

**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, June 9, 2022, at 2:00 p.m. at the Library in 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
Richard Freeman	Asset Manager
Andrew Gill	

**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.

**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**

**May 12, 2022 – Regular Meeting**

Mr. Ward asked if there were any additions, corrections, or deletions to these Minutes.

Ms. Mary LeFevre pointed out an error.

Mr. Ward indicated he would make the correction and asked if there were any additional corrections; hearing none, he called for a motion.

**On MOTION made by Ms. Mary LeFevre, seconded by Mr. Mike Weber, and with all in favor, the May 12, 2022, Regular Meeting Minutes were approved as corrected.**

**THIRD ORDER OF BUSINESS****Consideration of Resolution 2022-7**

**Consideration of Resolution 2022-7, a resolution of the Board of Supervisors of the Miromar Lakes Community Development District, designating a Qualified Public Depository pursuant to the provision of Chapter 280, Florida Statutes, as amended; authorizing signers of the account(s); authorizing the number of signers on bank documents; authorization of Truist Bank deposit account resolution**

Mr. Ward explained this was a cleanup item regarding the refinancing of the Bonds. He indicated one of the terms of the refinancing was to move the operating account over to Hancock Bank. He stated this Resolution would designate Hancock Bank as the CDD's new qualified public depository.

**On MOTION made by Mr. Alan Refkin, seconded by Mr. Doug Ballinger, and with all in favor, Resolution 2022-7 was adopted, and the Chair was authorized to sign.**

**FOURTH ORDER OF BUSINESS****Staff Reports****I. District Attorney**

No report.

**II. District Engineer****a) Stormwater Reporting Update**

Mr. Ward indicated the Stormwater Reporting requirements had been completed and filed. He thanked Mr. Charlie Krebs and Mr. Andrew Gill.

**III. Asset Manager****a) Operations Report May 1, 2022**

Mr. Richard Freeman indicated he was working with Mr. Bernard. He stated Solitude would install 500 white lilies in Lake 5 and Lake 6 with planting depths between 1 foot and 6 feet, within 12 enclosures, 6 feet in diameter, to protect 250 of the lilies, and the other 250 lilies would be free-standing outside of the enclosures to determine how many carp were in the lakes. He stated this would take place over the next four to six months and would be evaluated to determine the next steps.

Mr. Ward asked when the install would begin.

Mr. Richard Freeman responded he believed the installation would begin next week, but he was unsure. He stated he would get this information.

Mr. Ward noted last month it was decided to distribute the cost of these improvements between Miromar Lakes and the Esplanade CDD. He stated the cost could be distributed by unit count or shoreline. He stated if this was done by unit count, Miromar represented 72% and Esplanade

28%. He stated if this was done by shoreline, Miromar was 70% and Esplanade was 30%. He noted the numbers were basically the same. He noted Miromar unit counts would go down over time while Esplanade's units would go up in another 24 months. He recommended using the shoreline to distribute the cost to simplify the process and as it was a reasonable distribution of costs. He indicated he would have Mr. Urbancic and the other CDD's counsel work to specifically allocate the costs.

Mr. Mike Weber stated he felt Miromar Lakes would be spending money to fix up a lake it did not own with the recommended cost split as Esplanade owned more lake acreage than Miromar.

Mr. Pat Reidy stated it also could come back to the number of residents who were able to use the lake. He stated the CDD would have to have a reason for splitting the costs as residents in Miromar would ask "why are we paying two-thirds of this when we don't even own that lake?" He noted the reason could be Miromar Lakes owned more shoreline and theoretically, every resident in Miromar Lakes could use the lake.

Mr. Ward agreed and noted not all residents in Esplanade could use the lakes. He stated not a lot of Esplanade residents had access to the lake. He explained there was no direct access to the lakes other than from the homes along the lake front, so the remaining residents did not have access to the lakes.

Mr. Alan Refkin stated at one point there was a calculation regarding the number of authorized docks in Miromar versus the number of authorized docks in Esplanade. He stated there were a lot of docks authorized in Miromar as compared with Esplanade. He indicated this could also be a reason for the 70/30 cost split, as you could compare Esplanade's boat access compared to Miromar's boat access.

Discussion ensued regarding Miromar Lakes having a boat ramp for use while Esplanade did not have a boat ramp and many residents in Esplanade had no lake access at all; and reasons Miromar should pay 70% of the lake improvements.

Mr. Ward stated he would be happy to go back to Esplanade and double check what kind of access the Esplanade residents had to the lakes and look at the acreage of the lakes.

Discussion ensued regarding whether the Esplanade residents had lake access.

Ms. Mary LeFevre reported she received a text from an Esplanade resident which read "We have a temporary boat ramp and there will be a permanent boat ramp adjacent to our activity center."

Mr. Refkin indicated whatever decision was made now would set a precedent which would be very difficult to change in the future.

Discussion continued regarding how the cost should be split between the two communities with the following points: Esplanade owned the larger lake; Esplanade would have a permanent boat ramp providing all Esplanade residents access to the lake along with a community dock.

Mr. Ward discussed the duties of the Esplanade CDD in terms of lake maintenance and the importance of Esplanade CDD maintaining its lake to ensure Miromar Lakes did not have additional difficulties.

Discussion ensued regarding the possibility of dividing the cost evenly across all units (approximately \$40 per unit per year over 8 years).

Mr. Ward indicated it was important to make sure both CDDs were happy with how the cost was distributed.

Mr. Weber noted there was no way for one CDD only to pursue this project as the lakes were interconnected and both CDDs had to be involved. He noted each suggested cost split method could be justified, but the cost split which would make the most residents happy should be chosen.

Discussion continued regarding how the costs should be divided.

Ms. LeFevre indicated she felt a 70/30 split was fair.

Mr. Ward stated if this was one community, he would take the cost and divide it by the total units. He stated he felt this would be the fairest and simplest way to split up the costs.

Ms. LeFevre agreed.

Mr. Weber agreed.

Discussion ensued regarding this being the fair method of splitting the costs, and the fact that this method of cost splitting could be changed in the future if deemed appropriate.

Mr. Ward stated he would move forward with an even per unit cost split. He stated Mr. Urbancic would work with Esplanade's counsel in this regard.

Ms. LeFevre asked if anyone had seen the article in the paper regarding cane toad traps.

Mr. Refkin stated he has seen the traps; they were basically little black boxes.

Discussion ensued regarding the cane toad traps.

Ms. LeFevre recommended looking into getting cane toad traps.

Mr. Refkin provided information regarding a nursery which had the traps if any wished to visit and view said traps.

Mr. Richard Freeman indicated he would pass this information on to Mr. Bernard.

#### **IV. District Manager**

- a) **Reminder: Notice of Qualified Elector Election – Seat 1, Mike Weber, Seat 2, Doug Ballinger, and Seat 3, Alan Refkin**
- b) **Financial Statement for period ending May 31, 2022 (unaudited)**

No report.

**FIFTH ORDER OF BUSINESS**

**Supervisor’s Requests and Audience Comments**

Mr. Ward asked if there were any Supervisor’s Requests.

Mr. Reidy asked when the Board would approve the Budget.

Mr. Ward responded next month. He asked if there were any members of the audience present in person, or by audio or video, with any questions or comments; there were none.

**SIXTH ORDER OF BUSINESS**

**Adjournment**

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

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

Miromar Lakes Community Development District

  
James F. Ward, Secretary

  
Alan Refkin, Chairman