

**SUN ‘N LAKE OF SEBRING IMPROVEMENT DISTRICT
BOARD OF SUPERVISORS
REGULAR MEETING
Friday, January 25, 2019
MINUTES**

The Regular meeting and the Annual Landowner’s meeting of the Board of Supervisors of Sun ‘n Lake of Sebring Improvement District was held Friday, January 25, 2019, at the Community Center, 3500 Edgewater Drive, Sebring, FL 33872.

The meeting was called to order at 9:00 a.m. by Vice-President Branson.

SUPERVISORS PRESENT:

Mr. Joseph Branson, Vice-President
Mr. Michael Gilpin
Mr. William Stegall
Mr. Raymond Brooks
Mr. Neal Hotelling

The General Manager, Tanya Cannady; Board Secretary, Chrissy Hardman; Omar DeJesus, Finance Director; Ariel Starling, Community Services Director; Michael Hurley, Facilities & Security Director; Cliff Easum and Earl McMinn, Billy Casper Golf; Drew Jones, Polston Engineering and District Attorney, David Schumacher were present; there were approximately 42 people in attendance.

1. Call to order-9:00 a.m.
2. Pledge of Allegiance
3. Announcements:
 - a. Next regular meeting is scheduled for Friday, February 8, 2019, at 9:00 a.m. at the Community Center, 3500 Edgewater Drive, Sebring, FL 33872.
 - b. Please silence or turn off your cell phones.

4. **Consent Agenda**

Minutes of the Board of Supervisors' Regular meeting held Friday, January 11, 2019.
Supervisor Gilpin moved to approve, Supervisor Stegall provided the second.

With no board or public comment, the motion was approved through general consent.

5. **Motion to recess to conduct Landowner's Meeting**

Supervisor Hotelling moved to recess to conduct the Annual Landowner's Meeting, a second was then provided.

With no board or public comment, the motion to recess was approved through general consent.

6. **Motion to reconvene Regular Meeting**

Supervisor Gilpin moved to reconvene the Regular Meeting, Supervisor Stegall provided the second.

With no public or board comment, the meeting was reconvened through general consent.

The Regular meeting was reconvened at 9:15 a.m.

7. **Action Agenda**

a. Election of the Officers to the Board:

1. President- Supervisor Branson opened the floor to nominations for a Board President; Supervisor Stegall nominated Joe Branson, Supervisor Gilpin provided the second.

With no further nominations, a vote was taken.

Roll Call: Supervisor Brooks- Y; Supervisor Gilpin- Y; Supervisor Hotelling- Y; Supervisor Stegall- Y; Supervisor Branson- Y

With a vote of 5-0, Joe Branson was elected.

2. Vice President- President Branson opened the floor to nominations for a Vice President of the board; Supervisor Gilpin nominated Dan Stegall, Supervisor Hotelling provided the second.

With no further nominations, a vote was taken.

Roll Call: Supervisor Gilpin- Y; Supervisor Hotelling- Y; Supervisor Brooks- Y; President Branson- Y; Supervisor Stegall- Y

With a vote of 5-0, Dan Stegall was elected.

3. Treasurer- President Branson opened the floor to nominations for Treasurer of the board; Supervisor Stegall nominated Omar DeJesus, Supervisor Gilpin provided the second.

With no further nominations, a vote was taken.

Roll Call: Supervisor Hotelling- Y; Supervisor Stegall- Y; Supervisor Brooks- Y; Supervisor Gilpin- Y; President Branson- Y

With a vote of 5-0, Omar DeJesus was elected Treasurer through acclamation.

4. Secretary- President Branson opened the floor to nominations for Secretary; Supervisor Gilpin nominated Chrissy Hardman, a second was provided.

With no further nominations, a vote was taken.

Roll Call: Supervisor Stegall- Y; Supervisor Brooks- Y; Supervisor Gilpin- Y; Supervisor Hotelling- Y; President Branson- Y

With a vote of 5-0, Chrissy Hardman was elected Secretary through acclamation.

- b. Resolution No. 2019-01/25-04: A resolution of the Sun ‘n Lake of Sebring Improvement District to rescind Resolution No. 2018-11/09-49 awarding RFQ 18-07 for the Golf Equipment Lease to Textron/Jacobsen and awarding the bid to John Deere.

Supervisor Stegall moved to approve, Supervisor Gilpin provided the second. Mr. McMinn expressed his appreciation to the board (and operations) for their patience in this process, he reviewed the original objectives to gain all the tools necessary to enhance each golf course. Mr. McMinn voiced his elation to have movement on the project to which Supervisor Stegall mentioned how it seemed there were upgrades to several pieces of equipment (i.e. the fairway, aeration and tees). He asked how long Mr. McMinn thought these pieces of equipment should last to which he replied they expect any \$1 buyout item to have a service life of (roughly) 10 years. Ultimately, it all depends on how often maintenance is performed and how well the equipment is maintained. He surmised that the fairway aerifier should last 15 years depending on frequency of use and maintenance. Ms. Cannady mentioned that the lease cost falls within the District’s budget which is \$182,500. The terms of the rental agreement state a cost “up to” \$171,625 (annually), and the expectation is that this figure will decrease slightly. Mr. McMinn elaborated how an exact total will not be available until they execute the proposal; additionally, the cost will depend on property tax and length of the lease term. Supervisor Stegall asked what he suspected the timeframe for delivery will be (assuming they approve the resolution) to which Mr. McMinn replied they have already ordered several items. If the resolution fails, then the vendor will sell the equipment to other clients. He noted the item he requires the most (a fairway aerifier) will take the longest to arrive because it is manufactured in Germany. He reassured the board that all other items, such as carts and mowers should arrive within a “couple” weeks.

