale seconded by Ms. Simmons with all in favor, accepting the engagement letter with Grau & Associates to perform the audit for Fiscal Year ending September 30, 2023 was approved.

Mr. Smale: Just for memory purposes, didn't we recently have a couple of bids for this, and approve that?

Mr. Winkeljohn: Yes, the state procedures, have you request for qualifications from multiple auditors, you bring them into a special committee, and that committee selects and ranks them, and then the Board accepts that ranking.

Mr. Sinoway: We approved them at our last meeting.

Mr. Winkeljohn: You did.

Mr. Smale: And we did that like 6 months ago for a 5-year term, right?

Mr. Winkeljohn: Yes, it's 5 or 6 years, yes.

Mr. Smale: Ok.

Mr. Wishner: My notes reflect that these folks were the incumbents, they were less expensive, we were happy with their work, and our decision was not to change.

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Mr. Winkeljohn: Correct, perfect.

Mr. Proctor: Paul, were you concerned that the audit should start sooner?

Mr. Winkeljohn: Well, we have a June deadline for submitting the audit, and it was submitted on time. This year's audit it's only October, it's the beginning of the year, so your engagement letter, because of the infrequency of meetings, it would have been probably approved in June or July, normally but, it doesn't change your timing.

Mr. Proctor: Alright.

Mr. Winkeljohn: So, you'll be fine.

SEVENTH ORDER OF BUSINESS

Insurance Policy Renewal and Appraisal with Egis Insurance & Risk Advisors

Mr. Winkeljohn: Moving on to item No. 7, your insurance policy and renewal has been submitted, this is not something we would previously bring to the Board but we decided as a business practice it was helpful for some groups to see their insurance. You have no insurable property, so it's a very minor policy, you're also sovereign immunity, which means that your liability is capped by State Statutes and takes an act of State Legislature to exceed that immunity, I think it's \$250,000 today. All that said, your insurance is extremely reasonable but, like all insurance it has gone up, so we're all taking hits even in government but Egis is a pooled government fund insurance pool, there's only two in the entire state and they've been outstanding, there's been no problems, and that includes directors and officers, errors and omissions, and Board policies liability but, you have no vertical property so it's a minor policy.

Ms. Simmons: Paul, I have a few questions.

Mr. Winkeljohn: Please, go ahead.

Ms. Simmons: Two of them, under auto liability, there's 8, 9, and I don't know if that's 8 or 9 cars, I don't know what that is. Then the second one is, that there is no insurance for like theft and destruction which I think would be something you'd want to look at, so was just curious on those two issues.

Mr. Winkeljohn: Right and let me just pull it up here.

Ms. Simmons: And it's on page 86 under crime coverage.

Mr. Winkeljohn: Right, and so you have no property, so theft is not going to apply, and where are you seeing that other one?

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Ms. Simmons: So, you're saying we don't own the property.

Mr. Winkeljohn: We don't own anything that's an insurable property, and so it's not included in the policy but, pumps are mechanicals, so they're not in property, so the way the insurance describes it, let me just check here. Right, so you don't own cars, but you do have the hired non-auto, which means any of your contractors if they get into some sort of issue, and also the pumps are not listed, of any kind. The only pumps you do own are of course the aerator pumps, so I can check and see if that can be insured. I don't know that it rises to the level, they're all in about \$20,000 worth of pumps.

Mr. Smale: Are they underwater for the most part?

Mr. Winkeljohn: No, they're outside of the water, they're the solar-powered ones.

Mr. Smale: Ok.

Mr. Winkeljohn: The aeration pumps, we don't have any irrigation, we don't do any of that, we use the benefit from the golf course capability, and no landscaping is insurable, so my first pass would be that it's not worthy of insurance but, I can ask if you'd like.

Ms. Simmons: Well, only if anybody else thinks that, I was just curious about that.

Mr. Winkeljohn: Ok, and what would damage them would be a storm, and that's not going to be insured but, if you had vandalism or something like that, then you probably could technically use insurance.

Mr. Smale: But if one was broken, it probably doesn't rise to the level of the deductible anyway, so we'd end up paying for it anyway.

Mr. Winkeljohn: Correct.

Mr. Sinoway: What is our deductible?

Mr. Winkeljohn: Well, you don't have one because you don't have any property, or any items for that, your other deductible is zero for general liability.

Ms. Wishner: So, the policy would have to be rewritten to include those, and then it would have to include some form of deductibility.

Mr. Winkeljohn: Right, put in some equipment or a boiler-type policy for things like pumps and motors, it would fall into its own category, and it's a different policy but, I can ask.

Mr. Sinoway: So, it can't hurt to ask but it sounds like something we should just self-insure.

Mr. Smale: I would agree.

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Mr. Winkeljohn: Right, that's probably the better financial decision, but let me ask, why not? The only communities I have that do that have large irrigation systems with expensive products on the other end, so they worry about that.

Ms. Simmons: Thank you.

Mr. Winkeljohn: Alright, so with that information gathering part, I would just need a motion to accept the insurance report.

On MOTION by Mr. Wishner seconded by Mr. Sinoway with all in favor, accepting the insurance policy renewal and appraisal with Egis Insurance & Risk Advisors was approved.

EIGHTH ORDER OF BUSINESS

Staff Reports

Mr. Winkeljohn: That brings us to staff reports, and Sarah is with us today to bring us up to speed on the land conveyances.

A. Attorney – Update on Land Conveyance

Ms. Sandy: I know I called in but, Allyssa did not provide me any update to provide to the Board on the land conveyances, so I don't have any report for that but, we will have a follow-up for the Board on that, so I don't have anything additional to report.

Mr. Winkeljohn: Ok.

B. Engineer

1) Updates on:

a) Landscape Design

b) Lake Re-Construction

Mr. Winkeljohn: Go ahead, Josh.

Mr. Evans: Yes, the lake, L-1 which is the new development up the entrance, we gave them a list of items that we need from them to turnover but, generally it looks like that's going fine, and shouldn't be an issue. So, we're asking for their certification from South Florida Water Management District, a copy of the recorded plat, and the county release on the excavation permit, so we'll be free and clear at that point on that one, the other one, on Corsica, we have a list of things to work on.

Mr. Wishner: Josh, on L-1 have we verified that they have reduced the size of the lake to the intended and accepted size that was represented to us?

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Mr. Evans: Yes, and that's one of the things we have to verify by receiving the release of the excavation permit. So, within the release of the excavation permit of Collier County, they have to provide as-built lake sections and when I get those, I'll verify that the lake acreage is consistent with what they told us it was going to be. Then the other item that I requested was what they call an in-line weir because they did not line that lake, so I wanted a wall to protect our lakes from seeping into that lake and causing our water level to go down. So, they did put that in too but, I'll get an as-built of that also.

Mr. Wishner: Good, that was my next question actually, thank you.

Mr. Winkeljohn: And that was item 8B.

Mr. Proctor: Josh how effective is that wall as compared to having the lake lined?

Mr. Evans: It's just as effective at keeping our lakes from going down, but their lake will go down, theirs has no control on it for purposes of maintaining it high in the dry season but, what we did is put that wall there to protect the rest of our system that's interconnected to it to not let our system drain into that lake which would be lower. Corsica has something similar to that lake, it's not line and it has an in-line control structure between it and our system.

Mr. Wishner: I'm sorry, you're saying we do have that in Corsica?

