

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

The Regular Meeting of the Board of Supervisors of Miromar Lakes Community Development District was held on Thursday, April 9, 2020, at 2:00 P.M. at the Beach Clubhouse, 18061 Miromar Lakes Parkway, Miromar Lakes, Florida 33913.

**Present and constituting a quorum:**

David Herring	Chairman
Doug Ballinger	Vice Chairman
Alan Refkin	Assistant Secretary
Michael Weber	Assistant Secretary
Mary LeFevre	Assistant Secretary

**Also present were:**

James P. Ward	District Manager
Greg Urbancic	District Attorney
Charlie Krebs	District Engineer
Bruce Bernard	Asset Manager

**Audience:**

All resident's 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.

**PORTIONS OF THIS MEETING WERE TRANSCRIBED VERBATIM. ALL VERBATIM PORTIONS WERE TRANSCRIBED IN *ITALICS*.**

**FIRST ORDER OF BUSINESS**

**Call to Order/Roll Call**

District Manager James P. Ward called the meeting to order at approximately 2:33 p.m. He reported, with the State of Emergency in Florida, and pursuant to Executive Orders 20-52 and 20-69 issued by Governor DeSantis on March 9, 2020 and March 20, 2020 respectively, and pursuant to Section 120.54(5)9b)2., Florida, Statutes, this meeting was held utilizing communication media technology due to the current COVID-19 public health emergency. No Members of the Board or Staff were present at the Meeting location but were attending by video conference or by audio call for today's Meeting. Roll call was taken; all Members of the Board were present constituting a quorum.

**SECOND ORDER OF BUSINESS**

**Consideration of Minutes**

**March 12, 2020 – Regular Meeting**

Mr. Ward asked if there were any additions, corrections, or deletions for the March 12, 2020 Minutes.

Mr. Doug Ballinger indicated on the bottom of page 2 of the Minutes, Mike Weber brought up the attorney's fees issue, not himself. Mr. Mike Weber indicated on the top of page 3 he was speaking about general liability insurance, not Mr. Ballinger. Mr. Ward made a note of the needed changes.

**On MOTION made by Ms. Mary LeFevre, seconded by Mr. Alan Refkin, and with all in favor, the March 12, 2020 Regular Meeting Minutes were approved.**

### THIRD ORDER OF BUSINESS

### Staff Reports

#### a) Attorney

*Mr. Greg Urbancic: Regarding the state of emergency, we sort of predicted this could happen at the last meeting where we talked about the Governor might put in some executive order, so we will see how long this lasts. We may have to do this as long as the executive order is effective. We do not know how long that's going to be but given that they're still trying to maintain social distancing we could be doing this for a few months. So, we will just have to play that by ear. The other thing that was in the Minutes that I had mentioned at the prior meeting we that the legislature had mentioned that the advertising bill was in the legislature. It passed one branch of the Florida House, but it died in the Senate, so we don't get a reprieve from advertising requirements. There was a bill that passed that will give some reprieve, at least to Jim, in terms of what he has to post on the website on a mandatory basis. I think they've realized the ADA requirements that everyone was trying to comply with in terms of the websites, those were reduced some, and it was awaiting the Governor's signature. I think he has probably signed it by now, but that would basically reduce what we have to put in the website, at least requirement-wise, in terms of the entire Agenda Packet, and we may still do that as a matter of course, but that sort of lightens the load from it. That was one of the big outcomes of the legislative session. That's it. That's all I had to update at this point.*

*Dr. David Herring: Greg, I assume this is going to substantially affect the public hearing of our Budget in May.*

*Mr. Urbancic: It will. We have an obligation to adopt a budget before June basically, so we need to get that done. I think the date is June 15. Jim can correct me if my memory is wrong. We need to get that done. We may not have a choice but to make a preliminary adoption of the budget and we will just have to advertise accordingly when we go through that. We are sort of experiencing that with a lot of Districts. Jim might want to comment on that, but that's a challenge for everybody and that's why we want to make sure we have this system in place so any member of the public, if we do have a public hearing, can jump in and participate.*

