

**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, September 10, 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
Charlie Krebs	District Engineer

**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 2:20 p.m. He reported with the State of Emergency in Florida, and pursuant to Executive Orders 20-52, 20-69, 20-112, 20-114, 20-150, and 20-193 issued by Governor DeSantis on March 9, 2020, March 20, 2020, April 29, 2020, May 8, 2020, and June 23, 2020, 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. 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**

**August 13, 2020 – Regular Meeting**

Mr. Ward asked if there were any corrections or additions to the August 13, 2020 Minutes. Mr. Mike Weber noted a word correction: “preserves” should read “in reserves” on page 3. Mr. Ward indicated he would make this correction. He asked if there were any additional corrections or additions; 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 August 13, 2020 Regular Meeting Minutes were approved as amended.**

### THIRD ORDER OF BUSINESS

### Staff Reports

#### a) Attorney

*Mr. Greg Urbancic: The only thing I want to report is, I don't know if this will be our last time meeting like this. I know we are all getting the hang of it now, but the order expires at the end of this month. I don't know if the governor will extend. A lot of the commentary seems to suggest probably not, but we will see. Many local governments are now making a move to make this part of their permanent process to better enable the public to participate in the future. We will see what happens. There may be some legislative changes. Other than that, I am happy to answer any questions.*

*Mr. Ward: If we go out of these emergency orders, we will probably have to meet in the main dining room to ensure we keep social distancing. If we do that, I will get with Miromar and see if we can use the main dining room for a future meeting.*

Mr. Urbancic concurred; social distancing protocols would still be necessary.

*Mr. Urbancic: We might even keep the phone system alive just in case, to keep members of the public away from the meeting location.*

Mr. Ward noted this might be difficult in the main dining room location.

#### b) Engineer

Mr. Charlie Krebs asked if Mr. Ward wished him to review the permit for the Seven Eleven located north of the apartments in Alico West. Mr. Ward responded in the affirmative.

*Mr. Charlie Krebs: There was a South Florida permit being issued for a Seven Eleven over in Alico West. It's over on the eastern portion, east of their main entrance, in between the apartments that are going in out there on Alico Road. It is going to discharge into their internal water management system for water quality and treatment before it goes into the recreational lake. We did not receive notification because it is under Alico's permit; even though it goes into our water management system, they have their own separate permit assigned for that community. But there was nothing I saw on the permit that was going to impact us.*

*Mr. Mike Weber: Should we be concerned because ultimately the flow will go into our lakes, that we are responsible for?*

*Mr. Krebs: If something were to happen, the responsibility would still fall on Alico West. It's going through their system first. I don't see it as being an issue as far as the CDD's responsibility. We had discussions several times with South Florida staff, and anything that comes out of the main weir does not necessarily fall on us. They are going to trace it back to the source and the source would be the issue. And whoever had the South Florida permit, they are the ones who are going to be held responsible.*

*Dr. David Herring: That was my concern, about things that they did there affecting our lakes.*

There were no other questions.

### **c) Asset Manager**

*Mr. Bruce Bernard: All I have to report is that we are winding down our budget year, so all we are really doing now is our cane toad process. We've got the proposal for next year from both our vendors, between us and Miromar Lakes, to do this again and hopefully look for some other alternative methods to try to do this control. We've talked about putting up wire fences and things like that, but nothing that would be acceptable to this community. We are still looking into other alternatives at this time, but we do have proposals submitted for next year that we and Miromar Lakes are going to be funding for the same process. We started on the east side this week in St. Moritz and Tivoli, and I think he recovered, his first time out, 61 toads in those two communities.*

*Mr. Mike Weber: It sounds like you've identified these toads in all of Miromar, except I haven't heard anything about Porto Romano. Any sign of them over there?*

*Mr. Bernard: I haven't heard a word, and usually it will come from Heather in Miromar Lakes. She was actually the property manager over there, so she would know that one firsthand and we haven't heard anything down at that end yet, or really much over the bridge in the back section.*

*Mr. Weber: I know there are some out there. I was talking to some people that have seen them in their yards. It sounds like they are pretty much everywhere other than Porto Romano. It is probably safe to say they will make their way into that area in the not too distant future. The reason I bring that up is I know we budgeted more for the eradication for the other side of the street, like you said in Tivoli and others, but should we not be considering some additional bump in that with the expectation that we are going to be dealing with Porto Romano and that area?*

*Mr. Bernard: The good thing is when we did our budget, we didn't have anything on the east side yet, so our budget is there for what we had, and we weren't going in with Miromar either. So, now, since we are going together, we will almost be splitting what's going on. I think from the proposals that we have now, it is around \$48,000 for the year between the two of them, and if we need to bump more, we have almost \$40,000 in our budget already.*

*Mr. Weber: It sounds like we already have an excess then with the split with Miromar. I think it's inevitable, and I like to be prepared.*

Mr. Bernard agreed.

*Dr. David Herring: I responded to a comment on Facebook. Someone had made a comment that they had seen the toads. They didn't say we weren't doing anything; they just didn't know what was being done. I basically passed on the information that you gave us at the last meeting. I also suggested she go to our webpage to read about it.*

*Mr. Doug Ballinger: In our community I have seen a multitude of frogs that are the size of a quarter. Is there anything the residents should be doing to help in the eradication of these miniature frogs now that are not going to be miniature very long.*

*Mr. Bernard: If they can capture and dispose of them, that's fine. Our vendor is also finding good frogs out there, not just the cane toads. He told me the last two times he has seen frogs we actually want out there. Hopefully, some of these frogs they are seeing are the good frogs.*

Discussion ensued regarding good frogs versus cane toads, green frogs being good frogs, and the difficulty telling the cane toads apart from regular toads.

#### **d) Manager**

##### **I. Financial Statements for the period ending August 31, 2020 (Unaudited)**

Mr. Ward indicated he had no report unless there were questions. He noted audits would begin next month.

*Mr. Ballinger: I think I saw in these Financials that \$100,000 had been put in reserve. Is that correct?*

Mr. Ward responded in the affirmative.

*Mr. Weber: Jim had said the reserves are funded once a year at the end of the year, so that would be around this time. The \$100,000.*

*Mr. Ward: At the end of the year it moves down into a cash balance, and then I just move it into a reserve line item under your financials. And as I said last month, I do that at the end of the year which is in a couple of weeks. Once I look at the final financials and see where we are year to date, we will go ahead and make that adjustment at that point.*

*Mr. Ballinger: It's in a reserve now, and then it will be transferred over within the Budget?*

*Mr. Ward: Yes sir. That's exactly what happens. It's down at the bottom and then we move that along going forward. I do need to look at the overall expenditures because we are rather tight this year, and I will do that in a couple weeks once I see all the bills come in.*

*Ms. Mary LeFevre: I was just curious about the legal fees. The legal fees are low, and I am wondering if that's going to hit us too at the end of the year.*

*Mr. Ward: Greg is pretty good about billing, so that just means we did not have a lot of legal things to do this year.*

*Ms. LeFevre: It's done with an hourly rate as opposed to a set rate?*

*Mr. Ward: Yes.*

**FOURTH ORDER OF BUSINESS**

**Supervisor's Requests and Audience Comments**

Mr. Ward asked if there were any Supervisor's requests; there were none. He asked if there were any audience comments; there were none.

**FIFTH ORDER OF BUSINESS**

**Adjournment**

Mr. Ward adjourned the meeting at 2:40 p.m.

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

**ATTEST:**

**Miromar Lakes Community Development District**

  
James P. Ward, Secretary

  
Doug Ballinger, Vice-Chairman