

**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, December 8, 2022, 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
Doug Ballinger	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:

Heather Chapman	Master HOA Manager
Erin Dougherty	General Manager
David Salko	

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

Administration of Oath of Office

Administration of Oath of Office for Mr. Mike Weber, Mr. Doug Ballinger, and Mr. Alan Refkin who were elected at the November 8, 2022 General Election

Mr. Ward, as a registered notary public, administered the Oath to Mr. Mike Weber, Mr. Doug Ballinger, and Mr. Alan Refkin. He asked Mr. Mike Weber, Mr. Doug Ballinger, and Mr. Alan Refkin to sign and return the Oath for purposes of inclusion in the record.

Mr. Weber, Mr. Ballinger, and Mr. Refkin indicated they did not have copies of the Oath.

Mr. Ward indicated he would get the reelected Board Members the correct Oaths. He noted these would need to be filled out, notarized, and mailed in with \$10 dollars.

THIRD ORDER OF BUSINESS

Consideration of Minutes

November 10, 2022 – Regular Meeting Minutes

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

Two corrections were requested and made.

Mr. Ward asked if there were any other changes to the Minutes; hearing none, he called for a motion to approve the Minutes as corrected.

On MOTION made by Ms. Mary LeFevre, seconded by Mr. Doug Ballinger, and with all in favor, the November 10, 2022, Regular Meeting Minutes were approved as corrected.

FOURTH ORDER OF BUSINESS

Staff Reports

I. District Attorney

Mr. Greg Urbancic reminded the newly elected Board Members about the Sunshine Law and Code of Ethics.

II. District Engineer

Mr. Charlie Krebs indicated he was still working on the rip rap exhibit. He stated Jim called last week regarding the dry retention area in Lugano and the residents who had some concerns regarding the area's appearance and how the appearance could be improved. He displayed and discussed photos of the dry detention area in question, other dry detention areas, and an illustration of what a dry detention area could look like with plantings. He indicated he, Mr. Ward, and Mr. Bernard met with the residents to discuss ideas and expectations. He noted the plan was to meet with the landscape architect and develop a reasonable planting palate to improve the aesthetics. He indicated the plan would be presented to the residents for feedback and would come before the Board for consideration.

Ms. LeFevre asked if this would be the responsibility of the Master Association as the Master Association was responsible for landscaping.

Mr. Ward explained as this was a detention area, it belonged to the CDD and was the responsibility of the CDD. He noted it was in the middle of a cul-de-sac and therefore highly visible to the surrounding residents.

Mr. Bernard discussed the history of this dry retention area, how the dry retention area was maintained, and how the retention area looked nice during the wet season, but terrible during the dry season.

Discussion ensued regarding the dry retention area.

Mr. Ward agreed this retention area was an eyesore and should be addressed. He noted he was not saying the CDD should pay for the work on the dry retention area, but it should allow Mr. Krebs to move forward with developing a potential plan to improve the dry retention area for consideration.

Discussion ensued regarding whether the residents or the CDD should pay for the improvements. It was agreed to make this determination after Mr. Krebs presented the suggested improvements.

Mr. Ward thanked Mr. Krebs.

III. Asset Manager

- a) Water Quality Report**
- b) Operations Report December 1, 2022**

Mr. Bernard stated regarding the fishery, this year's project was to install wetland plants and this project was well within budget. He noted installation would begin at the end of March or beginning of April. He stated the midge fly treatments continued. He asked the Board Members if they noticed an improvement in the midge flies.

Mr. Weber responded he had heard no complaints; however, when he walked along Promenade daily, he was attacked by midge flies, so he did not feel the situation was improved.

Discussion ensued regarding the midge fly problem, and where the midge flies were concentrated.

Mr. Bernard reported 1,220 cane toads were removed last month. He stated MRI would be videotaping the drainage lines to check the conditions and would present the video in a month. He stated Dragonfly Services were working in Bellini and Isola Bella replacing rip rap damaged from the hurricane. He noted it would be approximately \$25,000 dollars' worth of rip rap (indecipherable). He stated this would bring the CDD over the rip rap budget for the year, but he felt there was enough in the capital side of the budget to cover any contingencies. He reported on the cleaning of the drains by the entrance and that those four structures would be cleaned out.

Ms. Lefevre asked (indecipherable).

Mr. Bernard responded waterway inspection report showed normal readings for the pH in some locations and the (indecipherable) was based on algae blooms but most of those locations were on the big lake. He noted when there was an algae bloom on the big lake it was difficult to contain. He indicated the water was still fine, it was just a higher than normal pH.

IV. District Manager

- a) Financial Statements for period ending November 30, 2022 (unaudited)**
No report.