*Mr. Ward: David, our published hearing is actually scheduled for May, for next meeting, so that is actually one of the reasons we set up this particular audio and video call-in, so it would be able to support anyone who desires to call in for the public hearing. The advertising that we are doing does include all of the particular language with respect to the COVID-19. It is including the language that your main meeting will be by this audio/video conferencing method in order to hold your public hearing next month. I believe we have clearly complied with all of the requirements of the law at this time.*

*Greg has been very helpful in providing me the language necessary for the advertising to be done for next month.*

**b) Engineer**

*Mr. Charlie Krebs: The only thing, Jim, was just your email that you sent me which I responded to on the one lot within Siena.*

Mr. Ward asked what the email was regarding.

*Mr. Krebs: They had done an expansion, or were proposing to do an expansion, on the back of the house and there was a question about whether it was going to encroach in the easement.*

*Mr. Ward: To bring the Board out of the black hole that you were in on that one – during the month I did receive a request from a builder, whose name escapes me, building a home in Siena where their back pool enclosure was straddling the line where the easement starts. I had asked Charlie to take a look at the drawing to make sure that their roof overhang did not go into the easement area. He had indicated it was difficult to tell off of that scale or drawing, and we'll ask for a survey to prove it. Honestly, I will do that, but I am not hopeful that that will be – I'm sure they'll build before we every get a survey out, but we will ask the questions.*

*Mr. Alan Refkin: I think that house is a Grand House over in Siena, to make sure it doesn't encroach. He's very familiar with dealing with the requirements we have, and so I think he is working on that, so he would be a good resource also because he is right in the middle of it because he called me up on that.*

*Mr. Ward: I have kept him in the loop – he was actually the one who apprised me of the problem, and I was able to contact the builder of the particular home. I have kept him up to speed, but I will ask him this specific question.*

*Mr. Refkin: Yeah, they're adding a pool there. They have never had one there and they never had an enclosed area, screened in area, so I think they are adding the pool and the screened in area both.*

Mr. Ward: *That's what it looks like. Anything else Charlie?*

*Ms. Mary LeFevre: Charlie, is there an update on anything with Frank? Mike, what's Frank's last name? Frank?*

Mr. Ward: *Austenfeld.*

*Ms. LeFevre: Is there any update on the pond issue or whatever the heck he's doing over there that we're granting him access to?*

*Mr. Ward: After our last meeting I had sent an email to Mr. Austenfeld and after input from Greg and Bruce on what we needed with respect to an agreement if he was going to encroach in that easement area and included all of the items we had talked about at the last meeting: indemnification and agreement, the insurance, etc., all of the items that we needed, the ability to remove the materials if and when we needed to have them removed, etc. I did receive a call from his property manager for*

*that HOA whose name escapes me, and he, to a little bit of an extent, wanted to negotiate some of the items and I indicated there wasn't really anything on the list that was negotiable. You've got to do what's on the list. That's it. I have not heard back from him after that. Essentially, we got into the depth of this COVID-19 issue more in the last 30 days, so I don't have a clue where that is, but at the moment he hasn't asked us for anything more than what we had discussed at the last Board Meeting that we would supply to him.*

**c) Asset Manager**

*Mr. Bruce Bernard: Our contractor will be completing the lake bank restoration by Wednesday, April 15, and we started in St. Moritz hanging the GeoTube bags along the shoreline today. About our lovely cane toad issue: For the last ten days we have removed, captured and exterminated, 310 cane toads. That was with three visits and they are not all in the Siena/Bellini area. One visit was at the intersection at Montebello, Caprini and Bellamare and he got over a hundred cane toads around that area. Southern Trapper, the company we have coming in doing skimming, I've been in contact with them along with our Scotty's animal extermination who has been collecting the toads, and within the next two weeks they are going to have the lakes skimmed for the cane toad larvae and the tadpoles because they are definitely starting to mate.*

*Mr. Mike Weber: Last time we spoke you said something about they were going to put poison in the water. Has that changed?*