With no further board or public comment, the motion was put to board vote.

Roll Call: Supervisor Brooks- Y; Supervisor Gilpin- Y; Supervisor Hotelling- Y; Supervisor Stegall- Y; President Branson- Y

With a vote of 5-0, the motion to approve the resolution passes.

c. Discussion: Speed Table petition for Granada Boulevard

President Branson announced Mr. Hurley would relay the extensive research he had performed on the subject and gave him the floor to which he reviewed a petition containing (approximately) 40 signatures from residents of Granada Boulevard. To witness the problem firsthand, he spent an hour posted at that section finding each vehicle that passed in violation of speed limits. He confirmed they have already installed a speed bump; however, the idea is to install another in between the existing unit and the stop sign. He voiced his concern for safety in the area and urged the board to consider the request. The cost to install another speed bump will be (roughly) \$1,200 with additional costs for signage. He noted how he has personally witnessed illegal passing in the area to which an unknown audience member asked how far it will be from the stop sign. Supervisor Stegall estimated 700 feet to which Mr. Hurley specified 750 feet.

Lon Rickert- Introduced himself as a resident from Granada Boulevard, noting he has seen this issue worsen; even personally experiencing an illegal passing situation when turning into his driveway (causing him to brake). There are elderly residents in the area who are forced to wait on the road for cars from 3 to 4 minutes. He stated teenagers speed with their four-wheelers and safety is a major concern because young children walk down that street often.

President Branson mentioned staff made him aware the District can save more money if they purchase over one unit at a time to which Mr. Hurley confirmed. He mentioned there have been requests for speed bumps in other areas (i.e. the Preserve). Mr. Hurley stated the Sherriff's office has posted officers in zones throughout the District; however, it is impossible for them to be everywhere. Supervisor Stegall asked if he could purchase smaller units as the ones previously installed are aggressive to which Mr. Hurley confirmed the lesser speed bumps were purchased and there have been no complaints (so far). Mr. Rickert (from the audience) voiced his belief that the highest speed limit (and the only one this speed) is 30 miles per hour.

He asked if it would be possible to decrease it to which Mr. Hurley confirmed that Administration continues to look into it. He felt it was a good idea; however, that location is one of the few ways leading out of the District. Supervisor Stegall noted that “1,000” speed bumps could be installed but it would not eliminate the problem (entirely). He affirmed his advocating is not to skip this area; however, he is not sure speed bumps are a cure-all. Supervisor Stegall forewarned that once approved, 6 more petitions will surface to which Mr. Hurley acknowledged his understanding. He said there are areas in the District that are smaller but have more speed bumps. He voiced his agreement with reducing the speed limit to 25 miles per hour to which President Branson asked if the District can do so. Ms. Cannady confirmed it is an item she will discuss with the Sherriff’s office because it is a serious issue for the District. Supervisor Hotelling pointed out that Ponce De Leon Boulevard is a 30 mile per hour road and his concern is with installing a 20 mile per hour speed table in that zone to which Mr. Hurley clarified how these units are designed for 25 miles per hour. Supervisor Hotelling continued stating his belief is that it is necessary to lower the speed limit because people are less inclined to get to 30 in a 25 mile per hour zone. Supervisor Stegall was of the opinion the first item that should be addressed is to consider existing speed limits and their locations, then come up with an effective plan to promote consistency. He counseled against “piece-mealing” a traffic plan together to which Mr. Hurley agreed they make these units for cars; however, a lot of these issues are golf carts too (some built to go up to 35 miles per hour). President Branson agreed they should involve the Sherriff’s office.

Skye Wannamaker- Introduced herself and asked if the board ever considered digital traffic devices that posts the speed of a driver. These devices flash lights, and use photo radar to get a picture of the license plate. She acknowledged these units are more expensive; however, in long-term situations they have proven effective. Supervisor Stegall asked Ms. Cannady if operations considered it, estimating the cost at \$10,000 per unit to which Mr. Hurley replied there are solar (and electric) units that have been considered in the past.

The cost was an item of contention along with the consideration for what location to install them because everyone will want one. Supervisor Stegall responded that is why he suggested a comprehensive evaluation.

