

**MINUTES OF MEETING
TALIS PARK
COMMUNITY DEVELOPMENT DISTRICT**

The special meeting of the Board of Supervisors of the Talis Park Community Development District was held on Thursday, September 5, 2024, at 10:00 a.m. at 16665 Toscana Circle, Naples, Florida 34110.

Present and constituting a quorum were:

James Proctor	Chairman
Steven Wishner	Vice Chairman (by phone)
Barry Sinoway	Assistant Secretary (by phone)
Mike Smale	Assistant Secretary
Barbara Hurt-Simmons	Assistant Secretary

Also present were:

Paul Winkeljohn	District Manager
Patrick Burgess	Governmental Management Services
Alyssa Willson	District Counsel
Josh Evans	District Engineer
Jim Barton	Corsica Association
Fred Fanelli	Resident
Dillon Schwartz	FMS Bonds (by phone)
Several Residents	

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: So, today’s meeting has a formal portion inside of it, the public hearing to adopt the 2025 budget, and we also welcome comments from everyone at this time if anyone has something in general they want to talk about we can but, if it’s specific to the budget we’d appreciate it if you held that for later when we talk about that topic.

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Mr. Smale: Well, in general, I think it would be helpful if you explained to the audience the difference between what the CDD is versus a homeowner's association, and about how it's a governmental subdivision highly regulated.

Mr. Winkeljohn: Yes.

Mr. Wishner: Can I just ask if you guys can hear me?

Mr. Winkeljohn: Yes, perfectly.

Mr. Wishner: I just wanted to check.

Mr. Winkeljohn: Yes, I can hear you quite well.

Mr. Wishner: Ok, very good, thank you.

Mr. Winkeljohn: Excellent, so as it was mentioned, a Community Development District is a form of local government, we have generally elected members at this time, if it were November and there was more than one person running, they would be on a general election ballot just for this community when you went to the polls. So, it's a local form of government, they have forms they fill out, and disclosures, just like an elected official for your typical municipality. We're also governed by many of the same rules as a municipality so a lot of things we do in our meetings are tied to that. One of the biggest ones that's a little unusual and very different than homeowner's associations is the Sunshine Law, and everything we do is a public record. We're recording today's meeting, which will be an official record of the District, we will transcribe it, and anything the District has ever done that's a record is available to anyone who asks for it, so that's a pretty big difference right there. Also, in the Sunshine Law, any two Board members constitute a meeting, and that has to be properly advertised, it has to be done well in advance, so a lot of the ways of doing business that you might use in your private lives are not allowable for this Board, so a lot of things we do at first blush are a little clunky but they're to follow the State Laws. We have, what I like to call Community Development Districts are intentionally the most boring organizations you could ever create until it comes to finance. We try to be a utility in essence, and the goals of the District are to fund infrastructure, which is what built the community here that's paid back through bonds on your tax bills, and that infrastructure is where I joke that it's boring because it's almost always invisible, a big portion of it, once it's built and paid for, is transferred away to local government for water and sewer as an example. The one we typically retain and the biggest one that you all possess is drainage, and our role is to keep water out of your living rooms in essence, and many of the things we

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do are tied to that infrastructure, monitoring it, fixing it, repairing it, and the biggest asset we have for keeping that water out of your living rooms are lakes, and the lakes are bad places for your golf balls, beautiful places out your window but, none of that is relevant to us. It is an area to hold enormous quantities of sudden rain and long term rain events, and very few people can really grasp how much volume a lake will capture and hold and prevent flooding. So, that lake, like I just described from your eyes and perspective is completely different to our perspective. We work very hard to make sure the banks are solid, and not eroding, we make sure that the pipes are cleaned, and not full of sediment or other debris, and that is what we do. In addition to that, governments will hand us responsibilities when they build the District, and that is your other biggest asset, or pain in the butt is another way of putting it, but it's what is very attractive is your I-75 berm, all of that, and I believe we've measured it, it's almost four tenths of a mile in length, something like that, which is insane, as well as two corridors along Veteran's Parkway, and we actually built portions of Veteran's to win the permits to build this community. So, our infrastructure in a nutshell is drainage and some landscape buffers.

Mr. Smale: And I also want to add that because we're a governmental subdivision, what we can spend money on is very restricted, we can only spend it on certain assets that we're responsible for and we can't for example, we can't create embellishments, we do the utility part.

Mr. Winkeljohn: Right, we're prohibited from spending your tax dollars on any private benefit, private land, and your homeowner's association and your resort amenities as you might say, those are off limits to us. We do have a relationship with the golf course because of the infrastructure of the lake, so there is participation there, so we have that relationship financially and operationally. Our lakes have aeration in them to keep them healthier, like the lakes were lined to keep them retaining water correctly, so there's a lot of stuff we do hand in hand with the golf community and the original resort owner but, there's a pretty strong line of what we can't do, so thanks for adding that.

Mr. Wishner: Paul, I would add one thing to this aspect, this is Steve, I would add one thing to this aspect of the conversation and that is because of the way we are structured as a government entity, we only get revenue one time per year, and so we have to manage our responsibilities and the outflow of costs relative to the exercise of those responsibilities

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with a financial buffer, etc. because if an emergency arises we have no way of raising money other than the one time through the tax cycle.

Mr. Winkeljohn: Correct, from the assessment process, yes, and when we get into the budget I'll elaborate more perhaps on some of the intricacies there but, today's budget hearing is an example. This started in February, and so we have to project what's going to happen in our future up until today but, we also have to project what we're going to need after October 1st, we're in an October 1st fiscal year and so, like he said, it's a long lead decision making, and our agility to recover from unusual events and such requires a substantial reserve because of the one time ask, and we are eligible for loans and such but, that's expensive financing compared to the assessment process but, generally speaking, he's spot on that we have a long lead item for our assessments, we have to know the numbers well in advance and anticipate them, so there's a lot of broad projections in our business because of that, it's just a fact. We also have to keep cash because our revenue for each fiscal year comes all at once in December or January, so we go through October, November, and December with very little revenue, with almost no revenue, so, that's the characteristic of our business. With that, I can move on Mr. Chairman, are there any other audience comments that we can talk about before we get to the budget hearing? Yes ma'am?

A resident: I'm a resident in Corsica, I did have some concerns.

Mr. Wishner: I'm sorry, I couldn't hear that.

Mr. Winkeljohn: Yes, so you may have to come a little bit closer.

A resident: I'm a resident of Corsica, and I'm a resident of Florida for 70 years, I'm from Broward County and I came over here and purchased here in Talis Park and have been here for several years. I have concerns because of the Statutes, and I took time to go through all the lakes here which are gorgeous, our actuators have been broken forever, and the lake is a mess.

Mr. Winkeljohn: We have that on our agenda today, we are going to address that.

A resident: Ok, because for 4 years I've been hearing the same thing from Front Door Communities, and I see the other lakes, the golf courses are gorgeous, and I took the time, my husband and I, we owned a test and balance company for many years, and it's a disaster, and it's overgrown, and it's dangerous, it is to us.

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Mr. Winkeljohn: Yes, we have all those concerns as well, and I appreciate you bringing it up, we're going to address it and we have some ideas on what we can do but, your lake doesn't look like the others because it's an unlined lake so it functions with the groundwater level and it has different environmental characteristics, so it will always be a little different, or a lot different but, we're aware of that and we'll talk a little later on in the agenda on that. Yes sir?

A resident: I just want to get on the record, it's my wife's birthday, so I apologize, so I live in Corsica, and I echo the same sediment and I'm just hoping you guys can clean that up, I think you do a great job and we're really happy to live here, it's a nice place but, I think that lake needs to be cleaned up, and that's why I was here, I just wanted to mention it, that's the only reason I'm here because it is my wife's birthday, so I just wanted to get that in and thank you very much for what you do, I appreciate it.

Mr. Winkeljohn: Thank you. Yes, sir?

A resident: I'm curious about Veterans, I assume you start at the cul-de-sac and go west, how far west do you go?

Mr. Winkeljohn: To the intersection.

A resident: So, we go all the way to the intersection, I'm talking about the Talis Park property line on this side of the FPL easement, that's as far as we go, as far as our maintenance responsibility, is that correct?

Mr. Winkeljohn: I believe so, yes, that sounds right. We have a really nice map I can pull up if we need to.

A resident: Yes, I've seen that map a bunch of times. Ok, and as far as the berm is concerned, that also simply runs more north on the property line or the south property line.

Mr. Winkeljohn: And it jogs, it has an "L" shape.

A resident: Ok, thank you.

Mr. Winkeljohn: Are there any other general comments? Yes, sir?

A resident: This is a Corsica lake comment, should I hold it to the end?

Mr. Winkeljohn: Unless it hasn't been said, you can do it.

Mr. Weiss: So, let me just get up to the speaker so you can hear me. Good morning, I'm Alan Weiss, just 3 quick points, number one, thanks for serving and doing this, it's more complicated than I think most people understand, myself included. Number two, there was confusion about who was responsible for the Corsica lake, understandable confusion, and I

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think that's been taken care of, which is good, number three, I agree, I think we should get all the lakes looking as similar as possible, given the conditions that they are, so thanks again for doing this.

Mr. Winkeljohn: Thank you. Seeing no more hands in the audience, we can move on to our normal agenda items.

