

**MINUTES OF MEETING OF THE
MIROMAR LAKES
COMMUNITY DEVELOPMENT DISTRICT**

The Regular Meeting of the Miromar Lakes Community Development District's Board of Supervisors was held on Thursday, July 14, 2016, at 2:05 p.m. at the Beach Clubhouse, 18061 Miromar Lakes Parkway, Miromar Lakes, Florida 33913.

Board members present and constituting a quorum were:

Michael Hendershot	Chairman
David Herring	Vice Chairman
Doug Ballinger	Assistant Secretary
Burnett Donoho	Assistant Secretary
Alan Refkin	Assistant Secretary

Staff present:

Jim Ward	JP Ward & Associates
Greg Urbancic	District Counsel
Paul Cusmano	Calvin Giordano & Associates
Bruce Bernard	Calvin Giordano & Associates
Charlie Krebs	District Engineer

Audience:

Mary LeFevre	Resident (Tivoli)
Boni Head	Resident (Navona)
Barb Day	Resident (Ravenna)
Mark Maksinowicz	Resident (Ravenna)
Gary Gold	Resident (Navona)

1. Call to Order & Roll Call

Mr. Ward called the meeting to order at 2:05 p.m. A roll call determined that all members of the Board were present.

2. Consideration of Minutes

a) June 9, 2016 Regular Meeting

There was no discussion of the minutes.

On Motion by Mr. Donoho and seconded by Dr. Herring to approve the Minutes as described above, and with all in favor, the motion was approved.

3. Continued comments and discussion of the proposed Fiscal Year 2017 Budget

Mr. Ward stated that the District will go to public hearing at the next board meeting. There have been no changes made to the budget by the staff. Several board members complimented Mr. Ward on the budget itself. No questions were asked.

4. Staff Reports

a) District Attorney

Mr. Urbancic informed the board that the general public records request is ongoing. They continue to receive similar requests from a mysterious person who doesn't identify himself. Mr. Ward has had to respond a couple times. He asked the Board to be attentive in case they receive something.

A question was asked if these requests were just in Florida. Mr. Ward explained that it is Florida, and it has expanded beyond CDD's. There are two individuals who are making the requests. One is known; the other is not. They have both made requests of all the CDD's of which Mr. Ward is a part. A discussion ensued for the possible reasons for these requests.

Mr. Ward advised the Board that the law was changed this past session to require these individuals who make public records requests to notify now before they instigate any litigation, so the CDD can respond. However, the law does not require anyone to identify themselves.

Mr. Ward said that he would provide the Board with the email addresses of the requestors so that they can be aware and on the lookout for email from them.

b) District Engineer

Mr. Krebs had nothing to report. A question was asked concerning the permits for Miromar as to whether there was any litigation pending that would hold up the process. Ravenna and Positano that are being developed by Johann Santana have been granted two 30-day extensions to challenge them.

c) Asset Manager

Mr. Bernard reported that they received the report on the Ben Hill Griffin accident claim. Total reimbursement was given for the capital outlay put out for the irrigation services put back in from the accident.

The NPDES audit was on Tuesday with Lee County. The audit came out with no issues and all areas are in compliance. At this audit, there was a discussion with other CDD's present on the County's lack of inspection on the final certificate of occupancy for a house. Mr. Bernard explained that what the county rule is now is that they inspect it on the DO, Development Orders. Following this, there is no inspection again by the county. So, they don't look at the lake banks before they issue the CO's. Many other CDD'S are having the same issues.

Dr. Herring asked who inspects the metal fences that extend into the lake on some homes in the area. Mr. Bernard said that fencing permits are county. These fences present ownership issues and access issues. There was a discussion of the easement that the CDD has on these properties. The concern seems to be to standardize these practices. Let the homeowners know what they can and cannot do. It was suggested that in these fences there should be a locking gate to allow maintenance to be done. Homeowners should know that fencing in the water may have to be removed.

