

**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, May 14, 2020, at 2:00 P.M. at the Beach Clubhouse, 18061 Miromar Lakes Parkway, Miromar Lakes, Florida 33913.

Present and constituting a quorum:

Dr. 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
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 2:03 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 being held utilizing communication media technology due to the current COVID-19 public health emergency. He explained all Members of the Board and Staff were present via videoconference or telephone; no persons were present in the on-site meeting room location. He asked all speakers to state their names for the record prior to speaking. He conducted roll call; all Members of the Board were present constituting a quorum.

SECOND ORDER OF BUSINESS

Consideration of Minutes

April 9, 2020 – Regular Meeting

Mr. Ward: I have a couple of changes I know we need to make. On page 2 in Greg's first comment under attorney, Mike had brought up to me that we should add the words in front of that sentence "regarding the State of Emergency" and then continue on "we sort of predicted this could happen" so it identifies what the subject matter is. In the second speaker which is Dr. Herring, we are going to change that to Dr. Herring instead of "Mr." Further on, on page 4, under Asset Manager, where it says Mr. Ballinger, we are going to put "Mr. Weber." Does the Board have any further changes?

Mr. Weber indicated on the top of page 2, his name has only one letter b. Mr. Ward agreed to fix this.

He asked if there were any additional changes to the April 9, 2020 Minutes; hearing none, he called for a motion.

On MOTION made by Dr. David Herring, seconded by Ms. Mary LeFevre, and with all in favor, the April 9, 2020 Regular Meeting Minutes were approved as corrected.

THIRD ORDER OF BUSINESS

PUBLIC HEARINGS

Mr. Ward indicated the primary purpose of today's Meeting was to conduct two public hearings. The first was consideration of adoption of the Budget and the second was in respect to the assessment process.

a. PUBLIC HEARING – FISCAL YEAR 2021 BUDGET

I. Public Comment and Testimony

Mr. Ward called for a motion to open the Public Hearing.

On MOTION made by Ms. Mary LeFevre, seconded by Mr. Doug Ballinger, and with all in favor, the Public Hearing was opened.

Mr. Ward stated this was an opportunity for any members of the public to provide comments, testimony, or questions with respect to adoption of the District's Budget. He asked if there were any members of the public present on the phone or video conference with any comments or questions; there were none. He called for a motion to close the Public Hearing.

On MOTION made by Ms. Mary LeFevre, seconded by Mr. Doug Ballinger, and with all in favor, the Public Hearing was closed.

II. Board Comment and Consideration

Mr. Ward indicated the Fiscal Year 2021 Budget had essentially not changed from its original preparation. He noted he sent out an updated version which included correction of a map error. He indicated the assessments rates remained the same. He stated the Developer made a relatively large buy-down on a portion of the series 2015 bonds on May 1, 2020; however, this did not have any affect on the operating assessment numbers. He asked if there were any questions or comments from the Board.

Mr. Doug Ballinger: On page 2 of Resolution 2020-4, the total all funds. What are you looking at there that would be that figure?

Mr. Ward: What Doug is referencing is the total on there should be \$2,671,037 and that will be in the total all funds, and in line 2 of section 2.

Mr. Ballinger: Thank you.

Ms. Mary LeFevre: Just on page 4 of that. I just noticed that the Tivoli is spelled wrong if you care. It's not a big deal obviously, but under erosion and restoration, I think that's under the General Fund. It's the only place. It's just a typo. It's the only place it misspelled.

Mr. Ward: Okay, I see it. I'll make the typo change.

Mr. Greg Urbancic: On the Reso, and you may have already caught this, I think we need to roll the off-roll billing dates ahead a year. I think those dates just need to be rolled over, from 19 to 20, 20 to 21.

Mr. Ward: Okay.

Dr. David Herring: Under the cane toad removal line item. Is this something that we expect to have every year now?

Mr. Ward: Bruce can address it, but I will tell you generally the answer to the question is yes, that will be an ongoing program, and with the number of cane toads you have in this community now, it will probably grow as time does.

Dr. Herring: Yeah, the whole cane toad issue is another issue. I was just wondering about the line item.

Mr. Ward: The line item will continue, yes, every year. He asked if there were any additional questions; hearing none, he called for a motion. He noted he would make the necessary corrections.