THIRD ORDER OF BUSINESS

Approval of the Minutes of the April 23, 2024 Meeting

Mr. Winkeljohn: The minutes from our April 23rd meeting have been circulated for the Board, if those are in order or there's any changes, I can take those or a motion to approve.

On MOTION by Ms. Simmons seconded by Mr. Wishner with all in favor, the Minutes of the April 23, 2024 Meeting were approved.

Mr. Winkeljohn: Before we open the budget hearing I did want to maybe talk a little bit about the refinancing, they sort of go hand in hand. For the general audience, I just want you to be aware that we have several bond issues and as they're issued, they all had a 10-year limitation on being refinanced and one of the bonds is now eligible for refinancing and we did find an offer to refinance it at a pretty significant savings, so we're very excited about that, and we're looking at that as part of the equation, I think the Board has stated they're looking at that as part of the equation on how much to adjust the assessment to meet the needs of the District immediately and long term, and also to lessen the impact on the residents. So, that's one of the things, and did you want to kind of comment on that as well?

Mr. Proctor: So, that particular bond is \$3,725,000, the yield on it presently is 5.65% with a maturity of 2044, and Paul has sought out a party that specializes in refinancing these types of bonds and we can improve upon the interest rate by 100 basis points. There's two options, if I may, we can pay down debt to the tune of \$250,000 because it was a construction fund when the bond was originally issued, that's in the reserve. So, once the bond is paid off, that money comes to us and we have to make a decision, do we want to pay down the debt or do we want to take the cash and put it into our surplus? So, there's a couple different approaches here, and Paul you may want to elaborate further on that.

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Mr. Winkeljohn: I think we can go into the budget hearing, and the Board has already authorized the finance team to put these numbers together and bring back in a few weeks, what's called the delegating resolution which basically sets the refinancing in motion, and so we know with a high degree of confidence what the benefits will be. Did you want me to elaborate on the difference between using it for the project?

Mr. Proctor: Sure.

Mr. Winkeljohn: So, to reduce the funding one of the big things is, and the first bond issue always has a very high reserve requirement, and that money sits there doing nothing for you until the 29th year of a 30-year payment, it can pay off the bottom of it basically. So, part of the refinancing is to take that down to almost nothing because it's not required anymore, the industry says you already built the community, and you don't need a reserve like that, so their confidence allows you to realize that money for needs or to pay down the debt right away but, also the interest rate was significantly better. So, those two pieces give you some money, so when you have that you have a choice, you can take all the benefit and just lower the assessment or you can borrow against it, or basically pull some of the principal out of it which is when you have a project sitting in your face of \$250,000 it's the least expensive long term borrowing you could come up with and you're still getting the benefit, and so it's a win/win for you all, so we're excited about that. So, I just wanted that to be mentioned before we open the hearing. Are there any questions about that topic? Yes ma'am?

Ms. Simmons: How much money would be available to us?

Mr. Winkeljohn: Well, we put together a scenario with \$250,000 in cash and one with no cash, and the difference was about \$111.00 savings per resident, per year without taking the cash but, it was over \$71.00 savings still by getting the cash to pay off one of the projects or to keep our reserves at a desired level.

Ms. Simmons: So, this is not reflected in the proposed budget?

Mr. Winkeljohn: No, it's not in the budget at all, it's separate from it but, so today when we start the budget hearing, and just to sort of lead into the budget right now, we set a maximum number we could consider today to raise the assessments of \$327.00 and change. That \$327.00 can be adopted as is, or we can adopt a lower amount, given this refinancing opportunity, so that's going to be the discussion of the Board I think.

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Ms. Simmons: Let me ask you this then, you said that there's going to be another proposal in 2 to 3 weeks.

Mr. Winkeljohn: No, not another proposal, the actual formal documents to start the proposing process.

Ms. Simmons: Ok, so the formal documents, so everything has to be decided today with these new numbers.

Mr. Winkeljohn: From the operating budget, yes, that's final today. The refinancing is not going to change much, it's a firm offer.

Ms. Simmons: Ok, so when you say we have a maximum amount out there, are we approving up to that amount, or are we approving an actual dollar amount?

Mr. Winkeljohn: For the assessment?

Ms. Simmons: Yes.

Mr. Winkeljohn: That's up to you all, and we can do it by a dollar amount, yes.

Mr. Smale: This \$327.00, that's what was set.

Mr. Winkeljohn: Yes, that's our ceiling.

Mr. Smale: So, at the previous meeting we set that ceiling, and this goes back to the idea of the long-term budgeting is that we didn't know exactly where we were going to be 6 months ago, or whatever it was 4 months ago when we set that, so we set it at that. It doesn't have to be that, but it can't be higher than that.

Mr. Winkeljohn: Right, we can't increase it and that's our rules that set our assessment process.

Mr. Proctor: And additionally, that was in advance of the refinancing.

FOURTH ORDER OF BUSINESS

Public Hearing to Adopt the Fiscal Year 2025 Budget

A. Motion to Open the Public Hearing

Mr. Winkeljohn: So, with that, I'd like to begin the public hearing process, and we open the public hearing by motion, is there a motion to open the hearing?

On MOTION by Ms. Simmons seconded by Mr. Wishner with all in favor, opening the Public Hearing was approved.
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B. Public Comment and Discussion

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Mr. Winkeljohn: So, we started to introduce the District's budget process for you as you just heard, today's proposed budget has an increase of \$327 and with that, the Board has funded out of reserves the first half of the berm renovation project, as well as working to retain a prescribed level of reserves. The last couple of hurricanes, the one in particular, the District spent over \$200,000 standing up trees and moving out debris. We also found out that the Federal Government has completely restricted the ability to reimburse us for that work. It used to be you could put your expenses in and they would pay you back, now they require Districts to match all federal purchasing standards for those services, and that would be cost prohibitive for us and almost impossible for us to meet those bidding requirements and those purchasing standards of the Federal Government because it's just not something Districts do, and it's not very successful for Districts to do it because you're not big enough to get a contractor in that capacity. So, we've learned to anticipate that we're on our own should there be a storm event with our responsibilities is the sum of that. So, the concept of reserves and operations and the very large landscape buffers that you maintain and had to repair from those storms, particularly irrigation, all come together and this Board was presented a budget which they adopted as a proposed budget last spring for this increase.

Ms. Simmons: Can you remind us of the last time we had an increase?

Mr. Winkeljohn: It's been more than 8 years and that increase has a little bit to do with what we're talking about today, it was when we first took over Veteran's Parkway and the full responsibility from the developer, we needed some money to start doing the maintenance but, the developer that was here when Kitson took over the defaulted properties, they realized the market didn't match what was already approved to be built, and so Kitson shrank the number of units that it was ultimately going to build and what that did was it basically made you less of a number of people to divide the costs for operating. It can't affect debt when they did that, so that was off the table, they had to pay that themselves but, the residents were handed the same bill but with less people, so we had to adjust the assessment and that was about 7 or 8 years ago. So, that's a pretty good run without having to adjust it but, ultimately the cost of living, and the costs of labor related to our landscape maintenance have been adjusted pretty regularly over those years and it's catching up to us. So, now we're in the public comment portion of the budget.

Mr. Proctor: The number of units that relates to the budget now is 569 units.

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Mr. Winkeljohn: Yes, it used to be over 600, and so it shrank down, it was 603. Yes sir?

A resident: I have a question if I may, I notice that you have an expenditure of about \$2,000 a month on engineering, is that simply for the presence of the engineer at the meetings, or are there actually engineering projects that are worked on during the year by that firm or person?

Mr. Winkeljohn: Right, it's all of the above in essence of what you said, we have an allocation in the budget and he and his staff have hourly rates that have been qualified through a bid process, and they bill against that rate, as tasked by the Board or the ongoing regular engineering. There are certain state reports that are required every year, lake inspections as an example, if you need more detail our engineer can answer it but, I think that's probably what you were shooting for.

A resident: Ok. The other question I have is on management fees which I guess relates to your company, and that's like \$5,000 a month on that.

Mr. Winkeljohn: Right, and I call myself the iceberg, so I'm the iceberg but, it's almost 80% or 90% below water which is the accounting and record keeping and finance part.

A resident: Ok, so let me ask you this, where physically are the records kept, over in West Palm or over here?

Mr. Winkeljohn: So, physical records traditionally were kept on-site, there's a state requirement that they had to be in the county of the District, so we kept the files here but, all of the records, my files for your District are certainly in my office but, they're all electronic now. We just recently got permission from the State of Florida to have electronic records.

A resident: And one of the last things, I noticed that under the Veteran's right-of-way and the I-75 berm, between the two of them, we're spending a little over a quarter million dollars a year or maybe a third of a million, that's about \$27,000 a month, what are we getting for our money?

Mr. Winkeljohn: Right, so I'll start at the beginning of that, so you have a permit to exist as a community, and inside that permit is an approved landscape buffer and plan. So, to meet that permit it has to be maintained by industry standards, etc., and so we have a qualified contractor who performs weekly maintenance on it, and that's what you're getting, compliance.

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A resident: Ok, which brings up my collateral question, I notice that Blue Landscaping is doing most of the work, and you have two other minor contractors, how long ago was the Blue contract executed?

Mr. Winkeljohn: We just looked at that and we updated it about 4 months ago, but they've been our contractor for about 3 or 4 years.

A resident: The reason I asked you is because it's my understanding that if you're going to do an expenditure greater than \$250,000 or something like that you have to go out for competitive bids and I was wondering when the last time was that you went out for competitive bids?