Mr. Gary Gold from the audience commented on the problem of erosion on his property. How can he petition to have Rip Rap put in on his property? It was commented that Rip Rap was put in by some residents without a permit, and this needs to be corrected. To do it correctly, a permit with the county must be pulled. The county keeps a running tally of Rip Rap. There is a limited amount allowed on the lake. The zoning resolution was 65 percent. Mr. Gold asked how to proceed to protect his shoreline. He was informed that he must have an engineer submit an application to the county and then get CDD approval.

Mrs. Barb Day from the audience asked if there was anything they could do about the fast moving boat traffic. There is not a 'No Wake' sign there. It has been petitioned that a marker be put up about a year ago. However, instead of putting one up, one was taken down. She was informed that the Lake Use committee would handle that issue. Ms. Day asked if the Rip Rap was installed and the shore line was stabilized then would there be a possibility of being put under CDD, and the answer was yes.

Mr. Bernard reported that the total dynamic nitrogen load must be measured. The county is making sure that Miromar Lakes does not add to the number going out of Lee County. Records must be kept so that it can be proven what the levels are over time.

Mr. Bernard also reported that barrier installation is about 90 percent complete on Lake 5. The total barrier will be done by the end of next week.

An audience member asked about having a shelf planting put in at the end of Navona. The discussions at the Board level have centered on doing plantings that are not in residents' back yards. These barriers have to be up. There won't be any plantings in residential areas until the erosion problem is fixed. There is a problem with carp eating these plantings in the area of Navona.

A concern was brought up by the audience that this planting issue is another instance of the property not being in the same condition as it used to be. It was voiced that it is not fair that the community be responsible for both this issue and the plantings. It was said that this was not the meeting to discuss this, but the responsibility of another group. It is not a CDD issue at this point.

Mr. Bernard reported that the cost of maintaining the median from the golf course crossing bridge on Ben Hill Griffin to Alico Road would be \$1454 monthly, \$17,500 annually, to maintain what's there now. This item was discussed, and it was decided that there was no advantage to doing this at this time. It was mentioned that the CDD made the decision to maintain this because of many reasons including that the county was not doing a good job and a small tax break was given to the CDD for doing so. It was decided to wait and look at the development that occurs in that location in the future.

A question was asked from the audience concerning the report of last meeting that was given about the landscaping that needs to be done for safety purposes. It was reported that a landscape engineer has visited the areas in question and will submit a report next month.

A question was asked about what the procedure was for replacing plants and/ or upgrading the landscaping. The answer was if it is seen under formal inspection, it will be noted and an estimate gotten. Or the landscape company will note a need.

At the next board meeting, the budget for landscaping will be discussed.

A comment was made that security and aesthetics are important to the residents. This is an important consideration for the Board. A board member pointed out that although security is important to the Board, Chapter 190. 012 outlines certain powers of the district, and there are certain additional powers that require county consent. One of those is security functions. The CDD does not exercise a security function as a district. However, Mr. Ward pointed out that as the re-landscaping is done, that it will be done with security in mind. Also, he asked the Board to remember that landscaping will not handle security issues but may help somewhat.

d) District Manager

No report.

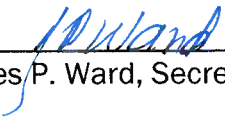
5. Supervisor's Requests and Audience Comment

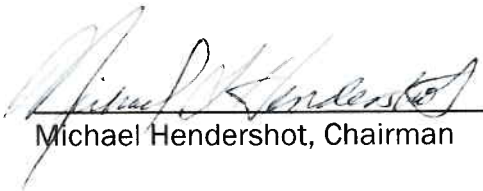
No requests or comments made.

6. Adjournment

With no further comments or questions from the Board, Mr. Ward asked for a motion to adjourn.

On Motion by Mr. Refkin and seconded by Mr. Donoho to adjourn the meeting, and with all in favor, the motion was approved.


James P. Ward, Secretary


Michael Hendershot, Chairman