Ms. Cannady mentioned how she has kept track of traffic concerns (as reported) and she will meet with the Sherriff's office to review it. Supervisor Stegall agreed the Matanzas speed bump was an emergency because the narrowness of the road and lack of sidewalk was a danger. He reiterated his point that he believes nothing should be done until a comprehensive review has taken place. Supervisor Brooks asked if they will take a vote to which Ms. Cannady replied that this was only a discussion. He voiced his preference to confirm a decision to which President Branson reverted to pricing. He asked if they can purchase these units for \$1,000 each to which Mr. Hurley confirmed. President Branson inquired what costs the permanent speed tables represent to which he approximated \$3,500 to \$4,500 (including costs to cut the mound). He noted temporary units previously mentioned come with a 15-year warranty and are already painted with a less aggressive design. They approve these units under Florida code unlike the speed table option which will have to be modified requiring engineering work. President Branson asked for an estimation on what it will cost to install temporary units (as far as labor) to which Mr. Hurley replied expenses would be "in-house". President Branson clarified his meaning was to get an estimation to which Mr. Hurley answered the work will be a "couple" hours and two staff members. Supervisor Brooks asked for confirmation of the board's decision to which President Branson said one had not been made yet. Supervisor Hotelling explained his understanding was there needs to be more information presented before the board can move forward. Some information will need to come from the Sherriff's department (concerning speed limit adjustments), and they also require a more thorough examination for where these units should be installed. Supervisor Brooks asked if this purchase must be pushed back to which Supervisor Gilpin expressed his agreement with the previously mentioned points. In his opinion, he did not believe more information was required as a resident of Matanzas Drive he understands it is necessary.

He voiced his approval with going in the direction that Supervisor Brooks and Hotelling were advocating; however, he is in favor of approving this request now. The location brought up by Mr. Barnhart (during the Landowner's meeting) is another area that needs a speed bump to which President Branson asked if he was making a motion. Supervisor Gilpin moved to approve a temporary speed bump on Granada Boulevard per the petitioners' request, Supervisor Brooks provided the second. Supervisor Stegall said a comprehensive review should have taken place after they approved the 2018 request because the board is no more informed today than they were four months ago.

Rick Hulbert- Said from his understanding, the District will save money by purchasing over one unit at a time. He asked why not buy more for expected future requests to which President Branson pointed out there is a process in place to allow citizens to create a petition and make a request for a speed bump. In his opinion, the board owes these citizens a speed bump.

Supervisor Gilpin amended his motion to permit Mr. Hurley to purchase multiple units to which Mr. Schumacher clarified how an amendment was unnecessary. Supervisor Brooks asserted his desire for the board to be consistent and treat this situation as they did prior. President Branson concurred to which Mr. Hurley reassured the board that he has worked in collaboration with Drew Jones. He stressed the dangers presented by this road and that he would never make a request that was not needed. Mr. Hurley further relayed his agreement with Supervisor Stegall's point and agreed to proceed accordingly to which Supervisor Hotelling replied he does not disagree "in theory"; however, his concern is in arbitrarily installing speed bumps in areas that are zoned for a specific mile per hour. There should be care for inadvertent consequences brought upon by this action. Mr. Hurley reminded him the District's roads are not up to "county standards" because they are not wide enough which presents more complications.

James Barnhart- Addressed President Branson and stated this is a dangerous situation that must be handled.

Supervisor Stegall reiterated his point that he is not against a speed bump (for this location), only that he believes a plan should be created moving forward because this is a subject that will continue to come before the board. He counseled that a digital speed sign should be considered because they are effective, and recapitulated the importance of developing a plan that takes into account feedback from the Sherriff's office. Supervisor Brooks recommended a compromise, approve the request now and proceed (as Supervisor Stegall suggested) for the future. This is with the understanding that no further petitions will be considered until a comprehensive plan is presented to the board to which Supervisor Gilpin concurred.

With no further board or public comment, the motion was put to board vote.

Roll Call: Supervisor Gilpin- Y; Supervisor Hotelling- N; Supervisor Stegall- Y; Supervisor Brooks- Y; President Branson- Y

With a vote of 4-1, the motion to approve the installation of a temporary speed bump on Granada Boulevard per the petitioners' request passes.

8. Add-on item

9. Petitions and Communications (1)

a. David Halbig correspondence:

Ms. Cannady announced Mr. Halbig's correspondence to which Supervisor Gilpin mentioned how he was no longer present. President Branson asked if Mr. Halbig had requested the correspondence be read into the minutes to which she replied that was not the case. Supervisor Hotelling requested the correspondence be summarized for those who could not read the screen to which President Branson complied, stating Mr. Halbig had taken notice of District landscaping crews performing work at the new EMS Station (which is county property).

President Branson pointed out that it may not serve the District to insist the county maintain the area because it will more than likely not be done to the appropriate standard. He surmised the issue is a matter of what the area should look like, and whether the District should continue to invest in the maintenance to which Supervisor Stegall concurred, adding that location is comparable to, “the front yard”. He did not believe there is any other choice and although he realizes it is an expense that location is important. Supervisor Stegall took no issue with staff mowing the grass if they are working in the area, anyway. He acknowledged Mr. Halbig is correct in that the District pays “\$4 million” in taxes but is not receiving a lot of services (in return); however, Sebring and Avon Park denizens can make the same argument. Supervisor Gilpin concurred and requested that Ms. Cannady reach out to the county to see if they will assist the District. He reassured her that the decision is hers to which Mr. Hurley replied the county has been a strong supporter of the District many times (including the broken water main). The work itself is (roughly) 30 minutes per week to which Supervisor Gilpin asked if the District also supports the county. Mr. Hurley replied that it is a collaborative relationship and confirmed he works with the county (a lot). He has never had an issue with their response in relation to a District need to which Supervisor Hotelling expressed his opinion that working cooperatively is a good thing (and the cost is not exorbitant). Supervisor Brooks suggested contacting the county to install speed bumps on Sun ‘n Lake Boulevard which is a major area of concern for traffic violations to which President Branson called for public comment.