Mr. Winkeljohn: Right, so every time we've done the landscape contract we took competitive bids, there's several tiers of bidding in our requirements, under let's say \$250,000 just to use that number, the bidding is more informal and above, I think the index is a little over, I don't know what it is because it changes every year, a formal bid process, a sealed bid with a ranking system, etc. There are also different kinds of bidding for capital or repair-type work versus maintenance, so it depends on which one you're talking about. This year's project was a little over \$200,000, it was below the formal bidding threshold and one of the pieces that keeps Blue winning those competitions if you will, we looked at other prices but, what we benefit from is having our existing maintenance contractor do the install work and the repair work because they sort of have an ownership element that we enjoy.

A resident: Thank you.

Ms. Willson: (inaudible comment)

Mr. Winkeljohn: All good questions, so we're well aware of those, we're well advised and we refreshed the market, so to speak, we take a peek at the market for things we're doing, we actually think that the Blue contract, the last few years had one level of service that isn't really what we need anymore, so we have some ideas for some cost savings, so we're looking at it in both directions at all times. Can we move on to somebody else with a question? Yes sir?

Mr. Fanelli: My name is Fred Fanelli, and the HOA right now has prepared specs for the overall landscaping of the community.

Mr. Winkeljohn: Like a master plan concept?

Mr. Fanelli: Yes, and the Blue contract expires in a year and we're putting it out to 5 different vendors, we've worked out details and specifications and will be sending out the

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RFP shortly, and to the extent you'd all be interested in jumping on the back of that, it might prove fruitful.

Mr. Winkeljohn: That's an excellent best practice I use in many communities, so I would encourage it.

Mr. Fanelli: Certainly. You all know the answer to this and we don't, so what are you expecting to spend, and I think you're going to talk about this later, to repair the berm and does that include the irrigation, the overall stuff, what's the amount of money that you think is going to go into this and how you plan to phase that?

Mr. Winkeljohn: Yes, so I can answer unless you want to?

Mr. Proctor: I have some specifics on it for him.

Mr. Smale: I would say, just to start out, the berm has been an ongoing source of discussion in this group for 2 or 3 years, maybe 4, and there are different aspects that come to us from residents, the aesthetics, the noise, etc., and we consider all of those. Over the years we've considered noise probably more than anything else, so it's been an ongoing discussion, and I'll leave my comments at that and let you take it from there.

Mr. Proctor: And just to add to that, we even did a noise study that Josh orchestrated that, and the benefit of different approaches and it only reduced the noise by 12%, so it's kind of, what we have is what we got, so to speak. As it relates to the irrigation system, that's 20 years old, it requires a lot of maintenance, it's not efficient, and we had the resident update that you all received a couple of weeks ago that talked about some earlier proposals that we had that was \$850,000 more or less of which a very small amount was irrigation. So, we went to the drawing board, and we actually contracted Blue, and they are in the process of doing it in two phases. The first phase is approved, it's the south end of the berm, and that cost us \$223,329, the equipment has been delivered, and of that approximately \$50,000 is for landscaping and the balance is for the actual irrigation equipment. It will be installed underground, it goes down 18", so that's going to eliminate a lot of the above-ground problems. In preparation for that, all the trees were trimmed and removed that needed to be, the last few months, particularly in advance of any potential hurricanes, we think that's a good approach to reduce the costs of the hurricane. So, that prep work was done, the installation has been delayed a little bit because of the excessive rainfall. I was on the berm a couple of weeks ago and the water was literally standing along I-75 there on our side. So, now it should be ready to go and then we're going to consider the second

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phase later today, at this meeting, for the north berm, and that's \$217,398 so the total is \$440,000 to do the irrigation completely, and the plantings, of which is about \$100,000 for plantings.

Mr. Fanelli: So, are phases 1 and 2 considered in this budget?

Mr. Proctor: Phase 1 was considered in fiscal 2024 and our fiscal year starts October 1st, so that would be in this upcoming budget.

Mr. Winkeljohn: So, yes.

Ms. Simmons: And if I may add to what Jim just said, as we replace landscaping, we're going with native plants, things that will grow naturally so the irrigation is a little bit different, it doesn't require as much, if any watering.

Mr. Winkeljohn: Right, to the Board's credit they actually brought in a landscape architect to advise on the plant material relating to lower maintenance costs, easier to maintain, more hurricane survival less irrigation, so all of those characteristics can be thought through and we took that advise when we set up the Blue contract.

Mr. Fanelli: So, phase 1 you expect to be completed when, best guess?

Ms. Simmons: End of the month.

Mr. Winkeljohn: It's got another 6 weeks, or 5 weeks.

Mr. Proctor: I would say the end of October.

Mr. Fanelli: Including irrigation?

Mr. Proctor: Yes.

Mr. Winkeljohn: Yes.

Mr. Fanelli: And phase 2 will start when?

Mr. Winkeljohn: After October 1st, maybe a little earlier.

Mr. Fanelli: Ok, and in terms of the water that's being used in connection with irrigating the berm, is that coming out of the allocation of money for the entire community?

Mr. Winkeljohn: Yes, it's tied to the community system, and Kevin works with us hand in hand, Kevin from the golf course helps us.

Mr. Fanelli: Right.

Mr. Proctor: The irrigation equipment is actually Rainbird for your information.

Mr. Fanelli: Ok, good to know.

Mr. Wishner: And let me just add to that, the potential water savings that we would achieve by being able to shift some of the plantings to lower water use, more native

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plantings, will hopefully, ultimately benefit the entire community not just the water used for the berm itself because it frees up water capacity for the community.

Mr. Winkeljohn: Thank you.

Mr. Fanelli: And in terms of the water usage, is that controlled by Blue?

Mr. Winkeljohn: Yes, they operate our portion but, we work with the golf system as well, we're in their allocation process.

Mr. Fanelli: Got it.

Ms. Simmons: And one of the reasons that I understand because I'm a year and a half into all this discussion, they were waiting to tackle this berm until the golf course was done.

Mr. Smale: Yes, we had to because there was no irrigation.

Ms. Simmons: Yes, and the new HOA, you guys had plans.

Mr. Proctor: And initially the thought was that the installer for the golf course irrigation would be the natural to do the berm but, they weren't interested.

Mr. Winkeljohn: Right, and that speaks to the scale that we work in sometimes.

Mr. Smale: I'd like to add one point that Jim eluded to in his discussion, that is the noise mitigation because I get questioned on this a lot and the noise study indicated that almost 90% of all noise mitigation comes from the dirt in the berm itself, what we plant on there makes virtually no difference, we could plant big trees, bushes, weeds, and it will make almost no difference in the amount of noise you hear from I-75. Did I say that correctly Josh?

Mr. Evans: Yes, that's correct.

Mr. Winkeljohn: Well, thank you all for those excellent questions, if there are no more public comments, we can close the public comment portion of the budget hearing only, is there a motion?

On MOTION by Ms. Simmons seconded by Mr. Proctor with all in favor, closing the public comment and discussion portion was approved.

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C. Consideration of Resolution #2024-08 Annual Appropriation Resolution

Mr. Winkeljohn: That brings us to the discussion of resolution #2024-08 which is the actual appropriation resolution. In the budget, just for everyone's benefit, what we really are discussing is the actual assessment. The use of that assessment is at the discretion of the Board, it's obviously listed how it's being planned in the budget but the Board can adjust that throughout the year, so we don't really get into line-item discussion at this level today, what we talk about is, what do we want the assessment to be for 2025 for the residents, and because of the refinancing, one idea is to lower it, and that's how I would like to open the discussion for the Board for your assessment level for 2025. The most you could offer is the \$327 amount that's already proposed but, if there's an interest in lowering it, we would discuss that now.

Mr. Proctor: I think the first step is to have the Board determine do we want to take the \$250,000 construction dollars versus paying down the debt, and I personally think it's a good option because we can add it to surplus.

Mr. Winkeljohn: Right, and I assume that's the consensus but, I'd like to look around the room and look at the phone participants to see if the Board is in concert on that concept of keeping the refinancing structure where there is a \$250,000 cash contribution from that refinancing that would basically either replenish reserves, or depending on how you want to say it, or become the project money.

Mr. Smale: I'd like to back up a step.

Mr. Wishner: This is Steve, I just want to be clear that I understand exactly what we're saying here, and that is that we would refinance the entire bond but, in doing so it frees up the reserve that had been associated with the bond, and we're discussing whether to use that reserve to help maintain our community reserves, or whether we want to use that reserve to reduce the amount of bond refinancing. Am I understanding that correctly?

Mr. Proctor: Well, I don't think we're into that discussion point, I think the question is do we want to take the cash and it would be put into surplus, then we would determine at what level we want our surplus to be but, that's the second part of this budget approval.

Mr. Wishner: But what is the alternative to taking the cash and putting it in surplus?

Mr. Winkeljohn: Not taking any cash and maximizing the debt savings to the residents and the difference is about \$40.

Mr. Wishner: I see, got it.

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Mr. Smale: And that's where I was going with my previous comment was, there's two parts to the annual assessment that you receive on your taxes, one is for debt service, and the other is for operation and maintenance, and you can interrupt me when I say it wrong.

Mr. Winkeljohn: No, you got it right.