III. Consideration of Resolution 2020-4 adopting the annual appropriation and Budget for Fiscal Year 2021

On MOTION made by Ms. Mary LeFevre, seconded by Mr. Doug Ballinger, and with all in favor, Resolution 2020-4 was adopted as amended, and the Chair was authorized to sign.

b. FISCAL YEAR 2021 IMPOSING SPECIAL ASSESSMENTS; ADOPTING AN ASSESSMENT ROLL, APPROVING THE GENERAL FUND SPECIAL ASSESSMENT METHODOLOGY

I. Public Comment and Testimony

Mr. Ward called for a motion to open the Public Hearing.

On MOTION made by Ms. Mary LeFevre, seconded by Mr. Mike Weber, and with all in favor, the Public Hearing was opened.

Mr. Ward asked if there were any members of the public present on the phone or via video conference with comments or questions; there were none. He called for a motion to close the Public Hearing.

On MOTION made by Ms. Mary LeFevre, seconded by Mr. Doug Ballinger, and with all in favor, the Public Hearing was closed.

II. Board Comment and Consideration

Mr. Ward: Part II and part III we can combine as one. Basically, you are going to consider the adoption of Resolution 2020-5 as presented to you. As Greg made a note of earlier, the roll updates on page three will just move ahead one year. Where it says 19 it will say 20, and where it says 20 it will say 21 in that particular section of the resolution. The Resolution does a couple of things. One is, it adopts the assessment for your General Fund for Fiscal Year 2021, and includes the assessment roll and the form of methodology, all of which are exactly the same as what you have seen in the prior years. He asked if there were any questions; hearing none, he called for a motion.

III. Consideration of Resolution 2020-5 imposing special assessments, adopting an assessment roll, and approving the general fund special assessment methodology

On MOTION made by Ms. Mary LeFevre, seconded by Mr. Doug Ballinger, and with all in favor, Resolution 2020-5 was adopted as amended, and the Chair was authorized to sign.

FOURTH ORDER OF BUSINESS

Consideration of Resolution 2020-6

Consideration of Resolution 2020-6 designating dates, time, and location for regular meeting of the Board of Supervisor's for Fiscal Year 2021

Mr. Ward stated Resolution 2020-6 designated the Board Meeting dates, time, and locations for Fiscal Year 2021. He indicated the meetings would be held on the second Thursday of each month at 2:00 p.m. at Beach Clubhouse, 18061 Miromar Lakes Parkway, Miromar Lakes, Florida 33913. He noted adoption of this Resolution did not bind the Board to these dates; the dates, time, and locations could be changed, added to, or canceled as the Board saw fit. He noted this item could be deferred until the next meeting if the Board so wished.

On MOTION made by Ms. Mary LeFevre, seconded by Mr. Alan Refkin, and with all in favor, Resolution 2020-6 was adopted, and the Chair was authorized to sign.

FIFTH ORDER OF BUSINESS**Staff Reports****a) Attorney**

Mr. Greg Urbancic: On the discussion of the pandemic and this process that we're using, some of you, as we were chatting before the call started, heard that the governor issued an order that extended this process basically for 60 days. That was a few days ago. So, we may be doing this again at our next meeting. I'm not so sure about August, but I just want to let you know that the most updated order, 20-114, ended up kicking this process out for 114 days and we still have the limitation of gathering, so we will see what happens. July may be the same. August probably to be determined at this point. That was all I had.

b) Engineer

No report. Mr. Charlie Krebs was not present.

c) Asset Manager

Mr. Bruce Bernard: Our lake bank restoration project has been completed for this year. We installed 5,800 linear feet in Tivoli and St. Moritz. Our cane toad issue is still ongoing. Scott's Animal Control was given 12 different lakes within the eastern part of the community to check. He is going out there a couple times a week and doing his collection of the toads which runs anywhere from 45 to 75 on average every time he's out. We have six more weeks still built into our budget for the collection, and one more skimming event on the lakes. It looks like this could be ongoing because it's become a problem in southwest Florida with these toads. We are going to look at next year some other additional methods. We got a couple of people coming out with traps to put in the lakes to catch the tadpoles before they get fully grown, so we will be looking at that to incorporate in next years budget to see if we can put some traps in these lakes to catch them without having to have physical people out there to get the tadpoles. The other thing we did, this week we removed the post in the fence we installed 5 years ago in lake 5, 6 south at 1,800 foot we had put in to protect the wetland plantings from the carp. Our population has gone down substantially since that time and now we have removed the posts and the fencing from those areas. That's it.