Mr. Winkeljohn: Yes.

Mr. Wishner: Ok, fine.

Mr. Proctor: I think the reduction in size of that lake would be down to 1.0 acre.

Mr. Wishner: I remember that as being correct.

Ms. Simmons: This is Barbara, just because I'm new to the Board, so this lake is not under CDD control?

Mr. Winkeljohn: No yet.

Ms. Simmons: Ok, not yet, so it will be if I'm hearing correctly.

Mr. Wishner: That's the expectation.

Mr. Winkeljohn: Yes.

Ms. Simmons: That's what I thought, ok, thank you.

Mr. Winkeljohn: Are there any other questions, this morphed out of our attorney's report into our engineer's report, a little bit. So, that brings us back to Josh and his team's report, how would you like to proceed Josh?

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Mr. Evans: Well, I've done most of it, to answer your question, the L-1 lake, that's been addressed, the Corsica lake, when they come in for turnover we're going to provide them a list of deficiency items for them to complete before we have the turnover, and then ask for, after those things are completed, for the same things we asked for L-1 like the plat and the excavation permit release. Then the last thing is, Pat Trevis is there to kind of give an update on the berm planting, and I'll turn that over to him.

Mr. Winkeljohn: Thank you.

Mr. Trevis: Good morning, everybody, thank you for the opportunity to speak today. So, my office, Outside Productions, we're landscape architects here, located right around the corner, over at The Strands, and we've been asked to look at the east side of the berm and help come up with some ideas to reduce maintenance. Our office did design the original berm for WCI back in 2002 when the original berm was designed, we weren't involved with the engineering of the berm, we were involved with the planting of the berm, and the planting design. My understanding is the berm itself, the physical berm, the earth mass, was there for privacy and sound abatement, and then we came in to plant it and enhance it. Working with WCI back in those days from what I can remember, and just by looking at the plant pallet that we used on that berm, there was an aesthetic aspect to the berm as well. Things were underway, homes were for sale, it was a brand new community, and it was partially a front door to the community there on I-75, a great advertising opportunity. So, a lot of the plant material especially the shrubs were plant material that was pretty ornamental, things that you might see in someone's front yard, bougainvillea, cocoplums, some viburnums, fire bush, things like that, you can see often around more managed, showy sort of landscape for gardens, and that all worked well. So, now we're 20 years later down the road, and that's about the lifespan of a lot of that plant material about 20 years. We've been asked by you guys to take a look at the berm and see what we could do to reduce maintenance. We did spend a good amount of time out on the berm, we actually kind of developed a little bit of an as-built plan here, kind of what's there and what's not there, mainly focusing on the tree for our as-built, and then we started to get to work on a concept of how we could reduce maintenance. So, we thought about it a lot in our office and ironically we were working on a couple of other communities right now that have similar issues, of course no one has a berm like you guys have but, we're working on some other areas where they had a lot of damage from the storm, Ian, a lot of landscape

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damage, some of it's high visibility, some of it's really lower visibility but, still needs to be addressed. Some of the lower visibility areas there, we're coming in and we're planting, or proposing native plant material, just some simple native plant material that we do think would just occur naturally. As we worked on the berm concept too, we kind of just looked up and down the interstate and land adjacencies where there was no development and just what was growing in those areas, those natural Florida areas. We saw a lot of pines, we saw a lot of cabbage palms, we saw a lot of grasses and ferns and whatnot, different varieties of all those things. I'm imagining that a lot of the maintenance, especially with the shrubs, has to do with this ornamental material, the way they need to be pruned and fertilized and whatnot, what we're proposing is a plan that kind of in a sense, there's no such thing as no maintenance but, in a sense kind of gives the berm back to Mother Nature by recommending native plant material, grasses, ferns, pines, cabbage palms, those sort of things. A lot of the trees that are there, some of the oaks, the magnolias, and the cedars, are probably fine, they do add some visual aspects to the top of the berm especially, so we didn't have any objection to those. We did focus a lot on, and there were some trees that had just kind of outgrown their life cycle, and some of the silver buttonwoods that are on the berm that probably need to be dealt with and replaced. So, if you're looking at this exhibit that I passed around, if you kind of focus really on the images along the bottom there are examples of different grasses and ferns, as well as things like saw palmetto, and a couple of smaller native palms that we think would be a nice way to start making replacements on the berm with this material. One, this material would need less maintenance, it wouldn't need that hard sheer pruning that we see that's going on the berm with the plant material, you see a lot of things kind of boxed out and whatnot, that's because it was all ornamental material, hedgy sort of stuff. So, what we're proposing is not that hedgy sort of material, it's more free-flowing, it's more natural, and if you just let it go, it just kind of does its own thing. It would probably need to be irrigated, obviously at first to get established but, there's a good amount of the grasses, the ferns, pines, things like that, that over time if weened off appropriately with the irrigation, then they can survive without irrigation. The ornamental plant material that's on the berm now, the cocoplums, some of the bougainvillea, and things like that need supplemental irrigation.

Mr. Winkeljohn: Can I stop you right there?

Mr. Trevis: Absolutely, yes.

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Mr. Winkeljohn: The irrigation has gotten my interest and probably all of ours a little bit, long term it would be ideal for us to not have to have irrigation. Is there a way to construct or modify the plantings so that when the upper-tier items are planted, they can hold their own water a little better because of gravity it won't just run to the lower tier, you follow what I'm saying?

Mr. Trevis: Maybe it would be irrigation management on how much water there is, it's kind of like a green wall, you know how these green walls are, and the problem is, the stuff up top overwaters the stuff on the bottom, so it's how we manage the stuff on top.

Mr. Winkeljohn: And wouldn't the ones on top, without any irrigation dry out faster than the ones below?

Mr. Trevis: Yes, but they're up higher, they're more exposed to wind and whatnot, especially in our drier times of year in the wintertime when we start to have less rain.

Mr. Winkeljohn: So, is there any kind of like soil, or more of an oil-type soil?

Mr. Trevis: There's amendments for soil that also retains some moisture, the ones the nurseries use, that could be incorporated into the soil and then looking at soil amendments they just have a little more organic material in them that naturally hold the moisture. One thing I always thought we would need, especially during establishment and the ween-off period, would be making sure that everything has some sort of mulch layer because that's really effective in holding that moisture as well.

Mr. Winkeljohn: Ok, thanks.

Mr. Wishner: I know this is a side question but, where do we stand with the irrigation, I know that we were waiting to be tied into the work that had been going on in the golf course, and I'm curious as to where we are currently with the irrigation for the berm?

Mr. Winkeljohn: I don't think we have anything yet, we're waiting on a green light from the golf course.

Mr. Smale: Again, off the subject, but really quickly, we have two representatives from the HOA here, and this question comes up constantly regarding noise, can Josh review for the benefit of everyone what we discovered about the noise mitigation and plant material?

Mr. Evans: Yes, we found that landscaping material doesn't do a great job of abating noise, you really need some type of structure or sound wall, and so I don't recall the numbers but, we priced one I think it was a 14' or 15' sound wall and the cost was pretty

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expensive, and you don't have a lot of space there, the area at the frontage to do an expansive berm, which is narrow in that location so you'd almost have to do a wall, you couldn't do a little berm.

Mr. Winkeljohn: And that's for the corner area where we get some of the complaints.