Mr. Smale: So, the part that's for the debt service, all the bonds outstanding, is fixed because the interest rates were determined when the bonds were issued and so on, so that's fixed, and what we're talking about is when we refinance the bond, we will reduce the interest rate which will reduce the debt outstanding, which theoretically should reduce the debt service portion of the assessment. So, are we going to use the \$250,000 that we generate from the refinancing of the bonds to reduce the debt service portion of your assessments even more, or do we use the \$250,000 for surplus? Even if we use the \$250,000 for surplus, we will reduce the amount of your assessment used towards debt service.

Mr. Winkeljohn: Right, that's \$71

Mr. Smale: So, by \$71 per household.

Mr. Proctor: It's about 11%.

Ms. Simmons: So, I did the \$71 from the \$327, and that would be \$256.

Mr. Winkeljohn: Right, and that was one of the suggestions also would be to look at it like that, yes. So, step one, I just wanted to get a consensus that is the track that we would take some of the cash from the refinancing, looking at the \$71 benefit to each household, and if that is the consensus then the discussion with the budget goes, just as you suggested, what do you want to do now.

Mr. Proctor: Paul, do you need a motion to pursue this refinancing with the plan taking the \$250,000 cash?

Mr. Winkeljohn: No, we're fine with that.

Mr. Proctor: Ok.

Ms. Simmons: So, I would approve to move forward with this.

Mr. Winkeljohn: Do you want them to?

Ms. Willson: No, that's fine, I just wanted to make it for clarity, I do believe we can confirm with Juan, and I'm District counsel. (inaudible comment)

Mr. Wishner: I couldn't hear that last comment.

Ms. Willson: I apologize, I'll come closer to the speaker.

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Mr. Winkeljohn: Yes, you could sit up here.

Ms. Willson: So, just a quick note for clarity on the recorder and I think it's just a term of because your funds will be able to flow as you desire but, I think that technically any cash savings would need to go to a project fund, so you would technically be using the cash for more of a capital project but, then that would free up funds in your O&M budget so they go into surplus, so it's just taking an extra step, I just wanted to make sure that was clear on the record, I apologize.

Mr. Smale: Legally that's how we have to make the funds flow.

Ms. Willson: Exactly, you have to use the tax savings on a capital item, like your berm.

Mr. Wishner: So, we could use that towards the berm project?

Ms. Willson: Yes.

Ms. Simmons: And what we've allocated towards the berm, some of it can go in reserve or all of it or whatever.

Ms. Willson: Exactly, yes, so it gets you the same result.

Mr. Wishner: I'm in favor of proceeding as described.

Mr. Winkeljohn: Very well, thank you.

Mr. Sinoway: I agree.

Mr. Winkeljohn: Anyone object to that?

Mr. Smale: I agree with it as well.

Mr. Proctor: I agree.

Mr. Winkeljohn: Ok, so we're good there. One of the bond advisers was trying to call in to join us but, he's calling on my phone which is the speakerphone, so I just sent him a picture of the agenda, he's a little bit confused apparently. Anyway, nonetheless, here we are, so with that decided, you had a recommendation of possibly reducing today's proposed assessment by the savings amount of \$71 and then it would be as close of a wash with limiting the increase.

Mr. Proctor: So, then how does that relate to what the projected surplus would be?

Mr. Winkeljohn: So, if you went with the \$71, it's \$327.91.

Mr. Wishner: Less the \$71.

Mr. Winkeljohn: Yes.

Ms. Simmons: So, it would be \$256.41.

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Mr. Wishner: I think it would be \$256.41.

Mr. Winkeljohn: Yes, so that's \$256.41, so I will put that in and we will get the magic number, I just want to check to see if he just joined us. So, that brings your reserves up to a solid \$350,000 at the end of next year, which is an outstanding level, and that \$256.41 would be the new assessment under her recommendation.

Mr. Smale: The increase in the assessment.

Mr. Winkeljohn: Right.

Mr. Wishner: So, that essentially maintains the reserves at approximately the same level that they've been.

Mr. Winkeljohn: Exactly, with the project paid for.

Mr. Smale: Essentially, we're paying for the project with the money we generate from the bonds.

Mr. Winkeljohn: Right, and I believe our bond advisors, our finance team is now on the call so, and John, are you here or is it Dillion, I couldn't tell who called in.

Mr. Schwartz: Hi Paul, this is Dillon Schwartz, how are you? Sorry about that, I had an issue trying to get on.

Mr. Winkeljohn: Sorry about that, so welcome, was there something we said or did that you wanted to chime in on, we're in our budget hearing or are you just joining to answer questions if they come up?

Mr. Schwartz: Yes, I could walk you through our little one-page presentation we provided, unless you've already kind of gave the overview, and I'm here to answer any possible questions.

Mr. Winkeljohn: Ok, so our Board members are super savvy and they did a great job without you should there be a question we will ask.

Mr. Schwartz: Perfect, I'll hang out and if you have any questions let me know, I'm here for you.

Mr. Wishner: We appreciate it.

Mr. Proctor: Are you looking forward to the 2016 bond issue that's coming up in a couple of years?

Mr. Winkeljohn: Yes, Dillion have you peeked at that?

Mr. Schwartz: Let me see right now the call provision on that.

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Mr. Winkeljohn: Because I have done early call scenarios where's there a mechanism you can do it a year early.

Mr. Schwartz: So, I see May 1, 2026, I mean we can get moving in about a year and a half, the internal revenue code does not allow for a bond refinancing at a tax-exempt status until you're within 90 days of the call date, so around February 1st or so of 2026 is when we can start kind of moving towards that.

Mr. Winkeljohn: And the rate is high enough where we have a pretty good idea that they'll be something for us there.

Ms. Simmons: Right, I was just going to ask, is there an opportunity there as well?

Mr. Schwartz: So, the senior bonds have a very, because this was already a refunding, the senior bonds, the coupon goes to 3.5% interest rate, and the subordinate bonds are still only about 4.15%, so as you can see what we're projecting today for the 2013 bonds is still a higher interest rate than those. Now, don't get me wrong, it's entirely possible I supposed that rate could go lower but, it might be hard to generate savings based on that comparison since you already have quite a low interest rate on those bonds because they were refinanced once.

Mr. Winkeljohn: That's right, they were originally 2006.

Mr. Schwartz: Yes.

Mr. Winkeljohn: So, either way, so for today's purpose, is there support for the recommendation to go to the full \$71 reduction?

Mr. Proctor: That would make the total assessment on our tax bill \$256.41 plus \$959, or \$1,215.41 total.

Mr. Smale: For O&M.

Mr. Winkeljohn: Yes.

A resident: May I ask a question or later, just tell me?

Mr. Winkeljohn: It's fine, go ahead.

A resident: Ok. When you sent this out originally, the proposed \$327 increase, did you get much pushback on that?

Mr. Winkeljohn: Other than your presence right now, none.

A resident: Ok, so that \$71 down is an additional \$40,000, and you got no pushback, why don't you just leave it at \$327 and pay off the debt? I mean \$71 to me at the end of the year, I couldn't care less, I just assume, and I'm speaking for me, and I'm on the HOA, and

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I've heard no complaints from anybody about the additional \$327, it hasn't even come up, and that's just a public comment, and I would say pay off the debt.

Mr. Smale: Well, we're not going to pay off the debt because the interest rates are so low, it's a very cheap way for us to operate.

Ms. Simmons: I have a question on the budget, so, we're very confident in our special projects that are \$308,000, that's the capital for the new part of the berm, and so I want to make sure that we're very confident that is the number. Then the next question is, I know that we are doing a lot of work with the ponds over on Corsica, and we've put all of, and I know you have a plan, you've been working the plan, where is that money showing in the budget?

Mr. Winkeljohn: It would be in the capital repair project.

Ms. Simmons: So, it's under the special projects?

Mr. Winkeljohn: Yes, it would be under there.

Ms. Simmons: So, it's all together.

Mr. Winkeljohn: That's where you would take it from, or reserves. It's not a line item to do that specific repair, it's about \$28,000 to \$30,000 to do that, or what people want to be done to that lake we believe, so it would come from reserves and your other question, I'm sorry, it's \$42,000 additional in the reserves, so it's meaningful.

Ms. Simmons: What are you talking about?

Mr. Proctor: The surplus.

Mr. Winkeljohn: If we took the full amount, just to get the sense of value of it, if you will. I will give you a manager's perspective, obviously, manager's want as much money as possible to perform the greatest services as possible but, I also think of you asking the residents two years from now to do this again, and this could alleviate that theoretically.

Mr. Proctor: Fred, I understand your position, I thought it would be prudent if we're gaining and refinancing, and putting \$250,000 in surplus, then as residents, not everyone would be in favor of wanting to raise assessments at that level but to your point, it's only \$71 but, this is a very small representation of our residents here.

Mr. Fanelli: But it's just not this year the \$327, it's next year, and the year after that, and the year after that, so you get hit once and maybe it's not due for the next year.

Ms. Simmons: Well, that was our plan with that amount.

Mr. Fanelli: But it's a one-and-done deal with that \$327.

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Mr. Proctor: Well, normally when it goes up it never comes back down but, it could in future years.

Mr. Fanelli: Right, and that's just one resident's perspective.