Rick Hulbert- Noted this has been an issue discussed by prior boards and asserted that at one time, the county agreed that if the District maintained the area, then a rebate for the cost would be extended. With that said it never came to fruition.

President Branson requested that before any conversation with county representatives’ takes place, that staff calculate what the expense is to the District to which Mr. Hurley agreed.

10. Staff Reports-

a. Cliff Easum-Golf Report:

Mr. Easum confirmed there has been no significant changes from his initial report on January 11th. He reiterated how January continues to be a strong month for golf financials compared to revenue over the same time period. He announced the December financials are completed and have been submitted. As expected figures are considered to be “on budget or just a little bit better”. There was a decrease in rounds played because of the colder temperatures; however, increases to revenue were found in the restaurant and banquets. Supervisor Brooks asked for an update on the sign (off of U.S. 27) to which Mr. Easum replied there have been problems with the vendor. He confirmed that he is at the point where he will deliver an ultimatum to which Supervisor Brooks asked if they have remitted payment. Mr. Easum replied there has been a partial payment and speculated that the vendor is having “personal problems”. Supervisor Brooks asked what alternatives are available to which he replied the sign is easy to produce; therefore, he will give the job to another vendor.

b. Drew Jones, Emergency Repair Update (Magnolia Place):

Mr. Jones advised the board that on January 23rd operations was attending to a final walk-through for all the projected areas included in the upcoming RFP (for drainage). When inspecting the pond located off of hole #16 (Deer Run) they discovered that a sewer leak (on a low pressure main) sunk down, leading to the necessity to perform emergency repairs. The scope of work required that the area be dug out and inspected to identify all tasks that are in need of attention because the entire inlet is sinking. Besides these damages, it was also found that another 24” line with previous repairs required more work. Originally, these repairs were to be included in the RFP; however, because of the severity of the situation it will be removed as an addendum. Supervisor Brooks asked how this affects the RFP to which Mr. Jones replied fortunately, they broke everything down into line-items so emergency repairs will be removed from the specifications. Supervisor Brooks asked if he had an update for future road work to which Mr. Jones replied staff has not completed a full review; however, so far they have narrowed it down to (roughly) 6 areas.

Supervisor Brooks asked for a timeline to expect an update to which Ms. Cannady said it will be determined by operations. Mr. Jones explained how the focus has been on drainage because when it rains the elevation of the water table makes progress difficult. Supervisor Brooks instructed staff not to carry these projects over to the next year because (by that time) they will add another \$300,000 to the budget. He wanted staff to focus on spending money wisely to which Ms. Cannady explained that they will include the project as a single RFP with all road project specifications included. President Branson asked how the work will be affected by weather to which Mr. Jones replied that (so long as there is no rain), they can perform the scope of work during any season.

11. General Counsel Report:

Mr. Schumacher presented an update on the legal situation presented by the water main break incident confirming Comcast has been in contact (via a sub-contractor). They have submitted an initial insurance claim with an amount presented for damages (and supporting documentation). Mr. Schumacher confirmed because of the accident, the District lost 400,000 gallons of water which they will include in the claim. It will be a significant amount which he expects will cause resistance; however, he is confident it is something he can negotiate through. Supervisor Brooks asked if they submitted the claim through the District's insurance provider to which Mr. Schumacher replied that is not the case. He explained how after the incident, the sub-contractor contacted their insurance provider to inform them of the situation, they have assigned a claim number. He reviewed his research concerning other municipalities and filling board member (commissioner vacancies): Avon Park, any appointee will hold the seat until the next regular election cycle (until that individual is elected), then they will serve for the rest of the term; Lake Placid, remaining council members select an interim official who then fulfills the unexpired term; Sebring, the remaining members appoint someone to serve, who then stays on the council until the next General Election. He explained the difference is that these are municipalities which the state of Florida holds to a different ordinance than the District.

Florida Statutes dictate how vacancies in governance are to be handled (Florida Statute 189.041, subsection 3(b)(6)) to which he read verbatim; “If any vacancy occurs in a seat occupied by a governing body member elected by the qualified electors, the remaining members of the governing body shall, within 45 days after the vacancy occurs, appoint a person who would be eligible to hold the office to the unexpired term.” Supervisor Hotelling asked if that meant to change the procedure, the revision will have to take place on a state level to which he confirmed. Supervisor Brooks inquired if that meant they cannot revise it to which Mr. Schumacher elaborated for a popularly elected official; however, a Landowner’s seat has a different set of procedures that is also governed by state statute, (Florida Statute 189.041, subsection 3(c)(4)), “Vacancies on the governing body shall be filled pursuant to s. 298.12 except as otherwise provided in subparagraph (b)6.” He clarified that this meant the appointment is to be made by remaining members of the board within 30 days, who then serves until the next Landowner’s meeting. Supervisor Brooks requested a copy of this information to which Mr. Schumacher agreed. He voiced his approval with a term being served by an appointee until the “next General election” to which Mr. Schumacher replied that would not be possible for a popularly elected seat because of Florida Statutes. Supervisor Gilpin mentioned Avon Park’s procedures (which in his opinion are effective), then asked if there is any way to change the District’s ordinance to mirror Avon Park to which Mr. Schumacher explained how there is a process to qualify for a seat on the board. They elect the two candidates who receive the most votes to the board to which Supervisor Gilpin said he would prefer to elect three new supervisors at a time. Mr. Schumacher explained it would not be possible because the wording mandates terms are to be staggered to avoid a “drastic change of the board” during any (single) election. Supervisor Gilpin voiced his understanding asserting Avon Park has a better way because the people have more control to correct problems they see on the board. Supervisor Brooks asked if there has been any new development concerning Tanglewood relations to which he answered nothing since the teleconference. He agreed to reach out to the Vice President of Hometown America by the week of January 28th.