Mr. Hannum: I appreciate that but, you have a great testimony on that, is it louder now than it's ever been or not? We've been through this before but, quite frankly, if you live there, and I live very close to it, I'm in the second building from I-75, and it's white noise, you can't hear it, you just can't hear it, unless you try to hear it. My wife and I were talking about this very same thing yesterday, I said I don't hear the noise, do you hear the noise, she said, only when I think about it.

Mr. Winkeljohn: That's a good description of a white noise.

(At this point several people were talking at one time, and no one conversation could be heard)

Mr. Proctor: Josh, this is Jim, was it your result of the study that plants only ate about 12% to 13% benefit as far as noise reduction or less, so plants aren't the answer?

Mr. Evans: Right.

Mr. Hannum: Which would mean it's not any louder now than it's ever been.

Mr. Proctor: Right.

Mr. Winkeljohn: It's psychological.

Mr. Hannum: And we have higher residents closer.

Mr. Winkeljohn: Go ahead, Barbara.

Ms. Simmons: I was just going to say, I mean there's a lot of difference of opinion on this because I have been told, after Ian the noise level just went up, and it was difficult to get on phones for business, etc., and I just heard that from a few people, so I don't know the overall consent, so there's different opinions on if they hear the noise or not, so that would be just representing the other side.

Mr. Wishner: I'm on Kirara and this is Steve, and depending upon the direction of the prevailing wind, you either hear it more or less loudly, or you don't hear it at all, and it doesn't seem to me, I've been here I think 7 years now, and it doesn't seem to me that it's any louder now than it was before.

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Mr. Smale: But I just want on the record everyone to know that our Board addressed this, we hired and Josh engaged a sound engineer who came up with these conclusions and I want to consider this case closed with regard to plantings because people stop me on the street in Talis Park and say, when are you going to put in some big trees because we can hear all this noise, so that would be good information for the HOA Board to be able to relay that information.

Mr. Hannum: Absolutely, and can we get that in writing and put it in our files, and then when that complaint comes up we'll have something.

Mr. Trevis: We've had that same experience on other jobs, on other new communities working with the sound engineers on roadways, and they said the same thing, that the plant material does very little if anything at all to abate the noise.

Mr. Winkeljohn: Right, and I've managed communities with airports, water sewer plants, in the middle of the golf course where people didn't want their swings interrupted, or whatever, and I've gotten those scares too, and I'm happy to share the stories, but yes, if it's something really specific, you can solve it with a specific solution, but when it's general noise, you're trying to push back the tide, so to speak in theory.

Mr. Hannum: And one last thing, if the only solution is to put up the big wall, it's totally out of sight, so you're going to trade all of these complaints about how unsightly this wall looks, versus the noise.

Mr. Evans: Right.

Mr. Winkeljohn: And then you have to landscape the ugly wall.

Mr. Proctor: Right, and Josh add to that as far as the wall, possibility on the south end, the topography there is downhill, it would require a lot of fill, and access is going to be a challenge and then I believe you have to go back and modify everything with the county as far as the plan.

Mr. Evans: Yes, we have to, they call it a plan amendment to show the wall, and you guys said it right, I mean basically landscaping is used to make soundproofing infrastructure pretty, so you would put landscaping on either side of the 15' wall to hide the wall once you put the wall in if you did it.

Mr. Winkeljohn: Right, and so I think everyone's strategy is, we've done the research, we have the facts, it's in our file, and we're willing to share and publicize accordingly.

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(At this point several people were talking at one time, and no one conversation could be heard)

Mr. Winkeljohn: And that's how we got to this project, and were you completed with your overview?

Mr. Wishner: I actually have some questions on this.

Mr. Trevis: Well, on our second sheet here, and I know you guys originally, we talked about it, and you were really concerned about maintenance, aesthetics not being such the issue now on the I-75 side of the berm, and that's how we approached it. So, the second sheet really is just an exhibit where the sign is at the top of the berm, your Talis Park sign, and how we might be able to kind of celebrate that sign a little bit but, anyway there was a thought here for opening up some of this natural native kind of proposed plant material, opening it up where that sign is, introducing some jasmine that would just ramble over the wall. Garden jasmine is kind of a low maintenance sort of vine, and it can just kind of ramble and fall down the wall, so we'd have this kind of clearing area as you went by it 80 mph where the sign was, kind of celebrate the sign but, again, that may not be what you want.

Mr. Wishner: And that's exactly where I had the question, so it looks to me like we have some reasonably full landscaping, I'm presuming that this sort of goes this way.

Mr. Trevis: Yes, kind of, this would be kind of a typical of 90% of the berm and this would be one area where the sign is.

Mr. Wishner: This looks very barren to me, and I'm not sure exactly what the plan would be there but, certainly my perception would be if we had low fill with ferns or something like saw palmettos, that would open up the view to the sign but, still look like it's not barren.

Mr. Trevis: With some fullness there, for sure.

Mr. Wishner: I think that would be a far more attractive approach to that section.

Mr. Trevis: Understood and these graphics are a little bit deceiving because we're kind of looking at a vertical element in plan view. So, when we see it from the road, those vines would be falling across those baskets, but I don't disagree with you, that wouldn't be a problem, maybe that's just where we make a break in some of the trees, and whatnot, to

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maintain the view of that sign but, it could be done a couple of different ways for sure. Thank you.

Mr. Smale: Well, I have a question, and I understand it's going to be difficult to assess other than off the top of your head but, how much will the difference in maintenance cost be on a percentage basis versus what we have there now? So, what I'm getting at, and I don't remember the number but, let's just say it costs \$100,000 a year to maintain it, with the new plantings, how much will that be reduced?

Mr. Trevis: A total guess would be about 50%.

Mr. Smale: So, 50% is a lot.

Mr. Wishner: We would also potentially save money on the irrigation if we only had to irrigate certain sections that had plants that did not need it.

Mr. Trevis: Right, it could be weened off, and I think everything would need irrigation to start with, so I want to set that as a foundation but, then I am confident that the material that we're proposing could be weened off. Now, when I say, 50% on the maintenance, that's also with the expectation that the berm is going to kind of change in look, it's going to get more of a natural sort of look to it. We have grasses, and there's probably grasses around here that you see them cut back a couple of times a year, we wouldn't necessarily have to do that on the berm. It could be done maybe once a year, if that, also Mother Nature has the same exact grasses just growing out all the way across the Everglades that are just growing, so they grow and they fill, and whatnot. So, it is a change in the look of the berm to a more natural, native sort of look. Again, and we obviously kept talking about kind of giving it back to Mother Nature to a certain sense but, we wouldn't have that hard pruning that's required, we'd still have some irrigation and some fertilization I think would be appropriate.

Mr. Proctor: I can share what our contract is this year, Paul provided this to me, in 2023 the labor costs are around \$135,000, and the materials is about \$47,000 for \$183,000 which is \$15,000 in change per month.

Mr. Smale: And where I was going with that is, like when we assess how much is going to cost for your plan, we should consider that we're going to save "X" amount per year into infinity kind of.

Mr. Winkeljohn: Right and that's an excellent handoff, do you have some borderline prices?

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Mr. Trevis: I don't but, as I say, if people kind of like this approach or philosophy, my office can put together an opinion of the cost of what we think the change would be to implement this sort of look for the berm based on these concepts.

Mr. Winkeljohn: I just like to ask, how hard was it to disciple your crew to be willing to put these plants, just these native plants on a drawing, this shows a lot of challenges.