Mr. Wishner: I don't have strong feelings one way or the other, I think Fred's point, if it was Fred who made that comment, I agree with Fred's comment, I tend to be rather conservative in my approach, especially since we only have a shot at revenue one time per year, and I would rather have our reserves in a healthier position than in a barely healthy position. You never know when the next major storm is going to come along, and I hate to be in a position where we have significant repairs and it either totally drains our reserves or we don't have sufficient reserves but, the \$71 a year difference if we haven't had any pushback at all from the community, I think Fred raises an excellent point that I could support keeping it at the \$327.91 but, as I said, I don't have very strong feelings on the matter.

Mr. Sinoway: I do as well, I think that amount is good.

Mr. Fanelli: My suggestion is to keep it at the higher amount because it evens it out over time, so next year if you have to have a bump for some reason, and you've already used your reserves, it's not as big of a jump. I think it smooths it out and for \$71 I don't think you're going to get much pushback at all.

Mr. Proctor: I would hope and think that this Board will act this way just because we have extra money, I don't think we should spend it for the sake of spending it.

Mr. Smale: Agreed.

Mr. Wishner: Oh, absolutely not.

Mr. Fanelli: I think you're sitting on a larger safety factor in the surplus, it allows them flexibility if we need it, and if we don't need it next year, we don't have to go up over \$327, maybe stay there again.

Mr. Smale: Paul, for perspective, when we use reserves most often is because of a storm.

Mr. Winkeljohn: That's the biggest one, right.

Mr. Smale: So, we've had in my time here, we've had two pretty good storms, and if I remember correctly, the first one cost us more than the second one because of the wind damage was more extensive.

Mr. Winkeljohn: Right, it was more of a wind event.

Mr. Smale: Do you remember what we spent?

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Mr. Winkeljohn: It was over \$200,000, it was about \$280,000.

Mr. Smale: Ok, I thought it was around \$300,000.

Mr. Winkeljohn: We did get reimbursed, and your first action you can get reimbursed sometimes and we got about \$30,000 from it in payback, so it was about \$270,000.

Mr. Proctor: Paul, we had a pretty serious lightning event last week, and you had to authorize a repair.

Mr. Winkeljohn: Yes, a lightning strike knocked a tree over and the tree broke our main water line, it was \$9,000 to fix it, and that does not save the tree, we still have the tree to replace, so it's expensive out there.

Ms. Simmons: So, I'm not sure I'm in favor of the \$327, I'd like to drop that a little bit, and the reason is if you look at our reserves it was at a nice healthy number, but then the following year our special projects of \$308,000 will no longer be there.

Mr. Smale: How do you know that?

Ms. Simmons: Well, that's where I was going, what other, past fixing up the berm and doing all of that, do we have any other special projects?

Mr. Winkeljohn: So, for perspective, we do a regular, what do we own, what's its condition, and what is going to need each year and correct me if I'm wrong but, we have no lakes that are failing, we have no drainage structures that have to done, so our major expenses other than the berm and Veteran's are all doing fine, so no there's nothing glaring out there, so that's a good point.

Mr. Wishner: I would comment that we are also responsible for the retaining walls on the lakes and we've been very fortunate so far that we've not had any significant expense in maintaining, or repairing or replacing any of those walls but, that won't last forever.

Ms. Simmons: I thought HOA was responsible for the walls.

Mr. Winkeljohn: Yes, I think he's wrong, the bulkheads are not part of our maintenance.

Mr. Fanelli: Paul, I did some quick math here, and if the math is correct you have 500 plus units, that pay \$70 a year, at \$35,000, and I looked at the total budget, that's paperclip money.

Mr. Winkeljohn: Right, and just to clarify the record, our responsibilities to the lakes do not include the bulkhead portions, those are privately maintained.

Mr. Fanelli: Ok.

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Mr. Winkeljohn: So, I didn't want it on the record inaccurately, so I think the Board informally re-opened the comment on purpose to get some feedback, and we appreciate that but, we do need to go back to a Board discussion, and I want to make sure, I'm hearing voices on our phone, did I miss one of the Board members comments?

Mr. Wishner: Not from me, no.

Mr. Winkeljohn: Ok, so it's really up to you all.

Mr. Smale: I make a motion that we approve the \$327.91 assessment.

Mr. Winkeljohn: So, that motion would be to approve resolution #2024-08 as presented.

On MOTION by Mr. Smale seconded by Mr. Wishner with all in favor, Resolution #2024-08 the Annual Appropriation Resolution was approved.

D. Consideration of Resolution #2024-09 Levy of Non Ad Valorem Assessments

Mr. Winkeljohn: So, that does it, it's kept at the \$327 and change, so resolution #2024-09 is the least controversial resolution you'll ever pass, it decides how to collect that money and the collection method that is before you is the Non-Ad Valorem Assessment process which your Property Tax Collector is standing by in the next hour to get a copy of your signed resolution to perform that act for you because the deadline is today. So, staff recommends approving resolution #2024-09 which allows the assessment we just approved to be collected on the tax roll. Is there a motion?

On MOTION by Mr. Wishner seconded by Mr. Smale with all in favor, Resolution #2024-09 Levy of Non Ad Valorem Assessments was approved.

E. Motion to Close the Public Hearing

Mr. Winkeljohn: With that hard work concluded the public hearing portion of today's meeting is over, is there a motion to close the public hearing?

On MOTION by Ms. Simmons seconded by Mr. Smale with all in favor, closing the Public Hearing was approved.

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FIFTH ORDER OF BUSINESS

Consideration of:

A. Resolution #2024-10 Electing Sharyn Henning as Assistant Treasurer

Mr. Winkeljohn: Alright, so moving on with our agenda, item No. 5, and if you don't have anything else, you're welcome to stay or go, it's up to you all. Item No. 5 is resolution #2024-10 which you may be wondering and saying, I didn't know we had a treasurer, why do we need an assistant? Districts are set up with a chairman, and a vice chairman, from the Board, and all other members are assistant secretaries. Your contracted staff performs administrative tasks as secretary and treasurer, and we have plenty of assistant secretaries should a document need signed, etc. but, in the treasurer world we only have one person, and that person does go out of town once in awhile and we just thought it was good extra precaution to have a second person and Sharyn Henning is an original member of our company, she's a full CPA and is more than qualified to serve in this role, and we're doing it with all of our Districts as well as a best practice for our Districts. So, I'd appreciate a motion for resolution #2024-10 to fill that assistant treasurer role.

On MOTION by Ms. Simmons seconded by Mr. Smale with all in favor, Resolution #2024-10 electing Sharyn Henning as Assistant Treasurer was approved.

B. Estimate #12013 with Crosscreek Environmental, Inc.

Mr. Winkeljohn: Item No. 5B is, there's two items for lakes at Corsica and we can talk about them in general because I think I covered it a little bit already. We did get a budget figure of about \$28,000 to \$30,000 to do the recommended mechanical removal that the lake has and that it needs, Josh is here, and he's marked up the drawing, we sent it to our contractor, and they came back this morning with that price.

Ms. Simmons: Oh, so there's a different proposal?

Mr. Winkeljohn: It's a different one, yes, there's two on today's agenda, I'm talking about the one that was really more relevant to the residents, and we have a budget figure for that, so if the Board is ready to move on that.

Mr. Wishner: I don't understand what that project involves, can you explain it, please?

Mr. Winkeljohn: Yes, so the border of that lake has significant growth of material that is desired to be removed, and that will help the overall health of the lake and its appearance.

Ms. Simmons: Which lake is it, #15?

Mr. Winkeljohn: Corsica, yes lake #15.

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Ms. Simmons: So, what we have in our report is \$15,000 and that's page 56, and so you're saying there's a \$28,000 one?

Mr. Winkeljohn: Yes, the \$28,000 was, and there were two asks to help that lake.

Ms. Simmons: So, did you send us the \$28,000 one?

Mr. Winkeljohn: I just got it on the way here this morning, I just wanted to put them together.

Mr. Evans: If I could explain.

Mr. Winkeljohn: Yes, please.

Mr. Evans: We were asked to look at the plant material that was growing around the lake, and my first concern was that it was a permit requirement because that's a natural native plant, and a lot of times those are required, it's a littoral requirement for South Florida Water Management District and Collier County. So, we had kind of a guide on that, and we identified which areas that were specifically listed on the permit that needed to be there for the permit requirements and created that exhibit. That was provided to your HOA president and then basically someone went around and we marked basically all the other areas that could be removed and that's shown in red on the exhibit that's been floating around. Then that was what was priced. I just want to note that as the District engineer, and someone who inspects the lake banks every year, it's a desirable plant material to have, as much as it's ugly and restricts the lake, it does protect the lake bank from eroding so, if we remove that we're going to want to make sure that we put some other plant material down to protect the lake bank from erosion even after the removal of that, although there is more desirable plant material that you can put that's lower level and less dense. Then the other thing we wanted to make sure of is, we didn't do something to fix your problem and cause it to look worse because if you just spray that out, it's going to take a long time for that to die out, so the right thing in the removal process was to spray it, kill it, and then remove that dead material so that it more instantly looks pleasing, is which I think what your residents are looking for. So, the area in red is basically everything that's left minus what is required by permit, so I just wanted to give you the history of it and note that some of that is permit required, so what is remaining after this has to be there for the permit.

Mr. Proctor: And just to add to that, particularly for the Corsica residents, Josh and I and the president of your HOA, met on July 19th and toured it, and the bullrush is what he's referring to, and they are not attractive but, they do help prevent erosion so I think Josh has

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done his job in checking out what is allowed and so forth, and with that he was able to give us an estimate here recently, and that's around \$20,000.