12. General Manager's Report:

Ms. Cannady began her report with project updates, the first of which was the receipt of one bid for \$133,840 specific to the Deer Run Pump Station. Operations is reviewing the response, and she expects to present it by the February 8th meeting. They scheduled two other bid openings; January 29th, the Drainage bid (Phase III); January 31st, the Kitchen and Lanai project. Supervisor Brooks was of the impression operations is required to get three responses to which Ms. Cannady clarified that his statement applied to quotes (anything under \$25,000) unless it is an emergency. Supervisor Brooks asked why it appears finding vendors to work for the District is difficult to which Supervisor Gilpin replied (per a contractor he had spoken with) the dilemma is in hiring qualified people. Ms. Cannady elaborated how the expectation was that there would be 4 bidders to which Mr. Easum added (specifically relating to the pump station) there is few companies in the industry - which is territory protected. He admitted that of the organizations that could have bid, 2 chose not to; however, it is unrelated to the District. It is a highly specialized industry especially with "high-pressure water" systems. Supervisor Brooks asked what Ms. Cannady meant by, "reviewing the bids" to which she replied to ensure that the bid matches the specifications, operations must inspect the paperwork. Supervisor Brooks inquired if there is room for negotiation to which she replied only if there is an issue with the bid or if there are any changes (change orders). Supervisor Hotelling added, it is the difficulty in working with a "bid process". Were the District to be a private organization, then negotiations for a better price could ensue to which Supervisor Stegall concurred. Supervisor Brooks explained that his desire is to receive the best price for the bid to which Ms. Cannady reassured him pricing is within budget.

13. Unfinished Business

14. New Business

15. Committee Reports

16. Public Comment:

Dennis Van Scoyoc- Introduced himself as a resident on Urbino Street and informed the board that there is a property with a “huge” limb laying on the roof and grass that has not been mowed for a year. He asked if the District has done anything to address the situation to which Mr. Hurley informed him staff cannot perform work on the property because it’s privately owned. President Branson asked how Code Enforcement has addressed the problem (so far) to which he replied they have issued citations for the grass. President Branson inquired if they have assigned fines to the property to which Mr. Hurley confirmed, adding there is nothing that can be done about a branch on the roof. President Branson asked for a clarification on how the owner was “cited” to which Mr. Hurley affirmed they have sent a letter informing the owner to clean up the property. He did not have a status update but agreed to follow up. Mr. Van Scoyoc elaborated that the problem is not just a branch, it is a large tree limb. He presented a brief history of the change in ownership for the property to which President Branson said they will address the situation through the Code Enforcement process.

Supervisor Brooks asked Mr. Easum for an update on the second beverage cart to which he said (currently) there is a holding pattern because of parts. So far, the operation has functioned with just the one and he expects to bring it back to the board during the next budget session. He wants to keep the current unit because it is a “nice piece of machinery” and agreed to expand on the subject during the 5-Year Capital plan discussion.

17. Discussion to/from Board:

Supervisor Gilpin announced he has two items for discussion. He addressed Ms. Cannady and asked during her discussions with the county (concerning speed limits) that she request something be done for Schumacher Road. He recounted several occasions where a collision (by the gravel road) almost took place. Residents speed and do so in large vehicles; his recommendation is to install a stop sign for that road to which Supervisor Stegall concurred, adding there is a tree in that location that needs to be trimmed back in order for it to work. Ms. Cannady agreed to mention it during her meeting to which Supervisor Gilpin asked Mr. DeJesus to explain Mr. Ibanez’s request.

He replied that Mr. Ibanez has been to the District office requesting a waterline extension on 4 lots (east side of Cortez Boulevard) where there are no water or sewer services. Mr. Hurley is working to get quotes to see what it would cost the District to make these arrangements; however, it represents a potential (10) homes permitted access to that waterline. There are two homes located in that area; quotes that have come in are (roughly) “in the \$30,000 range”. Mr. Ibanez’s request is in relation to the higher fee contractors pay because of the District’s investment (increasing the cost from \$1,000 to \$3,700). He is requesting the board reconsider the fee because other governmental entities have agreed to it in the past. Mr. DeJesus explained the dilemma is these fees are not comparable because the other governmental entities are not spending \$30,000. The practice is (normally) a contractor covering the costs, and if an individual wants to connect to the waterline, they pay the \$3,700 to the District. He affirmed management’s desire to promote development; however, it is a “significant” cost. Supervisor Gilpin asked that operations take care in their dealings with Mr. Ibanez to which Mr. DeJesus reassured him before they make any decision, they will present it to the board. Supervisor Gilpin mentioned Mr. Ibanez’s other projects (still incomplete) and the lack of care for his property’s yards to which Mr. Hurley replied they have cited Mr. Ibanez. He reassured the board that he will have to pay the District before he sells the property. Supervisor Brooks requested a copy of responses remitted to participants in public comment. Supervisor Stegall counseled staff to use caution in responding to Mr. Ibanez (because of his incomplete projects) to which Mr. DeJesus clarified how he no longer has a stake in the unfinished property. Mr. Ibanez’s role in facilitating communication with the party involved has been beneficial to which President Branson asked if Code Enforcement fines have increased on his properties. Mr. DeJesus replied the board must consider an update to construction permit policies; currently, as written there are no expiration dates for “inactive homes”. For example, the county has a 60 day process which means once the permit expires the builder has to pay \$75 to renew it. Management is reviewing the Florida statutes to see how to proceed. Supervisor Stegall asked that Mr. Ibanez not be held accountable for anything he is not involved in, and that management present (at some point) a traffic plan for the District to which Ms. Cannady said she does, “have a few ideas on the topic” which will be discussed with Mr. Hurley, Mr. Jones and George Loyd.