Mr. Trevis: And we still focus on aesthetics all the time in this town, it's all about aesthetics in our business, and this is still aesthetics, the beauty is in the eye of the beholder but, when you drive along the interstate you see some undeveloped land which there is still some, especially north of us, and it's nice looking stuff, and that kind of was our motivation for the berm. You know, I mentioned that we're right in the middle of this with Bonita Bay and we're working with their in-house maintenance managers, and some of them have been there 15 or 20 years at Bonita Bay and these kinds of little bit out of the way areas, not front and center landscape but, the stuff you still see but it's in the background, they're very comfortable with this approach. So, at this time it's kind of perfect that we're doing this at the same time, so they're really comfortable with putting in some grasses, putting some saw palmetto and their favorite saying is, just let it eat, let it just do its thing.

Mr. Winkeljohn: Barbara, you had a question, I'm sorry.

Ms. Simmons: I did. First Paul, can you send me the images that you guys are all looking at?

Mr. Winkeljohn: I'm sorry, I thought we did, so absolutely there was a link to a drop box that was circulated but, I'll resend it.

Ms. Simmons: Alright, thank you. Then secondly, I'm putting the noise mitigation to bed with this question, I was going to say, with this new planting will we hear more noise or less, or the same?

Mr. Trevis: The same.

Ms. Simmons: So, it's the same, alright.

Mr. Winkeljohn: And if I could pick a plant pallet that's going to be lush and more foliage-looking, and more natural, this is ideal. What's there now is a lot of vertical trees with very little ground cover because it's a tiered berm, there's nothing underneath them to fill in that space, this is going to have a lot less of those openings, so I would think there has to be some improved benefit, nothing I would go advertise, and the pivot away from

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the way it was done before with nothing cascading over the trellises or the trusses, or whatever they are, the tiers, you have less hard surfaces too. So, I think it's going to be visually a home run for you all because the current berm system was really designed to catch the eye, and this one is to blend in with nature at a high-quality level, so I'm a big fan.

Mr. Proctor: The other part of this is, what type of irrigation is going to be required based upon these new plantings, and as Kevin shows in his report over the past year or two there's a lot of that irrigation system that is not functioning properly.

Mr. Winkeljohn: Yes, and we were intending to redo it but, I'm a real optimist and I could see something very inexpensive, relatively speaking, because it's not so dependent on it.

Mr. Wishner: I think you have to do the irrigation as you previously planted it because you're only going to have certain plants that are going to be self-sustaining, even after they're weened, you're still going to have to irrigate them initially.

Mr. Winkeljohn: I mean the regular spray type irrigation with pop-ups and things like that, we don't need any of that, and that saves the ongoing maintenance of that irrigation which is really expensive, and can I ask, are you planning on a lot of drip irrigation?

Mr. Trevis: Yes, I mean we typically like to see a lot of drip for sure, that saves the most amount of water, it's very effective, we try to also level, with this native material, we're leveling the water requirements playing field. With what we had there before because it was more ornamental, we had plants that needed a lot of irrigation, we had some plants that didn't need a lot of irrigation, and we really think with this we're leveling that playing field in terms of water requirements.

Mr. Winkeljohn: That's exactly where I was headed, that's the problem with irrigation is you get an annual or flowering, or ornamentals that need irrigation "X" during peak season, or whatever, or new material where you're replacing them on a regular basis, that's one irrigation system, then all this native stuff, you kill it or ruin it if you over irrigate it past what Mother Nature is already giving it, so I love it, this is low maintenance by any measure.

Mr. Wishner: I also have a further question, with the work that will be done with the landscaping issues to be addressed, I presume we're going to level out and improve or re-establish the maintenance of the roads?

Mr. Winkeljohn: I think that would be appropriate.

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Mr. Trevis: I will say I passed that task on to a couple of my designers to go in a tour of the berm, and when they came back, they said parts of it is like a rollercoaster, so it's a little hairy but, this would be an opportune time to do that because we'll need those roads to make the changes anyway, so that might be one of the first things that happen is cleaning those up.

Mr. Wishner: Yes.

Mr. Trevis: The last thing I want to say about the new plant material too in terms of budgets and we'll put together an opinion of cost, plus the native plant material was also used in like mitigation-type plantings and whatnot, so it comes to us in a lot of available different sizes. Things like grasses and things, don't necessarily have to be planted in 3-gallon or large containers, we do a lot of projects, berms and things where it can be done in what we call liners but, before you know it, I mean they grow so fast, they come to full size in no time, and it can save money.

Mr. Winkeljohn: That's true.

Mr. Smale: Ok, and since we have two representatives from the HOA here, I'd like to ask the question, you can see the direction that our Board took in addressing the berm and that was to become less maintenance, not as ornamental, it's going to be different than it is now, with the other benefit of saving money on maintenance, etc., do you think the community at large will care that the berm becomes less ornamental, maybe less visually aesthetic from the road, or do you think we're headed in the right direction, or do you have no opinion?

Mr. Hannum: I definitely have an opinion, you ask what the community thinks, and we're on both sides, we're going to get complaints. I would sell this because it looks tired right now because you can see too much of the baskets, you can see too much bare dirt, and that's what you're addressing. So, yes you get less ornamental but, it's going to look better than it looks right now, so I don't submit that it's going to look worse, I would tell them we're filling in the gaps, we're making it more sustainable, and we're cutting our maintenance cost in half, end of story.

Mr. Smale: Ok, I like that story.

Mr. Hannum: I think that's exactly the way we should go, especially with all the sprinkler problems we've had, and we all have sprinkler problems, all the time, anything that you can do that would require less sprinkler is progress.

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Mr. Smale: Ok, so we'll take that as an endorsement. One last question, start to finish timewise, what are we looking at here for implementing the project?

Mr. Trevis: So, what we need to do next is we'll start writing an opinion of cost if you guys are ok with the opinion of cost, then we can move forward with construction drawings, which I think we could move fairly briskly, we have all the drawings to begin with, we did the original drawings. Then I guess if it's something that, are we phasing the berm or are we just going to knock out the whole berm, I mean, I almost feel better about giving you a maintenance answer than telling you how long it would take to plant that berm because it's vertical, and whatnot, and also finding some contractors right now, we're bidding some other job and we're trying to find some contractors which has been a challenge. It's several months to plant that berm probably, it's a big project.

Mr. Smale: Well, that's way better than several years.

Mr. Trevis: No, if you were to pull the trigger on the whole thing and we got a big company like a Sunny Grover or someone who could come in and just put big crews on it, and whatnot it would be several months, or 3 or 4 months.

Mr. Wishner: And that would depend in good part on the cost.

Mr. Trevis: Yes, the cost.

Mr. Wishner: Whether we have to phase it because of cost or we can just attack it.

Mr. Trevis: Understood, right.

Mr. Hannum: And when you do the cost analysis you need to really give us a savings over time because that's what we have to sell.

Mr. Trevis: Yes, understood, so when I do the opinion of cost, we're used to doing what we think the implementation of the new construction would cost, so I can give you those numbers but, I'm happy to talk to a couple of maintenance companies and kind of get their opinion on what was there versus what we're proposing.

Mr. Wishner: The other issue there with respect to cost is if there's going to be any kind of meaningful or material impact to the cost structure by having to phase it, we'll need to know that.