Mr. Winkeljohn: That's what he recommended as a budget figure. The contractor can look to see if he can make it more efficient also.

Mr. Proctor: And I was a proponent of the spike rush, which you can notice like, for example, holes #11 and #12 along the lakes, that was planted a few years ago, so on your south side of that lake there's a lot of bare areas that would be a place for that type of material to put, and that's only a couple of thousand dollars.

Mr. Smale: Josh, I have a general question, that lake and the lake up front are both unlined, is that correct?

Mr. Evans: Yes.

Mr. Smale: Is it correct to say that those will never look like the other lakes because they are unlined or they will only look like the other lakes when we get a lot of rain, or what will the fact that they're unlined, how will that be reflected in their appearance.

Mr. Evans: Right, that's an important thing to note too, the reason there are so many plants planted in that lake is because that is a non-lined lake, and the reason that the other lakes in the community had been lined by the developer was to minimize the up and down fluctuation of the water table, and when the water table goes down that generates 20' or 30' of muddy lake bank. So, that initial plant material was put there with the intention it has a water quality function also but, predominantly it's plant material for that dry lake bank when the water table goes down. I used to work on Mediterra and they did not line their lakes, and they have the same fluctuation in the water table between the dry and wet seasons, a lot of places it's maybe 2' or 3', here for whatever reason it's 5' or 6' vertical, so that's a pretty significant amount of exposed dirt that's exposed in a non-lined lake. So, I just caution you that if we remove the material, it will look much better in the wet season, but in the dry season, you're going to have more lake bank exposed as an alternative to the plant material there.

Ms. Simmons: Josh, did you say you worked with the HOA Corsica and they've approved the plants?

Mr. Evans: Well, Jim could probably better tell you, I just gave him an idea of what has to stay and they said what they would like to remove, that's not permit required.

Ms. Simmons: Ok, so you've all come to an agreement of sorts?

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Mr. Evans: Yes, they're making a request of us to remove the non-permit required foliage.

Mr. Barton: And I'm right here, Jim Barton, I'm president of Corsica Association, and I met with Jim and Josh and we walked it, I think we agreed on the condition and what needs to be done to put it in line with the rest of the Talis lakes, understanding that it's a different lake and it's unlined and it has some different requirements. So, I think that maybe a little bit of an eye opener to Jim and Josh, sort of the condition that it had become, we've been told for many years that it was still under Front Door Communities, and it turns out that it wasn't, nobody was doing anything to really maintain it. We just want to bring it back to the standard that's mutually agreed upon, and I would like to not get any more phone calls about the lake. I know that Karl is tired of hearing from me, and so our goal is to sort of get it into the mainstream with the maintenance that happens and understanding of what the level of service is that we agreed upon, and I think we do agree upon that. There's a lot of bullrush that is not providing any erosion control, and it's providing unsightly stagnation, and the other vegetation that you showed me in a picture, and I think Josh is very acceptable to control the erosion that is not being controlled right now. So, I think we have an understanding, I think that my membership that's here agrees, we would just like to sort of get it into the maintenance next, that it hasn't been in, and I think Paul is tired of hearing from me, and I'm tired of bothering him. The aerators have also have been very problematic, they didn't work for years, and once we did get them online they stay on for a couple weeks, and we talked about a solution where we would provide electricity rather than the solar system that doesn't seem to work very well, and we're happy to provide the electricity if that helps to run it in a different manner but, thank you, and I think we can get this to where it doesn't bother us anymore.

Mr. Proctor: I just want to make a comment, I appreciate Jim's work on this, and also there was an issue where the Corsica trees were encroaching over the fence at the Veteran's side, and it was determined who is responsible and so forth, and we agreed that the maintenance on the Veteran's side would be trimmed on that side and any overhang that you guys would do it, and you did it, and it looks fantastic.

Mr. Fanelli: And we'll continue to maintain it like that.

Mr. Proctor: So, that being said, I'd like to make a motion that we allocate up to \$30,000 with this vendor, Crosscreek based on the colored diagram that we've been presented.

Mr. Winkeljohn: So, that's for the vegetative improvements.

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On MOTION by Mr. Proctor seconded by Ms. Simmons with all in favor, authorizing a not to exceed amount of \$30,000 for the vegetative improvements at Corsica with Crosscreek Environmental, Inc. based on the colored diagram presented by the District Engineer was approved.

Mr. Winkeljohn: So, we'll wrap that up and take care of the actual scope but, that's a not to exceed number is how I take that, and that gives me an extra negotiating chip, so thank you.

Ms. Simmons: Question, can this be done in the next month, or before everybody gets back?

Mr. Winkeljohn: Let's try for that.

Ms. Simmons: Ok.

Mr. Fanelli: Has the lake out front been deeded to the CDD?

Mr. Evans: No.

Mr. Winkeljohn: That one is not.

Mr. Fanelli: Ok, so it's still Kitson.

Mr. Evans: Yes.

Mr. Fanelli: So, what's the plan, when they offer it for dedication are you going to accept it as an unlined lake because the problems that are being experienced right now by Corsica, you're going to experience them here as well.

Mr. Proctor: Fred, we asked Tyler Kitson, at the time he was president, if he was going to line the lake, and at that point the answer was undetermined, that's my recollection.

Mr. Fanelli: So, again, you're under no requirements to accept dedication to that lake.

Ms. Willson: Technically they are under the acquisition agreement and the master capital improvement program.

Mr. Wishner: I'm sorry, whoever is speaking could you get closer to the speaker, I can't hear you.

Ms. Simmons: Our attorney is speaking.

Ms. Willson: Yes, absolutely, hi everyone, Alyssa Willson from Kutak Rock, yes, pursuant to the terms of the original bond issuances and the acquisitions agreement in place there is an acquisition agreement, and they do have to build it to permit standards, engineering

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standards but, there is a legal requirement that as long as it's meeting those engineering permit requirements and those standards for the Board to accept it.

Mr. Evans: And the state regulations do not require it to be lined, that's purely an aesthetic thing, and the developer has the choice whether they line it or not. The thing that I wanted to protect when they said they were not going to line it was, I didn't want that lake to drain our other lakes because if one leaks, they all leak. So, when I said, if you're not going to line that lake I want a weir in-between that lake and our other lakes so that you don't drain our system. So, that was their choice to have a lake that's less aesthetically pleasing but, it does meet all the state requirements, and local requirements, the line of it is purely aesthetic.

Ms. Simmons: So, to that point, that it's going to cost us more to maintain it with the plantings, or not, or can we require them before we accept it, can we ask if they would plant these particular plants?

Mr. Evans: We can ask, they're not under any requirement to do so though.

Ms. Simmons: Ok, well I suggest we ask.

Mr. Evans: Ok.

Mr. Winkeljohn: Thank you for that. Yes, sir?

A resident: First thank you, and secondly, how expensive is it to line a lake?

Mr. Evans: Very expensive, and even having a lined lake, the long-term maintenance cost on that is multiple costs.

Mr. Proctor: I've been here since 2013 and WCI lined all the lakes at that time, and they were deficient, and they relined them, I want to say in 2015 maybe and spent \$4.25 million dollars to do it.

Mr. Smale: But we issued bonds, right?

Mr. Winkeljohn: Yes, it's one of our capital expenditures. So, the second item for Crosscreek is and I put this on the agenda because it was really an emergency repair but, we were about to meet so I wanted you to see it. The solar power aeration systems when it rains very heavy and we have flood event, a minor one but, they got wiped out so this is to repair what got damaged. The only thing in this, it's \$15,355 to bring them all back to standard, so the piece that I want to say is because of the relationship with Corsica wanting to power their aerator versus solar because some areas solar is a bad idea in what they've observed, if you can approve this I'll get it repaired except we'll repair our system and also get it ready for electricity so that it's no longer battery powered through the solar.

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Mr. Wishner: What areas need to be repaired?

Mr. Winkeljohn: In your agenda, it's lakes #15, #3 #9, and #7, those aerators all took a hit.

Mr. Wishner: And is it possible to do something like raising the level of the aerator, or is there something we can do to prevent a future flood from creating the same problem?

Mr. Winkeljohn: Not likely but, I have asked that and I will report that back to you when I get their answer but, because of the way they were installed it was designed to be efficient and out of the way of the play of golf but, also where the solar panels go, all of that's related and so they were optimized for those purposes not for their survival if that makes sense. So, I don't know that we can win the battle to move them to a better spot but, we can try.

Mr. Wishner: I would certainly suggest that we look into rather than just fixing what we know is something that's exposed to a problem, that even if it potentially costs some higher expense currently that we look at fixing the problem on a more long-term basis.

Mr. Winkeljohn: I agree and understand your point, and we'll incorporate that. Is there a motion to authorize those conditions?

On MOTION by Mr. Smale seconded by Ms. Simmons with all in favor, accepting estimate #12013 with Crosscreek Environmental Inc. for a total amount of \$15,355.55 to repair the damaged solar aeration system and get it ready for electricity as stated on the record was approved.

SIXTH ORDER OF BUSINESS

Authorization of I-75 Berm Proposal with Blue Landscaping

Mr. Winkeljohn: Item No. 6 is phase 2 of the I-75 berm, we've already seen this, we did get the legal contract portion finalized and it's before you for ratification, you've already given direction on this.

Ms. Simmons: I have a question. Remember we were talking about, I guess it would be the south side, with planting some trees off the berm.