*Mr. Bernard: No. What they do, they take some of the venom from the cane toad, they put it in the water, it brings the tadpoles to it, and then they skim them out. I heard from our aquatic vendor that they are looking into a trap that can go into the lakes and catch the tadpoles. You put them in for however many days you need them, but the only issue is after like three hours, once they fill up with tadpoles, he said that they give off another venom to tell other tadpoles to stay away, so they got to empty them a lot. I'm waiting, they are trying to perfect it to get that, and I don't know if it will be good for this year, but maybe next year we'll be able to just put traps in the lakes to catch them right after they've mated. The last thing is, we installed a slotted rear plate over at Montelago on the overflow lake. It's supposed to come back and forth between lake 5 and 6 south and that little lake there at Montelago. We did that because the opening in that concrete structure was like 3.5 feet wide, by 10 to 12 inches deep, and when we always had a big rain, more water came back in to those lakes on the east side there from the lakes 5 and 6 south than what we're able to push out. So now we're just trying to – we still got the slot in there to let the overflow work, but not let it rush in like it used to. That's it.*

*Ms. LeFevre: I have a question. Do you know anything about comments that some issues with Tivoli erosion banking stuff. I know that they stopped even sodding out here and I just wondered. Somebody was saying that some of it is already starting to push towards the lake.*

*Mr. Bernard: I haven't heard that.*

*Ms. LeFevre: You haven't heard that? Okay, I'll follow up here and if that's the case –*

*Mr. Bernard: The only thing I know was when the sod contractor ran across our new bags and pushed some down toward the lake that we had to repair.*

*Ms. LeFevre: -- from this end, and if there's an issue, I'll make sure somebody calls you.*

*Mr. Bernard: Yeah, because I was with Tim today and we had no problems.*

**d) Manager**

**I. Financial Statements for the period ending February 29, 2020 (Unaudited)**

Mr. Ward stated he had no report. He asked if there were any questions; there were none.

*Mr. Ward: On the phone with us today is Mr. Steve Murray (ph). For those of you who are on video, I don't know if you can see him. He's the owner of the firm that I use to handle all my information technology and was kind enough to set up the WebEx program and call-in information today. I know it's a little complicated, but hopefully it will get easier over time for everybody. Thank you, Steve, if you can hear me.*

*Ms. LeFevre: Are we going to do finances?*

*Mr. Ward: Sure.*

*Ms. LeFevre: I just have one – a real easy one – it's under the stormwater management aeration systems. I'm not sure if that is the fountain that we pay for or not, but I'm just curious why November was double all the other months. It was 1079 and it looks like January was 537, February was 560, unless it was two months. That's all I could think of. It's on page 4 of the budget, General Fund, about three quarters of the way down, utility services, electric aeration system. It just stuck out to me, that's all.*

*Mr. Ward: Bruce, do you know? I don't remember why.*

*Mr. Bernard: That's the electric for the fountain and the bubblers we have in some of our lakes. If it's November's is probably for two months because you sort of don't like paying bills in October.*

*Mr. Ward: Yeah, that's what it would be Mary. We have no expenditures in October.*

*Ms. LeFevre: Okay. That's what I thought it was, but I wasn't sure. Bruce, is that the aeration thing down in San Marino? Is that what is it?*

*Mr. Bernard: That's the aeration in Porto Romano.*

**FOURTH ORDER OF BUSINESS**

**Supervisor's Requests and Audience Comments**

There were no Supervisor's requests and there were no audience members present. Mr. Ward explained WebEx showed him who was on the phone and who participated via video call, so he knew who was participating and there was no audience present. He thanked the Board for taking the time and effort to call in and participate in this video conference meeting.

**FIFTH ORDER OF BUSINESS**

**Adjournment**


Mr. Ward adjourned the meeting at 2:53 p.m.

**On MOTION made by Mr. Alan Refkin, seconded by Ms. Mary LeFevre, and with all in favor, the meeting was adjourned.**

ATTEST:

Miromar Lakes Community Development District

  
James P. Ward, Secretary

  
Dr. David Herring, Chairman