Mr. Trevis: Understood, ok, right. Let me get the number together first.

Mr. Winkeljohn: Go ahead, Barbara.

Ms. Simmons: Is there a better time of year to plant all this stuff, like summer versus winter?

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Mr. Trevis: Yes, late spring and then into our summers is best, in Florida we can plant all year but, my experience over 25 years of doing this, there's nothing better than when we're in our hot season and we're getting rain, the plant material just totally responds to that better than anytime else.

Ms. Simmons: So, would that be our goal, maybe this coming spring?

Mr. Winkeljohn: Let's see, I like it.

Mr. Hannum: It would also have less impact on the community because it wouldn't be there to be adversely affected by the production.

Mr. Trevis: Correct, yes, that's a good point because when we wrap up our season here, after Easter, we're still pretty dry, once we get past that, and this year was kind of a weird year as we didn't have as much rain but, really get past that and get into our summer, that would be ideal, and it would be perfect timing for the plants, and perfect timing for the residents.

Mr. Winkeljohn: I like it.

Mr. Trevis: Ok, well thank you, I appreciate it.

Mr. Winkeljohn: Thank you, and if you could reach out to Josh, while we were talking I was trying to find the file of this but, could you resend it?

Mr. Trevis: I'll re-send it, I sure will.

Mr. Winkeljohn: That would be good, and I can circulate it to everybody in case they want to share it with their neighbor or whatever.

Mr. Trevis: You got it. Alright everybody, thank you, I'm going to take off.

Mr. Winkeljohn: Thank you.

Mr. Wishner: Thank you so much.

Mr. Winkeljohn: And Josh, I assume that concludes your report?

Mr. Evans: Yes sir, that's it.

C. Manager

1) Discussion of State Board of Administration Account

Mr. Winkeljohn: Ok, under manager's report, there are a couple of things going on with the State Board of Administration, there is some good financial news out there. There are qualifying investment accounts, other than the State Board Account for Districts for the first time in 20 years give or take that are doing a little better interest, and right now you've authorized obviously a checking account and a State Board account when there was some

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bubble ups with some of the banking and we were careful to keep your funds evenly split so that neither one was underinsured, if possible, we have about \$520,000 and so it worked out nicely, \$250,000 in each account, but this third account is available through your bank and it is a qualifier. So, if the Board could authorize using our other qualifying savings account, it's a money market basically, and they didn't exist forever because nobody wanted them other than the governments that ran your State Board account, which is running at 2% or 3%, this one is 5%, so it's a pretty significant improvement if you could so authorize.

Mr. Wishner: Has anyone looked, before we authorize this, has anyone looked at the guts of that money market account and satisfied themselves that what the money market fund is investing in is of acceptable qualifications?

Mr. Winkeljohn: Yes, so for it to qualify it has to be tested by the state and the state has authorized it. It's basically a private version of their account, that's just better. In years past, we were allowed to do some commercial paper through our banks back in the days, I think like 30 years ago but, in the last 15 or 20 years these markets disappeared and they're back now. Government-qualifying investment accounts through your bank, so they're totally eligible, they meet all the tests, and I just wanted to bring it to your attention if you're in favor of it because it's going to be 6 months before we spend a big chunk of money is my guess, and it would be nice to have another \$10,000 or \$20,000.

Mr. Wishner: Great, then I would go forward with that motion.

On MOTION by Mr. Wishner seconded by Mr. Sinoway with all in favor, authorizing staff to open a District Money Market account earning 5% interest as stated on the record. was approved.

2) Number of Registered Voters in the District – 636

3) Consideration of Proposed Fiscal Year 2024 Meeting Schedule

Mr. Winkeljohn: Now, item No. 2 is required to keep you up to date on how many registered voters you have in the District. So, congratulations, you'll still well past the requirement, and you have 636 registered voters because of the State Statutes, if you had less than 250 registered voters, which some communities have like 150 registered voters, you'd still be doing your elections with pen and paper at your town hall but, because you have 250 the county runs it for you, and that's the only reason we have to report it. So,

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item 8C, #3, on your tablet has a list of dates for your 2024 calendar year and this is very critical. The big picture is, like I said, as of today your financials are through September 30th, and you have \$520,000 in the bank, so for all intents and purposes your cash reserve, and that's substantial and you know that. I don't know that this project will be under that or above it, if I take a wild guess, it's probably three-quarters of it at least, so assuming you wanted to or needed to have a budget increase next year to make up for those 8 units, all these other things to be decided but, the schedule is kind of where I want to work backwards from.

Mr. Sinoway: But an additional part of that was the refinancing of the bonds.

Mr. Winkeljohn: Yes, we have that piece too.

Mr. Wishner: Right, we haven't talked about that yet.

Mr. Smale: That's not going to happen, interest rates are higher now than they've been in 10 or 20 years, so we can put that aside, I think.

Mr. Winkeljohn: I haven't heard any update that we can't do it but, I trust what you're saying.

Mr. Smale: Look at mortgage rates, they're higher than they've been since 2000.

Mr. Winkeljohn: But there is a little bit going on in the treasury market.

Mr. Wishner: What is our current rate on those bonds?

Mr. Winkeljohn: I have to look it up but, let me see. Those are, the 2013 is staggered, between 4.25% and 6%, the 2016 is staggered to 3.5%, that's a well-refinanced one. The others are at 4%, and I know one of them, the first one I mentioned was the one that had potential because of the way they staggered them, they start at a really low-interest rate for the short-term money, and a higher interest rate for the long term money, so as you progress through them all that's left is higher, and so it's a bigger number than the actual aggregate than what you're paying, so there's bigger savings, so it's a little bit hidden in the numbers. That's why it started to look right, I don't know exactly.

Mr. Sinoway: Well at our last meeting, in April, 6 months ago, you felt it was still impossible, you didn't question it, and I know a lot has happened in the last 6 months as far as cost of money.

Mr. Winkeljohn: Right, and I haven't spoken to our financial team directly but, I will and I'll keep you posted but, for purposes of the budget, let me give you the dates so that this makes sense to you. The rules are you have to propose your budget, especially if it

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has an increase, before June 15th, and because of our Board's makeup now, a quorum still requires 3 people be in town and that's a problem over the summer months, and may not be next year but, I don't know. So, really it's an open discussion on you all and your availability for the next year, which is hard to predict but maybe you can. One scenario is to start a draft budget at the February meeting, propose it at the March 19th meeting, and we could feasibly adopt it at the May 21st meeting. Now, that's really early but, it keeps you in town, like most of you are probably here in May.

Mr. Wishner: I think I'm gone, I have a wedding in California.

Mr. Winkeljohn: Oh, in May?

Mr. Wishner: Yes.

Mr. Winkeljohn: Ok.

Mr. Smale: I think we need to accelerate that because May does become a questionable month for a lot of people.

Mr. Winkeljohn: Ok, so to be super aggressive, I could go February, we meet, and we could do April and move our April meeting, I don't know when Easter is if that matters for travel schedules but, April 16th is too early, it has to be 60 days after the first meeting, so 60 days later would push us to like April 21st or 22nd.

Mr. Wishner: Barry, are you available in May?

Mr. Sinoway: I'm not available in May.

Mr. Smale: I think we need to do it in April or whatever the quickest is.

Mr. Winkeljohn: Ok, so there's another way to slice this, and the earlier I move it, the worse numbers we have, that's just reality, so let's just keep February the same, and shoot for April 20th, give or take a few days, how is that?