Mr. Proctor: This could be a row of clusias at the very south end.

Ms. Simmons: Ok, so that's this project, are we doing that? Is that part of this?

Mr. Proctor: That's already been authorized for the south side.

Ms. Simmons: Alright.

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Mr. Wishner: I have a question before we authorize the second phase of the berm project, I'd like to understand to a somewhat degree how the first phase is going and whether we've experienced any surprises or any problems that need to be addressed in the planning and design of the second phase.

Mr. Proctor: Well, I was there a couple of weeks ago, and I think one of your reps was there recently, the only delay has kind of been the weather with excessive rain and not being able to start the project but, my understanding is the equipment was delivered either last week or this week, so I think everything is good, it started a little bit later than planned but, again we mentioned earlier it should be done Steve by the end of October.

Mr. Wishner: Ok.

Mr. Smale: Probably the only thing you would notice right now is the tree trimming as opposed to anything else because the plantings haven't been done, the irrigation hasn't been done.

Mr. Winkeljohn: Right, and it does look noticeably sharper.

Mr. Proctor: Paul, I have a question, if we approve this north phase, from an installation standpoint it would be better if all the irrigation is done at the same time, so that can start in October with the new fiscal year but, the plantings that we've already authorized for the south side if that could be done after all the irrigation is done.

Mr. Winkeljohn: Yes, they should hold that, yes, you're absolutely right, and we'll sequence that with them for optimum.

Mr. Proctor: So, the earliest you can disperse the 50% down payment on the north side would be October 1st?

Mr. Winkeljohn: Ideally, yes, we'll take care of that. Ok, with that is there a motion to authorize?

On MOTION by Ms. Simmons seconded by Mr. Smale with all in favor, authorizing the I-75 berm proposal for the north side with Blue Landscaping was approved.

SEVENTH ORDER OF BUSINESS

Staff Reports

Mr. Winkeljohn: That moves us to staff reports, and in person we have our attorney here today. Any report for our friends today?

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A. Attorney

Ms. Willson: Yes, so moving closer to the microphone now, hopefully you can hear me better?

Mr. Wishner: Thank you, yes.

Ms. Willson: Excellent. Hi everyone, Alyssa Willson from Kutak Rock, happy to be here in person today. We'll just continue to work with your staff on any refinancing items and be prepared to continue to present those items at your future Board meeting. Also, a reminder, make sure that you complete your ethics training requirements for completion by the end of the calendar year. Otherwise, I'd be happy to answer any questions you may have, and nice to see you all.

Mr. Wishner: Paul, could you recirculate the link, I did it but I think I only got 3 hours in and I need to go back and finish it, can you recirculate the link that you had provided previously?

Mr. Winkeljohn: Absolutely.

Ms. Willson: And just a reminder to everyone, the only state reporting requirement will be on next year's Form 1, you'll just have to check a box but, they are encouraging you to email Paul's office on the dates you completed it, or just that you completed it and what courses you took just so you have a record of it in the District's files but, you're not going to get a certificate or a code or anything like that.

Mr. Winkeljohn: And it's a little bit on the honor system that you did the training. Anything else for Alyssa? Not hearing anything we can move on.

B. Engineer

Mr. Winkeljohn: Josh, any report, for our friends today?

Mr. Evans: I don't have anything else to report other than the residents of Corsica, the confusion on who owned the lake for about a year there, I was confused on that so that's on the plat and we're getting that resolved moving forward, so thank you. That's it.

Mr. Winkeljohn: Excellent, and it's a pleasure working with you guys to solve that issue.

C. Field Manager

1) Monthly Report

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2) Landscape at Veteran's Discussion and Agreement Updates

Mr. Winkeljohn: Moving on to the field report, I wanted to introduce Patrick, and Patrick's geography and time worked out better to be your field manager, Sheryl has expertise that's still available to us but, she couldn't dedicate the travel time to get her but, he can. So we've worked it out where Patrick is going to be visiting you all on a weekly basis, walking with the contractors, holding them to their standards, etc. and we've outlined I don't know half a million dollars worth of work for him to help oversee so he's going to be busy keeping an eye out for you. Also, I wanted to bring attention to, in your Board packet is again our field report, you see how that's evolving and at each Board meeting and monthly you'll get a report like that with documentation, and that's really important to us and it will always be available on your website but, it shows when something happened, what its conditions were, how they were improved, and it just creates a great evidence trail for the Board and for the community of what you're doing with your taxes. Yes sir?

A resident: Yes, I'm on the Board of our condo association, and we've gone through several subcontractors on landscaping and whatnot, but when you say a monthly report, which I'm not seeing on the agenda here.

Mr. Winkeljohn: It's in the Board's packet.

A resident: Ok, so do you have like a report to fix the three sprinkler heads or something like that, do you have hours and location and the names of the persons at an hourly rate so that you know exactly what the cost of fixing those three sprinkler heads was?

Mr. Winkeljohn: To a degree, absolutely, in Blue's contract when they do a repair it's itemized as you just described so that contractor's evidence is part of our report and in terms of communicating that to the Board it will be, Blue had this bill and that was approved but, the detail is available. On a slightly larger scale to a few sprinkler heads yes, and we use a GPS time stamp photography with all that data imbedded in that photo, and we do that, one, we learned that's a requirement for FEMA and if you ultimately are in a position to claim some sort of federal money to reimburse us, again, likelihood low but, if you do, and you don't have that background data, they won't even look at that picture. So, we've learned that and incorporate it into all our activities.

A resident: And that's goes into the report with those pictures?

Mr. Winkeljohn: Yes sir.

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A resident: And you make that in your report on a monthly basis, or a weekly basis, or a daily basis?

Mr. Winkeljohn: Monthly.

A resident: Ok, monthly, but you do keep a daily diary?

Mr. Winkeljohn: I don't know how Patrick does it exactly.

A resident: Well, I spent a lot of time in the construction business. (inaudible comment)

Mr. Winkeljohn: Right. Did you have anything you wanted to cover specifically?

Mr. Burgess: No, I'm still learning the property, but I'm happy to help out wherever I can.

Mr. Winkeljohn: Thank you, and I mentioned already that we're breaking down some of the specifications in detail of our existing landscape contract, and I have nothing tangible to report to you but, your chairman, and I and Patrick are working on it with the contractor to finetune our current specification. Do you want to elaborate on that?

Mr. Proctor: Right now, there's one contract that exists on the berm and Veteran's with one vendor and I recommended it be two separate contracts and I think you need to get rid of the amendments and do new contracts.

Mr. Winkeljohn: So, refresh them.

Mr. Proctor: Yes, they need to be new. Two of the contractors, and then the second part of that is, I think we should put the Veteran's out for bid.

Mr. Winkeljohn: Right, well one of the things, if the property group is putting out a bid we could ask that bid carve out the areas the way we'd like them priced perhaps that fits our world, so when we see those numbers we would be able to use that, it would be very useful to us.

Mr. Fanelli: Get with David Clark.

Mr. Proctor: Jim, they did the tree trimming, and that's your HOA maintenance guy?

Mr. Fanelli: That's correct.

Ms. Simmons: I thought we were going to reach out to them.

Mr. Winkeljohn: We did originally and it stalled in the process, they had trouble differentiating me from the other group, and so without knowing them, they didn't understand and so it stalled out but, we were working with that process trying to get a price from them.

Ms. Simmons: So, are we going to continue to reach out to them?

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Mr. Winkeljohn: Yes, we'll do it again.

Ms. Simmons: Ok.

Mr. Winkeljohn: But I like this large-scale formal bid process and if we work with you and get our part defined it could be very beneficial on an economy of scale.

Mr. Fanelli: If you reach out to the landscaping committee as everybody knows, it's pretty active, and we're in the process now of detailing the specs, so to the extent that you guys are interested and try to get involved, please reach out to David Clark.

Mr. Winkeljohn: Yes, we'll do that, I think we have his information, so we'll get that. So, are there any other questions on the field report? Not hearing any, that covers that.

D. Manager

1) Consideration of Performance Measures and Standards as Required by Florida Statute 189.0694

Mr. Winkeljohn: Item D is my reports, basically I just wanted to update you, the Statutes that changed on July 1st included a performance measure requirement for all CDDs. So, I put one together for you that meets the requirement, which there isn't one other than the words please provide performance measures. So, we put a comprehensive one together but, one that obviously works for all Districts before you, and just ask that you adopt this by motion, and from time to time we can change it, we can look at it but, this meets the requirement that started July 1st.

Ms. Simmons: So, I was looking at this, when do we audit ourselves on this?

Mr. Winkeljohn: It's annual, and I like what I do with my municipal clients is I tie it to the budget process, it basically would be an attachment in the budget, so as you adopt your budget you adopt every year's performance standards, and you would evaluate it like you would your P&L on your budget.

Ms. Simmons: So, like we're not meeting all these exactly, so how do we meet the standards?

Mr. Winkeljohn: Well, we have to adopt them now, and then evaluate them next year, and then we can amend them each time. There's no requirements or guidance, or funding.

Ms. Simmons: I thought this was a state-mandated thing.

Mr. Winkeljohn: We created that.

Mr. Smale: The state mandate is that there needs to be something.

Mr. Winkeljohn: Right, and I'm filling that void.

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Ms. Simmons: Ok, that's what my confusion was, ok.

Mr. Winkeljohn: And there isn't for municipalities either.