Mr. Mike Weber: Bruce, you had mentioned that there is one more round of skimming to be done. How many have been done so far?

Mr. Bernard: We did one skimming. We only had two skimming rounds in, but those skimming rounds are the most costly to do. He got six and a half 5 gallon buckets the first time he did his skimming, of tadpoles. We will probably be doing it 2 weeks from now again and we will probably get just as many.

Mr. Weber: With the pond levels so low, right now would be an opportune time to do it because you wouldn't have to skim as nearly as much water surface.

Mr. Bernard: That's why he'd like to do it. The guys collecting the toads like rain events. He said they come out more after it rains. Hopefully, with this rain coming in, they are going to be out there doing

their work within the next two weeks. The skimmer is scheduled in the next week and a half to go out there and skim the lakes.

Mr. Weber: I noticed that there are now residents that are posting pictures of the toads on Facebook and asking if it's a cane toad or not, and some of the rumors flying are that you've got to stay 12 feet away from them or they squirt venom. It sounds to me like somebody, either we the CDD, or the Master Association, needs to send out a note to the residents explaining what they are, what they do, and what precautions to take. It's like you just said a minute ago. They are not going to go away. I still go out every evening with the dog and I'll nail at least 2 a night, and they're big guys. They're very troubling. Anyway, that was just a suggestion on my part that some type of a notice go out explaining what the real facts are here before rumors keep multiplying.

Dr. Herring: I dealt with the Facebook post. Hopefully, people will read that, but as is usually the case with Miromar, they don't like to bring up sensitive subjects like this. They don't want it to get out that there's a cane toad problem in Miromar Lakes, the #1 community in the whole world. But somebody needs to do that. Just exactly like the rabies situation of 10 years ago. I don't think you can count on Miromar putting out any – I'm very diligent about the Facebook situation. And the person, Terry Luck who made that post seems to now understand that no they are not squirting their venom 12 feet, and also someone made a comment about them biting their dog. Well, they don't bite. They don't have teeth. There is a lot of misinformation going around. I'm all for mentioning it on our webpage. However, we want to deal with it. I think something should be put on our webpage hoping that some people read it. In the meantime, I am watching the Facebook posts.

Mr. Ward: I'll put something up on the webpage for us. That's about as good as we can do. Bruce, maybe you can help me write something up, or the vendor help write something up about this, and I'll stick it up on the website.

d) Manager

- I. Report on Number of Registered Voters as of April 15,2020**
- II. Financial Statements for the period ending March 31, 2020 (Unaudited)**
- III. Financial Statements for the period ending April 30, 2020 (Unaudited)**

Mr. Ward: Every year as of April 15 the Supervisor of Elections has to report the number of registered voters in the District. They have done that as of April 15, 2020. There are 1,111 registered voters in Miromar Lakes now. That's a substantive increase. There is no action you need to take. It becomes effective when you transition to a qualified elector Board. You've done that years and years ago, so I just put that of record for you every year.

Mr. Weber: I see that, it's under tab item 4, what you just mentioned, and it lists apparently 3 other communities that are located in our Community Development District. Is that correct?

Mr. Ward: No. They are just other CDDs in Lee County.

Mr. Weber: Okay. What's the point of them being listed on there?

Mr. Ward: The Supervisor of Elections in Lee County just happens to report the CDDs that I manage in Lee County on one piece of paper instead of sending me four.

Mr. Weber: Okay. Very good.

Ms. LeFevre: Jim, just another thing. I think David and I still owe the rest of our application after the 28th, is that it?

Mr. Ward: Yes, after the 28th. Those of you who are up for election, which is you Mary and David. You and David would need to qualify.

Ms. LeFevre: Okay. I just want to remember so after the 28th I've got to send the remainder in. Okay. Thank you.

SIXTH ORDER OF BUSINESS

Supervisor's Requests and Audience Comments

There were no Supervisor's requests and there were no audience members present.

SEVENTH ORDER OF BUSINESS

Adjournment

Mr. Ward adjourned the meeting at 2:30 p.m.

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

Miromar Lakes Community Development District



James P. Ward, Secretary



David Herring, Chairman