Ms. Simmons: Paul?

Mr. Winkeljohn: Yes, Barabara?

Ms. Simmons: You're looking at February 20th?

Mr. Winkeljohn: Yes, as the first meeting.

Ms. Simmons: Ok, you know being the only female in this group, it is the ladies' member's guest golf.

Mr. Winkeljohn: Ok, so we could adjust that date, we could push that a week later.

Ms. Simmons: I would be willing to do that, it's a 2-day event.

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Mr. Winkeljohn: So, then the 27th, a week later in February, would be the first meeting, and then our April meeting would have to be the 27th or later.

Mr. Smale: So, April 27th or later.

Mr. Winkeljohn: Right, it would be the last week in April to accomplish the budget.

Mr. Wishner: So, February 27th?

Mr. Winkeljohn: Yes.

Mr. Wishner: I am not available that day.

Mr. Winkeljohn: Ok, physically, or not at all?

Mr. Wishner: I am not available that morning, I'm the chairman of an audit committee of a national charity and we have an audit committee meeting then.

Mr. Smale: How about if we move in the other direction a few days, earlier if that works?

Mr. Winkeljohn: Yes, we could do that.

Mr. Smale: Let's just do that, because the later you get into April, the more dicey it is to get physical attendance.

Mr. Winkeljohn: Alright, so we could go, like Thursday, the 24th, no let me get a calendar first.

Mr. Wishner: The 24th is a Saturday.

Mr. Winkeljohn: Sorry, yes, so the 22nd.

Mr. Wishner: The 22nd is a Thursday.

Mr. Winkeljohn: Is that a conflict with your schedule Barabara?

Ms. Simmons: No.

Mr. Winkeljohn: So, how does everybody like the 22nd?

Mr. Wishner: I'm ok with the 22nd.

Mr. Winkeljohn: Alright, so then the next question would be the April date, and that would be.

Ms. Simmons: Could you keep it on a Tuesday, like the fourth Tuesday, is that better?

Mr. Winkeljohn: The 27th would be the next Tuesday.

Mr. Wishner: How about the 23rd?

Ms. Simmons: So, April 23rd.

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Mr. Winkeljohn: Ok, yes, we could do that, that looks good to me, how do we like that, so February 22nd and April 23rd would be your firm meeting dates for the budget.

Mr. Smale: So, our budget would be proposed in April?

Mr. Winkeljohn: Well, no, your budget would be proposed formally at the February meeting, and you'd set the ceiling then, your highest number, and then you have 60 days to either bring it down or keep it the same. Then at that April meeting date, if you're increasing it, which you may not have to, you're going to be in a roomful of your peers.

Mr. Smale: And that would be in April, so April would be the open meeting.

Mr. Winkeljohn: Exactly.

Mr. Sinoway: So, just so that we're clear, the quorum is 3?

Mr. Winkeljohn: Yes, it's 3 in the room.

Mr. Sinoway: Because we're looking at something in April, so I'm not sure about it.

Mr. Winkeljohn: So, if I give you the dates today, you could put them on as hold for those of you who have an opening and then you would have a chance of protecting it.

Mr. Proctor: I'm just going to make a comment, I know we all have our things we have to do but, we can't be a Board for 6 months, and not a Board for 6 months, I mean, so we have to figure this out, the 5 of us. I mean when Kevin Shields was here, and Mike and I were kind of here most of the time, we always had the quorum, so we need to really think about this as a Board.

Mr. Smale: Yes, I agree with Jim, if we're going to be on this Board, we have to be available to conduct business in the right order, in the right timeframes.

Mr. Winkeljohn: And this approach is pushing it as early as I can to meet the rules. The other approach would be to push it the other way, where we'd have the one in February that we all agreed to, the 22nd, and then push the adoption all the way to September.

Mr. Smale: That's what we did this year and it didn't work.

Mr. Winkeljohn: Right because September was not predictable for you all, so I'm open but, we have to do it according to the rules.

Ms. Simmons: And this is my view, I understand what you're saying, but we also need to think about the public, I don't know who is even going to come to the meeting but, if we are going to change some things in the budget, you want to also be respectful for the most amount of people that might be there but, I know we have to do what's best for the budgeting process.

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Mr. Winkeljohn: So, the February 22nd and the April 23rd works, for those two considerations but, with all things out on the table, I'm open to other input.

Mr. Proctor: I will say that the new HOA Board, I mean David Hannum is president and he flew in each month the entire summer for his meetings, he kept things going, and probably had 20 people at each meeting, which is good, so that's food for thought.

Mr. Sinoway: Right, if I'm in Connecticut, I don't mind flying back, if I'm in Spain, I'm not flying back.

Mr. Winkeljohn: So, if we have three in the room you could participate by phone or virtually, so it's just making sure because we got caught in the air, where we couldn't get 3 in September this year.

Mr. Smale: Why don't they change that 3 in the room?

Mr. Winkeljohn: Well, there's a laundry list of stuff why, they just gave us electronic signatures, so the virtual world is slow.

Mr. Smale: In this day and age it just doesn't seem practical to have that as a requirement.

Mr. Winkeljohn: You're absolutely right, especially if you put these meetings before there are even residents here.

Mr. Proctor: So, are we close, another 15 minutes or so?

Mr. Winkeljohn: Yes, I think if we can get the meeting schedule approved with these two date changes, and we can change our minds but, I wanted to make it firm at this juncture so once staff can work on a budget real early for you, and we'll do our part to be ready so that in February you'd have as much possible decision level stuff, all this aside, the irrigation and everything, and any contract changes, and stuff like that, and then if we have to use that meeting then we'll use it, and if we can't, we can't but we have to get two meetings in before the end of the year.

Mr. Smale: Perfect.

Mr. Winkeljohn: Ok, is there a motion to approve as amended, the meeting schedule?

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On MOTION by Mr. Proctor seconded by Ms. Simmons with all in favor, accepting the proposed Fiscal Year 2024 Meeting Schedule with the amended dates as stated on the record was approved.

NINTH ORDER OF BUSINESS

Financial Reports

A. Approval of Check Register

B. Acceptance of Unaudited Financials

Mr. Winkeljohn: The only other thing I had action on are the financials, and I gave you a quick overview, your year-end financials are in here, you're over \$520,000 in the bank, and you're very healthy financially speaking, all of the other decisions aside, so I'd just like a motion to accept the financials.

Mr. Wishner: I actually had some questions. I just want to understand, there was \$90,000 that was moved from operating to, I think it was maintenance from the last year to the new year. Do you know off-hand what that is?

Mr. Winkeljohn: Where are you seeing that?

Mr. Wishner: First quarter operating.

Mr. Winkeljohn: Yes, so the first quarter operating is cash you use for October, November, and December, you're in the budget year that started October 1st but, there's no revenue realized until late December, so you use prior year money and you transfer in for those three months, so we're using 2023 money today to pay for October, November, and December which is 2024 because the fiscal year is October 1st.

Mr. Wishner: I'm sorry, I'm still trying to understand, the first quarter operating in 2023 at \$90,000, and this year there's nothing, it's just \$90,000 that has been moved to a zero.

Mr. Winkeljohn: Yes, so we were budgeting out of the assessment or carry forward and you can do it either way, it can be in your reserves where it can be listed as an only item, it's at the pleasure of the accountant, and the auditors, so we have both options because you have sufficient reserves. If you didn't have reserves you would have to do it the other way.