Ms. Simmons: Ok, I thought these were great standards.

Mr. Winkeljohn: Thank you.

Mr. Proctor: And one of the standards is the annual financial audit, when is that done?

Mr. Winkeljohn: You adopt it usually at your May or June meeting each year, so it's in the spring.

Ms. Willson: And it has to be completed by June 30th of each year.

Mr. Winkeljohn: Right.

Mr. Proctor: Ok.

Mr. Wishner: Which if any of these standards are we not meeting? I'm sorry, Paul could you hear me?

Mr. Winkeljohn: Yes, I heard you, I don't have an answer, I don't think any of them are unreachable, they're pretty generic by all District standards, so I'm thinking you're going to be fine but, there's no penalty if you don't meet them.

Mr. Wishner: I'd just like to know, if there's no specific guideline as to what we should be including, I'm curious as to why we would include goals that we know we're not meeting.

Mr. Winkeljohn: Right.

Ms. Simmons: You know what I'm referring to, there's something that came out from the state about communicating to the public, to your constituents, what was that?

Mr. Winkeljohn: The Districts didn't have anything like that, that's HOA I believe, the state did a bunch of work on HOA rules, so all these are fine, there are none of these that we won't meet.

Ms. Simmons: Right, I thought there was something on communications I read about.

Mr. Winkeljohn: Not in our package, no requirement but, I would say, don't hold your breath that it isn't coming.

Ms. Willson: You still have all your public notice requirements in those items.
(inaudible comment)

Mr. Winkeljohn: Right, the only thing that's happened that I can report may have a glimmer of hope is the idea of our public notices that go in the newspaper at \$400 to \$600 a pop, there is traction for governments to set up an electronic version of that which meets the state law, so it's happening slowly but surely so, I'll keep my eyes out for that.

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Ms. Willson: Collier County was in the process of adopting that.

Mr. Winkeljohn: Right.

Mr. Smale: So, you need a motion to adopt this?

Mr. Winkeljohn: Yes sir.

Ms. Simmons: And I'd like to make an amendment to the motion.

Mr. Winkeljohn: We can hold the motion, did you have an adjustment you wanted to make?

Ms. Simmons: Well, you know this is a conversation, under one community, communication and engagement, and I know this year we sent out something to the community to talk about what we did, and I would like to do that on a regular basis, I would like to do that at least annually, an update of what we do on a specific email to the community and I think we ran it through the HOA, the database and they sent it out for us. Is that what happened?

Mr. Winkeljohn: Right, we could say to do that annually.

Mr. Wishner: I'm fine with that but, someone needs to take responsibility for it, we can't just say it needs to get done, someone needs to be assigned responsibility for that.

Mr. Winkeljohn: I'll make sure it's done if you tell us to do that.

Mr. Smale: We could do that without including it in this checklist.

Mr. Winkeljohn: That's true.

Ms. Simmons: Well, I would like to include it in the checklist personally.

Mr. Winkeljohn: You two can battle it out if you want.

Mr. Simmons: Because then you're held accountable, do you agree with that?

Mr. Smale: I don't want to make standards such that they're in here.

Mr. Winkeljohn: If you opt not to do it.

Ms. Simmons: Well, why would we not do it?

Ms. Willson: You have to publish it on your website whether you meet the standards or not next year, but it is a self-reporting mechanism. (inaudible comment)

Ms. Simmons: Well, I think it's a great standard myself, so that's where I stand on that.

Mr. Wishner: Barbara, I think in theory it's a great standard but, this past experience of creating this communication was to my mind quite deficient, and we need a different process and someone to really ride early with this if we're going to accept this as a standard.

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Ms. Simmons: Ok.

Mr. Proctor: I think that maybe at the fiscal year-end is a good time to report.

Ms. Simmons: Ok, but it doesn't say we need to report to the community anywhere about an annual report.

Mr. Winkeljohn: No, and I like the budget cycle as being that regulatory item because that is a fixed process you have to follow so why not tie everything to it so that keeps your continuity and momentum of information.

Ms. Simmons: Alright, so how would you state that then?

Mr. Winkeljohn: Can we leave it vague for this purpose so we can check this box and I can add it to the budget process for next year so that it will take effect, we'll do it this year obviously but, we'll figure it out between now and then, not right this minute.

Ms. Simmons: Alright.

Mr. Wishner: Paul, can you give me some guidance here, given the Sunshine Laws, how can we create a communication that the entire Board is comfortable with or agrees with or signs off on in the absence and still comply with Sunshine Law issues and requirements?

Mr. Winkeljohn: Yes, it's very difficult but, the way most people do it in government is the manager creates a draft, sends the draft out to the Board, gets 5 different sets of feedback, reincorporates that feedback into a new document, sends it back out, and it's just information, I'm not polling which is prohibited, your opinion on a topic, I'm just getting your input and that's allowable in that context, and so that's the way to do it. The manager is the hub of that process, and each Board member realizes they can't have a one-on-one conversation with somebody who wants it a different way, they have to realize the manager is doing the best possible at de-conflicting different opinions and different approaches and styles and so you have to bear with the reality but, we did fine, and we can handle it that way, including yourself, you were excellent input, that was to you Mr. Wishner.

Mr. Wishner: Yes, thank you but, I am confessing that I wasn't entirely comfortable with the process.

Mr. Winkeljohn: Yes, none of us like it probably.

Mr. Smale: It was the first time.

Mr. Winkeljohn: Right, but it will get better as we all get more familiar with the process and if you don't want to participate, you don't, it's simply individual.

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Mr. Proctor: This is unrelated but Fred, you as an HOA Board member, how frequently do you update residents from a written standpoint?

Mr. Fanelli: Frequently, they come out a lot of times under Chilton's name but, we have monthly meetings, which we advertise and make it by ZOOM and give detailed community reports, so there's a lot of in-person reporting but, there's a lot of written communication.

Mr. Proctor: But you had one kind of like review of the year type thing.

Mr. Fanelli: Yes, and we do a yearly review and that's at the gym. The HOA, I offered to make our infrastructure available to send information out and I would say, I like to describe our community in three layers, you have a golf club, you have the HOA, and you have the CDD and the CDD community-wide is the least understood. Now, you can say that's on people for not going to your website and discovering it themselves but, you're doing a lot of good work, a lot of important work, and I think an email laying out in just plain English of what's going on would be really beneficial to the community, and we will get that circulated for you if you want.

Mr. Winkeljohn: And that's the ideal way to do it because if the District does it, we create a big headache with public records, so all of those folks' email addresses can be publicly requested and SPAMMED, and it's terrible but, the way we do is, I give you our packet or our email and then you send it out, that's perfect.

Mr. Fanelli: (inaudible comment)

Mr. Winkeljohn: Yes, we can add our field report, we can modify different reports.

Ms. Simmons: That's what I'm looking for.

Mr. Winkeljohn: So, I think we're real close on that. So, back with the amended comment, the performance measures, is that your motion with the amendment?

Ms. Simmons: Well, you said you're not ready to add that amendment at this point.

Mr. Winkeljohn: Yes, I prefer to figure it out first.

Ms. Simmons: Yes, so I retract my amendment.

Mr. Winkeljohn: So, as presented is your motion?

Ms. Simmons: Yes.

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On MOTION by Ms. Simmons seconded by Mr. Proctor with all in favor, accepting the Performance Measures and Standards as required by Florida Statute 189.0694 was approved.

2) Consideration of Proposed Fiscal Year 2025 Meeting Schedule

Mr. Winkeljohn: So, item #2, and this is always my favorite is the annual meeting schedule, we hold meetings when business is necessary and when quorum is available but, to meet the advertisement requirement we do an entire year docket in advance, it's presented for you on our normal rotation of the monthly meeting, and we almost always have to move a meeting here and there but, this meets the requirement and at least gets most of our meetings published.

Mr. Proctor: It's always the third Tuesday of the month.

Mr. Winkeljohn: Right, the third Tuesday of the month.

Ms. Simmons: Can I just make a motion to that, the same motion I made last year, the women's 1 day member guest is January 21st, and I would like to change that meeting if we need to.

Mr. Winkeljohn: Alright, January 21st we'll make an exception, and I'll pick another date for that.

Ms. Simmons: Ok.

Mr. Winkeljohn: Are there any other conflicts with our schedule? Is there a motion with that one edit?

On MOTION by Ms. Simmons seconded by Mr. Smale with all in favor, accepting the proposed Fiscal Year 2025 Meeting Schedule, changing the January 21st meeting date to another day and authorizing staff to advertise was approved.

3) Discussion of Financial Disclosure Report from the Commission on Ethics and Reminder to File Annual Form – *everyone has filed*

Mr. Winkeljohn: Thank you. Item #3 we've already covered, congratulations you all did your annual financial reports.

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EIGHTH ORDER OF BUSINESS

Financial Reports

A. Approval of Check Register

B. Acceptance of Unaudited Financials

Mr. Winkeljohn: Item No. 8 is the District financial reports for your input or comment and a motion to accept it as a record is welcomed.

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.

NINTH ORDER OF BUSINESS

Supervisors Requests

Mr. Winkeljohn: And that's the business concluded, are there any Supervisor's comments or requests? Any other audience comments?

TENTH ORDER OF BUSINESS Adjournment

Mr. Winkeljohn: If there's nothing else a motion to adjourn would be in order.

On MOTION by Mr. Proctor seconded by Mr. Wishner 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