

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

The Regular Meeting of the Board of Supervisors of the Miromar Lakes Community Development District was held on Thursday, February 8, 2024, at 2:00 p.m. in the Library at the Beach Clubhouse, 18061 Miromar Lakes Parkway, Miromar Lakes, Florida 33913.

Present and constituting a quorum:

Alan Refkin	Chair
Michael Weber	Vice Chair
Patrick Reidy	Assistant Secretary
Mary LeFevre	Assistant Secretary
Doug Ballinger	Assistant Secretary

Also present were:

James P. Ward	District Manager
Greg Urbancic	District Attorney
Charlie Krebs	District Engineer
Richard Freeman	Asset Manager

Audience:

Erin Dougherty
Heather Chapman

All residents' names were not included with the minutes. If a resident did not identify themselves or the audio file did not pick up the name, the name was not recorded in these minutes.

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

District Manager James P. Ward called the meeting to order at approximately 2:00 p.m. He conducted roll call; all Members of the Board were present, constituting a quorum.

SECOND ORDER OF BUSINESS

Consideration of Minutes

- I. January 11, 2024 – Regular Meeting**
- II. January 22, 2024 – Continued Meeting**

Mr. Ward asked if there were any additions, deletions, or corrections for the Minutes.

A correction was suggested.

Mr. Ward indicated the correction would be made.

Mr. Weber asked about the ethics website.

Mr. Refkin indicated he received an email about the ethics training with a link to the website and classes today.

Mr. Ballinger indicated he accidentally deleted the email.

Mr. Ward indicated he would resend the email to the Mr. Ballinger.

Mr. Weber asked about the situation with the docks in Ravenna. He asked if the docks were owned by the HOA or the homeowners in Ravenna.

Ms. Chapman: they are deeded to (Indecipherable).

Mr. Weber said the docks were owned by condominium homeowners.

Ms. LeFevre asked if it was possible someone who was no longer a resident of Ravenna owned one of the Ravenna docks.

Ms. Chapman (Indecipherable).

Mr. Ballinger indicated in Bellamare, if a dock were sold to someone who was not a Bellamare resident, the dock would revert back to the ownership of Miromar Lakes to be sold by Miromar Lakes to a Bellamare resident.

Mr. Reidy asked if Ravenna homeowners also owned the free standing Ravenna docks.

Ms. Chapman answered in the affirmative; all the Ravenna docks were deeded to condo homeowners.

Discussion ensued regarding the docks at Ravenna; the docks being sold with the units to the new homeowners; the owners of the docks not being required to sign the easement documents, as the Ravenna HOA owned the land.

Mr. Greg Urbancic explained in the condominium documents the docks under the first building were labeled clearly as limited common elements, so the exclusive use of those docks would go with the unit to which the dock was allocated; the balance of the docks appeared to be common elements, and the condominium had a right to grant an easement over the common elements.

On MOTION made by Mary LeFevre, seconded by Doug Ballinger, and with all in favor, the January 11, 2024, Regular Meeting Minutes, and the January 22, 2024, Continued Meeting Minutes, were approved as amended.

Mr. Ward explained Mr. Charlie Krebs' firm, Hole Montes Inc., was acquired by Bowman and Mr. Krebs asked for the Montes Agreement to be reassigned to Bowman. He explained the Agreement with Montes would not change, it would just be assigned to the new company Bowman attaching the current rates. He asked if there were any questions.

Mr. Ballinger asked if Mr. Urbancic was aware of this.

Mr. Urbancic responded in the affirmative; he was aware of the assignment.

Mr. Ballinger asked if Mr. Urbancic had an opinion about the transaction.

Mr. Urbancic stated he thought it was fair. He stated as he presumed there was no interest in changing District Engineers, and as Hole Montes had been absorbed into Bowman, he had no issues.

On MOTION made by Alan Refkin, seconded by Doug Ballinger, and with all in favor, Resolution 2024-2 was adopted, and the Chair was authorized to sign.

FOURTH ORDER OF BUSINESS

Staff Reports

I. District Attorney

Mr. Urbancic stated he was still monitoring legislation and would update the Board once it was finalized.

II. District Engineer

Mr. Charlie Krebs stated he spoke with Lisa Mozell (ph) at Bellavista, and he would send her the proposal, and then he would start working on transferring Bellavista's water management system over to the CDD.

Ms. LeFevre asked who else needed to transfer a water management system to the CDD.

Mr. Ward indicated the last two were Bellavista and Ravenna, then all Miromar Lakes' water management systems would be transferred to the CDD.

Mr. Krebs noted the communities which were still under construction also had not been transferred yet.

III. Asset Manager

- a) Operations Report - February 1, 2024**
- b) Water Quality Report – January 30, 2024**
- c) Waterway Inspection Report – January 29, 2024**

Mr. Richard Freeman indicated lake bank restoration began January 31 and was still underway.