Mr. Wishner: Ok, and then we had \$35,000 budgeted in special projects last year, and nothing for this year.

Mr. Winkeljohn: Right, they were all put up into a reserve account which is the line above.

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Mr. Wishner: Well, that's the same \$90,000.

Mr. Winkeljohn: Yes, it's the same.

Mr. Wishner: So, last year we spent \$125,000 because we had the \$90,000 and the \$35,000.

Mr. Winkeljohn: Yes, sorry, it was moved, special projects were moved up into repairs, placement in general, no you're right, let me see I'm having a little trouble here. Ok, now I remember, what we did, and these are budget questions not financial, in the budget we absorb the cost of living increases for all of our contractors, and that's where we took the money from, from the special projects. So, you'll see your landscape maintenance items all went up 5% or 6% to cover their contract increases, so the funds to pay for that came out of the operating line, special projects.

Mr. Wishner: Is that somehow contracted between us and the contractors?

Mr. Winkeljohn: Yes, we presented it to you last February, and Blue Landscaping was the biggest one because they're \$200,000 a year, so that was about a \$30,000 hit.

Mr. Wishner: And we talked a little bit about Veteran's Parkway last time, I'm surprised at how much the maintenance for Veteran's costs.

Mr. Winkeljohn: Me too.

Mr. Wishner: Is there anything we can do about that?

Mr. Winkeljohn: Definitely.

Mr. Proctor: I think the plan is to, and we had talked about the Corsica management company, Vision and there was an issue, Paul shared with us that it was a conflict somehow with what they were doing there at the time, and he didn't think it was appropriate, so I think we should maybe try to find another company, but it is expensive, it's quite high for what we get.

Mr. Wishner: Yes, and in our last meeting we talked about the fact that it doesn't have to be the Taj Mahal out there, just cut the grass and trim the hedges.

Mr. Proctor: Right.

Mr. Winkeljohn: Exactly.

Mr. Proctor: So, do you have to approve this first?

Mr. Winkeljohn: Yes, we're under a motion for the financials.

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On MOTION by Mr. Proctor seconded by Mr. Smale with all in favor, the Check Register and the acceptance of the Unaudited Financials were approved.

TENTH ORDER OF BUSINESS**Supervisors Requests**

Mr. Winkeljohn: Ok, so to Blue Landscaping at Veteran's if you want to save some time the Board can authorize staff to price it and if we find a qualified contractor at or lower, and authorize us to execute, we could do that.

Mr. Proctor: Ok, and as a courtesy Chris Chilton, he's with KW Management, I don't know if you all know him or not, but I asked him to come to the meeting today because there was an issue last Friday, I guess regarding cane toads, and I made Paul aware of it, so it's pretty prevalent in our community, and so one of our residents, actually in your building, Barry, communicated and Chris' office through Mary who had assisted, said it's a CDD responsibility, and I happened to be over here at the time and I met with Butch and he said no, it's HOA, so I stopped by to talk to Chris, and it was my understanding that Pesky Varmints was going to be engaged, or Mary said they had been engaged and Bell said they haven't been engaged, so I don't know where that's at.

Mr. Chilton: Pesky Varmints reached out to Butch at the golf club on March 11th of this year, and I forgot to bring it over because I wasn't necessarily touching on the frogs, and this gentleman did, but the letter itself states that it has a picture, and it has the lakes mapped out in the community where they're having the tadpole problem. So, if you guys move forward with a more natural solution, you may not even be challenged with the pest control company coming out to treat the lakes, if there are predators in the lakes eating the tadpoles. So, the story that we're getting at the HOA is, fingers are being pointed to us that we are the keepers of this issue, and in fact we only own the roads and that guardhouse. You guys in combination with the golf club own the water management waterways and that responsibility and that's actually the key source of where the frogs are coming from. So, the HOA in being a brother with you, we're paying for this service a couple times a year for them to come in, collect frogs, remove them, and do what we can in helping the residents know that we're working on this together but, ultimately, we can't win this fight by ourselves, we're the roadways and the guardhouses, you guys are the keepers of the waterways and if you're not taking aggressive action on this then pointing people back to us only makes us expose you guys and the fibs that are being told between

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the golf club and the CDD. So, that's kind of where we're at is, we're doing our part, we're explaining to people how the natural life cycle of a tadpole actually comes from, and in my personal opinion I don't even think I need to go that far with the residents, it just needs to be acknowledged by Butch's team and your team right here that the persistent problem is the lakes and the waterways, and if those are treated with fish or chemicals in some ways that might be helpful.

Mr. Proctor: One thing that I think you should have handled differently, and you referred a resident to me as a CDD representative, and what should have happened is we should have had this discussion between the CDD and the HOA before we miscommunicated with the resident because you said the CDD is responsible.

Mr. Chilton: So, David should have been here, he should not have left before you brought this up but, he specifically said before he got out of his chair, that if you're going to get this deep into this comment, going like this, he wants to be sitting here because the problem is not between me as a manager, it's the decision of the Boards that they make, and if your Board, just the gentleman that we're discussing, you were at dinner with that gentleman the other night, and you pointing him towards the HOA Board, and provided him no resolution during your dinner process on what the action problem is, you just told him to go to Butch in the HOA, that's a problem.

Mr. Proctor: Well, that's not true because we didn't talk about it at dinner.

Mr. Smale: Before we go on, can I ask Paul, who has managed hundreds of these Districts, in your experience, who's responsible for this issue?

Mr. Winkeljohn: The frogs themselves are exactly as it was laid, they are on land, so it's a residential pest control problem, so it would be HOA residential, but the key point that hadn't been brought to my attention is that there was a tadpole problem, it means they are in the lake, so the lake the management policy and best practice is absolutely you can reduce the tadpoles very inexpensively and very easily, so it was already brought on the record, the District can speak to its lake management company, we can make sure that almost all the lakes get a restocking but, we can tweak the restocking of fish to consider more aggressive for tadpoles. I have to double-check that we have a permit for every kind of fish, some types of fish can leave the lakes and cause problems elsewhere, those are more the algae type fish, a tadpole are native predators and I feel very confident we can do it for a few thousand dollars a year, every lake will be stocked and timed. Chemically,

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we can't kill the tadpoles, that would create bigger problems so I'm happy to address it that way, and then the District is out of the game.

Mr. Proctor: Just to your point, I'll read something here, cane toads despite the nickname live exclusively on land, they leave the water after the tadpole stage, and only enter it again to breed, so it's just like an alligator, alligators can breed in the water, and then they live on the land.

Mr. Chilton: I'm a little bit confused in that on Kirara once or twice a season we hire Varmints or whoever it is to come, collect and control the cane toads.

Mr. Proctor: Here's what it does, I was trying to figure out what the cost is going to be to whoever, Pesky Varmints were not even here since 2023, and let me finish Barbara, they were here three times in 2022, they charged \$450 twice, and interestingly enough, in October of 2022, they removed between 991,000 cane toads in about a 3 ½ to 4 hour period in one night.

Mr. Chilton: So, we can continue paying together right, to get them off the land?

Mr. Winkeljohn: If I'm hearing it right, the District can certainly add any known practice to its lake without anything known, we can't spend money outside the lakes, like we're not allowed to spend tax dollars.