Supervisor Stegall asked that she look into speed limits throughout the District, pointing out Mr. Jones' map was incorrect in the spelling of Ortego Street.

President Branson announced that the next Agenda item was a training session for board members with Mr. Schumacher. He declared should anyone in the audience not be interested they can leave. With no further board or public comment, the meeting was recessed through general consent.

The meeting was recessed at 10:40 a.m.

The meeting reconvened at 10:50 a.m.

18. Board Training Workshop

Mr. Schumacher began the workshop reviewing how the segment is part of an annual "refresher" for board members (concerning the Sunshine Law). He explained the board's role as it applies to the Sunshine Law and "Code of Ethics for public officers" which is to set policies and procedures (as per the policy manual). This document determines the board has the power to delegate "executive" authority to the General Manager who is responsible for financing, operations and maintenance assessments. Additional responsibilities include scheduling and attending regular (public) board meetings and planning for the future. Each supervisor can request information or "advice" from staff; however, they are to avoid giving direct instruction to employees unless "specifically" authorized. Should it be necessary, board members can bring concerns to Ms. Cannady. The Sunshine Law itself is Florida Statute 286.011 which has three requirements: meetings of the board must be held in a public forum, reasonable notice must be given and minutes of the meeting must be transcribed and recorded (promptly). Mr. Schumacher explained that a meeting is considered, "any time two or more members of the board are discussing a matter that can foreseeably come before the board (commission) for a vote". He asserted that if a discussion is taking place amongst supervisors that fits this definition, then they must end the conversation. Board members are allowed to share information as long as there is no interaction between them. Any communication between supervisors must be strictly informational in nature, and no opinions are to be rendered.

He counseled to think on the side of caution, adding the best way to distribute information is through Ms. Cannady. Mr. Schumacher stressed the importance that the board understand they are not permitted to use “intermediaries”, which means a supervisor cannot communicate with someone and instruct them to deliver a message to another supervisor (including opinions). He explained reasonable notice means staff gives the public enough notice to attend a meeting (and hear what is discussed). Mr. Schumacher defined a public meeting, elaborating that anyone can attend so long as they do not disrupt the proceedings. He admitted (concerning participation of the public) the District is flexible, “public comment is encouraged”; however, the meeting must be held in an “orderly manner”. If a meeting is being “disrupted” in any way, then the President has the authority to end public comment. Per District documentation, “Public comment is three minutes with the possibility of an additional two minutes” and as the timekeeper, he always permits the full five minutes. Supervisor Stegall asked if he times every speaker to which he affirmed. Elaborating if there is an interaction from the board (or staff), he stops the timer. Public comment is not a question-and-answer session, the board is not obligated to respond right away. Supervisor Brooks asked if the board feels that rule is fair to which Mr. Schumacher replied he is only saying they do not require supervisors to (immediately) answer. Not that if an answer is readily available they should not grant it, only it is not required. Supervisor Brooks referenced Mr. Barnhart’s previous comments (concerning speed bumps) and his lack of awareness for a petition process. Even during the public comment portion, the board did not assert he needs to enact that measure (which they should have relayed). Mr. Schumacher assumed personnel will get the information to him; however, from his comments he seemed to understand. The only time they should not answer a question is if it concerns legalities which he will intercede in those situations. Supervisor Stegall referenced the county’s practice to use a visible timer to which Mr. Schumacher added the school board has the same method. Supervisor Stegall asked what it would cost the District to do the same to which Ms. Cannady answered it would not be too expensive. Supervisor Stegall said he mentioned it because there have been citizens who allege people receive more time than others; a timer would resolve their concerns. Supervisor Hotelling noted the District’s public comment is informal and sometimes people speak on a subject multiple times to which Supervisor Stegall concurred.