Mr. Bruce Bernard indicated the report came in yesterday from Solitude on the Fishery and basically there were more fish than the last time, but the fish were undersized and underweight. He stated there were a lot of bass, some bluegill, and other fish, but no small feeding fish, so the fish were getting larger, but were staying thinner which was not optimal. He stated with the first wetland plantings done there was a good response, so no more plants were necessary as long as the current plants kept growing. He explained this year Solitude wanted to establish some lily pads on Eagles Nest to provide fish cover, leave the grass carp and stock if needed, and put in some artificial reefs.

Mr. Refkin asked about artificial fish cover.

Mr. Bernard indicated artificial fish cover was the artificial reefs. He stated the reefs would provide hiding places for the little fish to go and grow without being eaten right away. He discussed options for midge fly management including dredging a shallow area to promote water flow which could be difficult and cost prohibitive, so instead aerators would be added to Bellini Cove and Voltara Cove to prevent stagnant water. He stated in six months' time the water would be tested to see if it could support fish growth and if so, fish would be stocked or enter the lake organically to potentially eat the midge fly larvae.

Ms. LeFevre asked if the aerators alone would help with the midge flies.

Mr. Bernard responded in the negative. He explained the aerators would bring the oxygen up in the lake so the fish could come into the lake; the fish would not survive in stagnant water.

A Board member asked if boat traffic would hurt the aerators.

Mr. Bernard responded in the negative; the aerators were at the bottom of the lakes.

Mr. Ward asked how much midge fly treatments cost.

Mr. Bernard responded each midge fly treatment cost \$10,000 dollars. He noted there were six midge fly treatments every two weeks for three and a half to four months.

IV. District Manager

- a) Florida Law changes to Form 1 Filings**
- b) Financial Statement for period ending January 31, 2024 (unaudited)**

Mr. Ward reported there were changes to the Ethics laws this year. He explained Board Members would no longer file Form 1 with the Supervisor of Elections in Lee County; the State established a website for filing the Form 1 directly. He indicated his office sent an email to the Board Members today with the link to this website. He stated he would send out reminders in May. He stated the Form 1 for 2023 was due July 1, 2024. He stated the 2023 Form 1 included a checkbox for ethics training, but ethics training was not required to be completed for the 2023 Form 1. He explained ethics training was required to be completed by December 31, 2024 for the 2024 Form 1 due July 1, 2025. He recommended the Board Members complete the ethics training sooner than later to avoid website backup later in the year.

Discussion ensued regarding ethics training requirements.

Mr. Urbancic indicated one hour of Sunshine Law, one hour of public records, and two hours of general ethics training was required to be completed.

Mr. Ward stated the email he sent included links to complete the training. He noted it was required to be completed by the end of this year, but he encouraged the Board to get it done perhaps this summer. He stated he would remind the Board again in May. He stated Mary LeFevre and Pat Reidy were up for election this year. He discussed filing requirements for Ms. LeFevre and Mr. Reidy. He stated any questions regarding the Form 1 and ethics training could be directed to himself (Mr. Ward) or Mr. Urbancic. He noted in the past, the Supervisor of Elections had some flexibility regarding fees incurred if an individual filed the Form 1 past the due date; however, this was no longer the case. He explained now fees were mandatory and were automatically charged at \$25 dollars per day up to \$1,500 dollars. He encouraged the Board to file the Form 1 in a timely manner.

FIFTH ORDER OF BUSINESS

Supervisor's Requests and Audience Comments

Mr. Weber reported on January 26th he sent the easement agreement document to the Ravenna HOA President who read the document and responded appreciatively indicating Ravenna's legal team would review the document by February 7th, the agreement would be presented at the February 8th Ravenna HOA meeting, and a response to the CDD could be expected after this was done. He stated he expected to hear back from Ravenna shortly.

Mr. Weber indicated he spoke with Mr. Ward about conversations with residents regarding the berm behind Portofino and Murano. He stated Esplanade was building houses back there and there was a lot of dirt and noise. He noted the berm was very thin now because of the hurricane. He stated the residents were wondering if the berm could be filled in as this would help screen the construction area from the view of the residents and also help block some of the noise.

Discussion ensued regarding the berm.

Mr. Bernard agreed there were areas of this berm which needed to be filled. He stated a fence should also be installed along the berm to prevent residents from Esplanade walking over the berm into the backyards of Miromar Lake residents. He stated there was 4,400 linear feet of fencing which would be needed. He indicated he and Mr. Krebs would look at the berm and determine its condition.

Discussion ensued regarding where the property line was exactly in relation to the berm; where the fence should be installed; and the possibility of a joint effort with Esplanade regarding the fence.

Mr. Weber agreed a fence was an excellent idea.

Discussion continued regarding the berm; who owned the land on either side of the berm; and contacting Taylor Morrison.

Ms. LeFevre stated she contacted her friend who used to be the President of the Ravenna HOA who agreed the docks had all been sold to Ravenna residents.

SIXTH ORDER OF BUSINESS

Adjournment

The meeting was adjourned at approximately 2:35 a.m.

On MOTION made by Mary LeFevre, seconded by Doug Ballinger, and with all in favor, the meeting was adjourned.

Miromar Lakes Community Development District


James P. Ward, Secretary


Alan Refkin, Chairman