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

Mr. Weber indicated everyone received the notice about the Master Association Board Meeting coming up with the topic being the assessment. He asked as the CDD was attempting to determine an appropriate reserve amount which was a challenge, if the Master Association had the total cost of cleanup from Hurricane Ian, and if the Master Association broke this cost down by location, would it be possible to use these numbers to come up with a reserve amount to be built up over the next several years.

Mr. Refkin indicated the cleanup costs would be helpful for the CDD to know. He stated the CDD was trying to pull the budget together and determine how much money should be held in the reserve account in case of emergency and knowing the actual costs of landscaping repair from Hurricane Ian would be a big help.

Ms. Heather Chapman stated (indecipherable).

Mr. Weber asked if the \$1,544,400 dollars was only for cleanup, and not for repair or replacement of landscaping.

Mr. Dougherty responded it was the Master HOA's best estimate for all costs, cleanup, repair, and replacement, but was a rough estimate.

Discussion ensued regarding the \$1.5 million dollars estimate and whether the Master Association (Master HOA) had a reserve fund to cover these costs; the Master HOA being responsible for maintenance, replacement, and repair of all landscaping per the Agreement between the CDD and the Master HOA.

Mr. Refkin asked if the Master HOA would be replacing the damaged landscaping on CDD property.

Ms. Chapman responded in the affirmative.

Mr. Weber noted if the Master HOA kept track of the funds spent to cleanup, repair and replace the landscaping which was damaged as a result of Hurricane Ian, the CDD would be grateful as these numbers would be helpful to the CDD in determining how much the CDD should keep in a reserve fund for emergencies.

Mr. Dougherty stated the Master HOA would do its best to keep track of these numbers for the CDD, but only a portion of the assessment would be related to the CDD and none of it would come from the reserves; however, the Master HOA previously indicated it would not reserve funds for landscaping.

Mr. Ward stated the Master HOA did not say it would not reserve funds for landscaping and did not say it did not have a reserve fund; the Master HOA clearly indicated it had a reserve fund but would not separate reserves specifically for landscaping.

Mr. Dougherty stated the Master HOA did not have a reserve study.

Mr. Ward explained Tim, as President of the Master HOA, said the Master HOA had a reserve fund sufficient enough that if there were damage done to the District's landscaping while the Master HOA

was maintaining the landscaping, it would have sufficient funds in the reserves which could be used for hurricane damage. He stated it sounded as if Mr. Dougherty was saying the Master HOA was not using the reserve fund to cover the costs of hurricane damage repair, the Master HOA was assessing the costs to the residents instead. He explained Mr. Weber was simply asking how much was being spent on hurricane damage repair.

Mr. Dougherty indicated he would do his best to get this number for the CDD.

Ms. LeFevre asked if the Master HOA’s reserve fund was being used to cover hurricane expenses.

Discussion ensued regarding the Master HOA’s reserve fund, restricted reserve funds, dedicated reserve funds and when each could be utilized.

Mr. Weber indicated Ms. LeFevre’s question should be asked at the Master HOA’s Board Meeting on December 16, 2022.

Ms. LeFevre asked if the berm along the I-75 corridor would be repaired.

Ms. Chapman responded in the affirmative, the damaged trees would be removed and then replenished.

Mr. Dougherty indicated the Master HOA was trying to get bids from contractors at this point to avoid the emergency cleanup rate. He noted it was important to be patient to avoid being overcharged.

Mr. Bernard indicated at the end of the month he would be stepping back and that Richard Freeman would be the new day-to-day person. He stated he (Mr. Bernard) would still be around but supervising from afar.

Mr. Ward asked if there were any audience members present in person, or via audio or video, with comments or questions; there were none.

SIXTH ORDER OF BUSINESS

Adjournment

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

On MOTION made by Mr. Alan Refkin, seconded by Mr. Patrick Reidy, and with all in favor, the meeting was adjourned.

Miromar Lakes Community Development District


James P. Ward, Secretary

Alan Refkin
Alan Refkin, Chairman

Signature: Alan Refkin
Alan Refkin (Jan 17, 2023 17:04 EST)

Email: arefkin@aol.com

ML - Minutes 12 08 2022- to be Executed

Final Audit Report

2023-01-17

Created:	2023-01-17
By:	Cori Dissinger (coridissinger@jppwardassociates.com)
Status:	Signed
Transaction ID:	CBJCHBCAABAAff8XrK6V3YgrNcH-7GPxS-0-8fliytWK


"ML - Minutes 12 08 2022- to be Executed" History

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2023-01-17 - 9:43:28 PM GMT- IP address: 35.153.123.180

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2023-01-17 - 10:03:51 PM GMT- IP address: 209.73.183.26

 Signer arefkin@aol.com entered name at signing as Alan Refkin

2023-01-17 - 10:04:40 PM GMT- IP address: 96.47.151.103

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