Supervisor Gilpin recalled an individual who had come to the podium 5 times (5 minutes each) during one public comment session. Supervisor Stegall noted sometimes he found statements made during public comment to be inappropriate when directed at staff. He asked if there is a way to get involved in a situation like that such as instituting an “ethics policy” to which Mr. Schumacher replied members of the board have the authority to state an action is inappropriate (and end public comment). Supervisor Hotelling asked if they should apply a limit to the number of times a person can come to the podium (per session) to which Mr. Schumacher restated the public comment policy. Ms. Cannady added that for each resolution, an individual can comment to which Supervisor Hotelling reiterated he has witnessed speakers come up on over one occasion (for a single topic). Mr. Schumacher agreed the President runs the meeting; however, any supervisor can determine a person’s public comment is over if inappropriate or disruptive. He moved onto public records (as defined by the Florida Supreme Court), “All materials made or received by an agency in connection with official business which is used to perpetuate, communicate, or formalize knowledge regardless if it is in the final form or the ultimate product of the agency constitutes a record”. He affirmed that Chrissy Hardman is the Public Records custodian but until the author of the record turns it into her, they are responsible. Records include text messages about official business and he recommends using phone calls because they do not create a record (other than a call was made). Mr. Schumacher also supported the use of the email because the District automatically backs up emails to the server. He reiterated that they should submit any document created for District business to Ms. Hardman. He elaborated that only a single copy of a document is necessary, multiple copies are not required as long as the “Records Custodian” has possession. Supervisor Stegall asked if he sends Ms. Cannady an email, is he in compliance to which Mr. Schumacher confirmed, adding anyone with a “.sncldistrict.org” extension will automatically have a record saved. He affirmed there are limitations for how long they hold a document which is determined by its subject. Should anyone have a question concerning retention, they are welcome to reach out to him. Supervisor Hotelling asked (in relation to communication between a supervisor and citizen) on a personal email address, is that considered public record to which Mr. Schumacher confirmed, elaborating if it pertains to District business.

Supervisor Gilpin referenced past public records issues and affirmed if someone texts him, there will be no response. Mr. Schumacher asked if there were questions to which Supervisor Gilpin said if he goes to Ms. Cannady and asserts an opinion she is respectful and adheres to it. He asked is there a way to ask Ms. Cannady to poll supervisors on an idea he may have to which Mr. Schumacher replied that is not the case because it would be in violation. Supervisor Gilpin acknowledged how a decision depends on three board members (not one) mentioning therefore he does not approach employees. Mr. Schumacher explained that if something applies to a District operation, then Ms. Cannady is the contact. If board intervention is necessary, she will present it. He understood if there are any concerns they can bring it to Ms. Cannady; however, she may not relay a supervisor's opinion to another (and poll members of the board) because that would be acting as an intermediary. So long as she does not communicate where information is coming from that is acceptable. Two board members can come to Ms. Cannady and put something on the Agenda to which Supervisor Gilpin asked how he would know if someone wanted to put something on the Agenda? Mr. Schumacher replied there is no way to know to which Supervisor Hotelling reminded his constituents the opportune time to bring something up would be during Board Discussion. If they make a point to Ms. Cannady and the opinion is she did not address it, then Board Discussion should be when a supervisor brings it up to which Mr. Schumacher concurred. Supervisor Gilpin asked if there is a topic he does not want brought up, can he bring it to Ms. Cannady to dispense information to other board members to which Mr. Schumacher explained if it is an issue that could (potentially) require a vote, then it cannot. Supervisor Stegall was of the opinion the speed bump discussion was a good example of this scenario because they have given the board the information with an option to revert to the petitioners. He did not believe they were ready (as a board) to move forward with a decision to which Supervisor Brooks countered there was a plan. Supervisor Stegall said the policy is to get a petition for consideration and how it was handled (at this meeting), they received a petition then a formal decision was voted. Operations is telling the board what they are in favor of and (in his opinion) it put "cart before horse". Supervisor Brooks acknowledged his understanding and referenced Matanzas Drive to which Supervisor Stegall responded that was an emergency.

Mr. Schumacher said there is no issue of precedence, if there is a policy they must follow it; however, as written a petition is to be brought before the board for a decision which can either be in favor (or opposed). He pointed out that if there is a motion (and a second) a vote must be taken to which Supervisor Stegall said it resulted in him having to vote (nay) on an issue he believes should be (yay) it is not the right time. He argued Mr. Barnhart's needs are more pressing compared to Granada Boulevard to which Ms. Cannady mentioned the Sherriff's office may have insight to assist in understanding the situation. President Branson agreed a sidewalk makes a difference to which Supervisor Stegall said they granted a petition, now more will be forthcoming. Mr. Schumacher replied that does not mean the board has to approve each one to which Supervisor Hotelling mentioned the possibility of the Sherriff instructing the District to remove the speed bump. Supervisor Brooks was of the opinion it must be done sooner (rather than later) to which Supervisor Stegall reiterated his point that operations should consider a digital sign. Supervisor Hotelling recalled he had presented Ms. Cannady with a history (timeline) for the District's initial 20 years and asked if that is information he can send to his constituents to which Mr. Schumacher replied they permit it. Ms. Cannady agreed to forward it to each board member, she was waiting for two answers before sending it. She complimented Supervisor Hotelling for his work to which he elaborated there are details from Lake Placid that are unclear (dating back to 1991). Supervisor Gilpin offered to give him some information provided by Frank Guglielmi (when he was on the board), then reviewed the way changes to the voting policy came about.

With no further board or public comment, the meeting was adjourned.

The meeting was adjourned at 11:15 a.m.