Mr. Chilton: So, we're spending the money outside the lakes but we're practically holding hands and where we're at is, we found out through the recommendation of Pesky Varmints and I've got the amount because I can share with you that the problem is the lakes, it's stemming from the lake itself.

Mr. Smale: I think Paul just acknowledged that we can do something about the tadpoles and we can put that on our agenda but, no matter what we do there may still be cane toads that come hopping around everybody's yards, and once they're there, it's not our responsibility to mitigate that problem.

Mr. Winkeljohn: And can we go back to Barbara, I'm sorry we stepped on her comments a couple of times too many, sorry Barbara.

Ms. Simmons: That's ok. It sounds like we just need to work together on a schedule, and I don't know how quickly we can get to this Paul, to restocking because it sounds like we need to do something ASAP and we just work with the HOA on when they're going to be doing theirs, and when we're stocking and we just make this a partnership to solve this problem.

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Mr. Winkeljohn: Yes, we don't need anything for native, I can do that tomorrow and attack it right away and that will help it right away but, on an annual basis, quarterly basis, it's very inexpensive. We usually do it for mosquitoes more than toads, believe it or not, we get larvae-eating fish to keep the mosquito count down, so a little bigger fish, a little more aggressive and again, like I said, believe it or not it's the turtles that are phenomenal at it, they eat them all. So, we have to protect our wildlife, don't let anybody fish and kill things out in the lakes if you see that from the HOA side, and I don't think that's ever been a problem here but, yes, absolutely.

Mr. Chilton: The point was, this was an immediate problem because people walk around with their dogs at night and these cane toads are there, and it's going to kill a dog, or two, and then you have a real problem. So, it's not a matter of origin, it's not a matter of ok, over time we can get this done, what are we going to do today.

Mr. Winkeljohn: You're right.

Mr. Smale: Ok, so here is what I'm hearing, and just based on Paul's experience, we can immediately do something to popular the lakes with something that will eat the tadpoles. What we can't do as a Board is spend any money on Pesky Varmits to go out and collect the toads because that's outside the purview, so we could partner as Barbara just described, we'll do our part, and the HOA will do their part but, we can't underwrite the contract and collect them once they're outside the lake.

Mr. Chilton: No, and nobody is expecting you to, nor nobody has asked you to, what we've asked you to do is acknowledge where it starts from, and regardless of what the golf club is telling you, and I'm going to give you a letter as soon as you come back to my office, that proves this topic has been brought up, it's been acknowledged where they've been coming from but, maybe it's just never been brought to you guys.

Mr. Smale: It's the first time we've heard it.

Mr. Winkeljohn: The first time I've heard it, right.

Mr. Chilton: So, what are we going to do tomorrow, and who is going to do it, that's my question.

Mr. Proctor: Well, are you agreeable to go ahead and have Pesky take care of it now?

Mr. Chilton: We already do on a regular basis, the same thing as you do twice a year, they come in.

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Mr. Proctor: They haven't been here since October 4, 2022.

Mr. Chilton: I have proof different.

Mr. Proctor: Ok.

Mr. Chilton: They've been to the golf club but, I paid for them being here so far, I think twice already since I've been here, so I paid for and we have no plans on discontinuing that service but, it's a little unfair to the HOA that you're directing all frog calls to us when we're doing this together.

Mr. Smale: So, right now what we're doing is we're agreeing to address the tadpoles, that's what we're doing, right?

Mr. Winkeljohn: Yes sir, I already authorized that while we were sitting here.

Mr. Smale: Ok, and that's all we can do.

Mr. Chilton: And everybody in the community appreciates it.

Mr. Smale: Ok, then we have an agreement.

(At this point several people were talking at one time, and no one conversation could be heard)

Mr. Winkeljohn: But for the District, that's totally cool, that's an excellent project for us, no big deal, very inexpensive, and already authorized.

Ms. Simmons: This is Barbara, what's interesting, is I don't recall getting any emails from Megan saying that when they're doing the cane toad at night, you know how everybody has a community email about that, we haven't gotten anything. I think people are confused that the cane toad mitigation is happening, does that make sense? Maybe the HOA, I mean it used to be that Talis Park would say we're doing cane toad mitigation tonight, just want to let you know there's going to be people moving around in the dark, so I don't know, maybe the HOA hasn't sent that out or maybe I just missed an email, I don't know.

Mr. Sinoway: I think you missed it because I have seen it myself.

Mr. Smale: I've seen it, yes.

Ms. Simmons: You have, ok.

Mr. Winkeljohn: I'm curious what we're doing right because in West Broward it was a big problem back then, so it comes and goes but, I have not heard of it here once until this week, so it comes and goes, and we'll definitely go on a kill spree with tadpoles.

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Mr. Proctor: So, you can get the lakes treated right away then.

Mr. Winkeljohn: I'll come up with something right away, yes, definitely keeping the fish stocking in.

Mr. Sinoway: When you say, do you mean fish and turtles, or just fish?

Mr. Winkeljohn: I don't know that you can populate turtles, but just conceptionally, just everyone in their minds realize that those are good, snakes too, but frankly they will eat the toads, some of them.

Mr. Weiss: I have a question, because these lakes are lined, can fish live in these lakes, and can turtles live in these lakes?

Mr. Winkeljohn: Well, if you're using it for irrigation for the golf course, it has to be healthy, so you're not going to spray anything or add anything to the spray.

Mr. Weiss: No, can they populate in this area?

Mr. Winkeljohn: Absolutely yes, the right fish can live in anything. Do you have mosquito issues because that's usually the first thing that we go after, because some of those fish are genetically organized to not over reproduce and you're not allowed to use those without a full permit but, anything native is a piece of cake, and they're readily available.

Mr. Weiss: Ok, so on an immediate basis, we don't have the authority to do anything as a CDD?

Mr. Winkeljohn: Outside of the lakes.

Mr. Smale: Well, we're populating the lakes.

Mr. Weiss: Well, I know but this is on an immediate basis, and Chris says he does it two times a year, but that doesn't mean you're going to do it tomorrow.

Mr. Chilton: Correct, so that's some of the other topics is, some residents will call the office and they want me to call Pesky Varmits right now, and this latest situation, this resident lived in the condos and the frogs are on the condo land, not on the HOA land, so now we're talking about HOA paying for stuff on a different association's property and it starts to get messy.

Mr. Weiss: The problem is Pesky Varmits won't take the call from Ken Bell, who wants to pay for this because he has no authority, he doesn't own the land, he lives in a condo, he doesn't own any lakes, so they won't allow a resident or the head of the condo Board to authorize anything.

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Mr. Chilton: That I don't know.

Mr. Weiss: But that's the way it should be handled.

Mr. Proctor: I think it's really a community issue, because I talked with someone a couple of days ago, and they're hardly ever out at night, and they were checking out the golf course and they saw all kinds of cane toads.

Mr. Chilton: Ok.

Mr. Winkeljohn: Alright, we got it.

Mr. Chilton: Thank you guys, I appreciate it.

ELEVENTH ORDER OF BUSINESS Adjournment

Mr. Winkeljohn: If there's nothing else, we just need a motion to adjourn.

On MOTION by Mr. Proctor seconded by Mr. Smale with all in favor, the meeting was adjourned.

DocuSigned by:

Paul Winkeljohn

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Secretary / Assistant Secretary

DocuSigned by:

James Proctor

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Chairman / Vice Chairman