**SUN ‘N LAKE OF SEBRING IMPROVEMENT DISTRICT
BOARD OF SUPERVISORS
ANNUAL LANDOWNER’S MEETING
Friday, January 25, 2019
MINUTES**

The Annual Landowner’s meeting of the Board of Supervisors of Sun ‘n Lake of Sebring Improvement District was held Friday, January 25, 2019, at the Community Center, 3500 Edgewater Drive, Sebring, FL 33872.

The meeting was called to order at 9:02 a.m. by Vice-President Branson

ORDER OF BUSINESS:

There were (approximately) 42 people in attendance. Mr. Michael Gilpin proposed Dr. Wally Edgell for Chairman; a second was provided. Mr. Joe Branson asked if there were other nominations; with no response nominations were closed. They named Dr. Edgell Chairman through unanimous consent.

David Halbig (from the audience) called a point of order, stating that it was his belief nominations must come from the floor (not from the Board of Supervisors). Furthermore, the board is required to leave their seats to join the audience to which Mr. Branson agreed.

Chairman Edgell announced the next item of business would be to open the floor for nominations of a Landowner Secretary. He called for nominations to which Mr. Gilpin nominated Christian Hardman; a second was provided. Chairman Edgell asked if all were in favor; they named Ms. Hardman, Landowner Secretary through unanimous consent.

Next order of business; the approval for the minutes of the Landowner’s Meeting held January 26, 2018. Chairman Edgell announced a copy of the minutes had been provided; however, if anyone from the audience did not review the transcript, it is available on the District’s website. Chairman Edgell asked if all were in favor of approving the minutes of the Landowner’s Meeting held January 26, 2018; they approved the Minutes of the Landowner’s Meeting through unanimous consent.

Next order of business; Annual Report by District Manager. Chairman Edgell gave Tanya Cannady, General Manager the floor to which she presented her 2018 Annual report, noting that if anyone from the audience had not reviewed it, copies were available on the front table. She explained how her report provides a summary of the District's "operational accomplishments and projects" for the 2018 year. The responsibilities of the Board of Supervisors comprises rendering policies, budget adoption and fee schedules to which they held 18 "regular" meetings of the Board of Supervisors with 3 "special" meetings. Each meeting sought to develop District growth in amenities; accomplishments of the board for 2018 included the adoption of a "Strategic Action Plan". This program determines future processes to improve facilities, amenities, operational growth, brand marketing, finance stability and advancement to governance. She extended her appreciation to the board for their commitment to the well-being of the District and its citizens with cooperation from the District management team. She referenced the tragic events that took place earlier in the week, concerning violence enacted at the SunTrust bank. It leaves the community in a state of grief, shock and anger because of one individual's senseless violence. She confirmed how on Tuesday, January 20th, The Sherriff's office administered training with District staff concerning procedures for an "active shooter" situation. The following day the incident at SunTrust bank happened resulting in a shift in priority to ensure the safety of District and Billy Casper employees. Although District Security staff are unarmed, there is a sense of ease for citizens because of their work. The Security department has assisted the Sherriff's office and the District's goal is to maintain this continued partnership. She concluded her report with an extension of her appreciation to the Landowners.

Chairman Edgell voiced his gratitude to Ms. Cannady for her report, then asked if there was Unfinished business. There was no response to which he inquired if there was New business. There was no response to which Chairman Edgell called for Public comment, with instructions to approach the podium and confirm a name (for the record).

Gustavo Ibanez- Greeted the audience and introduced himself as a citizen and contractor/developer. He announced his recent purchase of lots on Granada Boulevard. To connect water services to his new properties he contacted Michael Hurley and Omar DeJesus from the District office. There are no bonds on the property from the District or county, and he affirmed that he is endeavoring to pull permits for the project.

He requested that the Board of Supervisors reduce the cost, mentioning that in 2018 the board spent taxpayer's dollars to seek investors. He asked that the District (as an organization) consider focusing on investors like himself to which Chairman Edgell said the board would address his comments.

James Barnhart- Introduced himself as a citizen living on Matanzas Drive, along with his roommates. His property is located just off of the 14th hole in Deer Run. Because of his property's location he has monitored the landscaping maintenance performed by Mr. Hurley's crew in the drainage ditch for quite some time. He pointed out that this conservation of the area has not taken place for a year. There is also a concern for herbaceous growth that continues to block the view of the golf course to which he asked that these issues be addressed. He moved onto speed bumps, stating two have been installed on Matanzas Drive with a clearing of the brush (roughly 20 feet) by the "Pink Palace". Mr. Barnhart confirmed that location is a speed zone, and asked that the board consider an additional speed bump for that area because there have been too many "close calls".

Chairman Edgell addressed Mr. Hurley and asked if he was familiar with Mr. Barnhart's comments to which he confirmed. He said he agreed, and he is working on fixing it because they had brought it to his attention several days prior.

David Halbig- Requested a moment of silence in memoriam for the victims of the SunTrust Bank shooting. Chairman Edgell agreed and called for a moment of silence. Mr. Halbig asked for the total of residential permits pulled in 2018 to which Mr. DeJesus confirmed there was (approximately) 26 new construction permits pulled for the District.

Chairman Edgell extended his appreciation to the Board of Supervisors, noting the recent resignations. He complimented District staff (at the town hall office) who do a wonderful job, adding that in his experience employees are always professional, smiling and pleasant to interact with.

With no further Public comment, they adjourned the meeting through unanimous consent.

The meeting was adjourned at 9:14 a.m.