

**SUN'N LAKE OF SEBRING IMPROVEMENT DISTRICT
REGULAR MEETING**

A meeting of the Board of Supervisors of the Sun'n Lake of Sebring Improvement District was held on Friday March 4, 2022 at 9:00 a.m. at the Community Center, 3500 Edgewater Drive, Sebring Drive, Sebring, FL 33872

Present and constituting a quorum were:

Ray Brooks	President
Craig Herrick	Vice-President
Beverly Phillips	Supervisor
Michael Gilpin	Supervisor
Michael Hurley	Supervisor

Also present were:

Chris Shoemaker	General Manager
David Schumacher	District Attorney
Amanda Valentine	District Accountant
Joey Sliva	Supervisor of Utilities
Kelly Banks	Recreation Manager
Mike LaMere	Sun'n Lake Golf Club General Manager
Brian Rhodes	Indigo Golf Partners
Ronaldo Mederos	Mid Florida IT

Several Public Attendees

The following is a summary of the minutes and actions taken during the March 4, 2022 Sun'n Lake of Sebring Improvement District Board of Supervisors Meeting.

FIRST ORDER OF BUSINESS

Call to Order (ats: 0:17:20)

- Mr. Brooks called the meeting to order. A quorum was established.

SECOND ORDER OF BUSINESS

Pledge of Allegiance (ats: 0:17:24)

- The Pledge of Allegiance was recited.

THIRD ORDER OF BUSINESS

Announcements (ats: 0:17:53)

- The next regular meeting of the Board of Supervisors will take place on Friday March 18, 2022 at 9:00 a.m. at the Community Center, 3500 Edgewater Drive, Sebring, FL 33872
- Please silence or turn off your cell phones.

- Mr. Brooks added a new category under Unfinished Business with a listing of several items. To him unfinished business will be items they discussed at the last meeting which were left opened, or individuals were asked to get back to them on or they were going to bring back or revisit.

FOURTH ORDER OF BUSINESS

Appointment for Popular Seat on the Board of Supervisors for the Remainder of the Term up for Election November 2022 (ats: 0:19:02)

Mrs. Phillips MOVED to discuss appointment to vacant seat and Mr. Herrick seconded the motion.

- Mr. Shoemaker indicated two were two names submitted for consideration for the remainder of term of Mr. Hotelling's seat which will be up for election this November and the seat will change in January. Mr. Francis Johnson who recently ran, and Mr. Mike Hurley recently retired, and these are the two individuals who have submitted their application for consideration.
- Mr. Johnson who has been a resident of Sun'n Lake for approximately one year, introduced himself to the Board and provided an overview.
- Mr. Hurley who has been a resident of Sun'n Lake for over 10 years introduced himself to the Board and provided an overview.

Mr. Herrick MOVED to appoint Mr. Mike Hurley to the vacant seat on the Board and Mrs. Phillips seconded the motion.

- Public comments were received from George Puffenberger on both candidates and Tom Kosty provided his comments on Michael Hurley.

On VOICE vote with Mrs. Phillips, Mr. Herrick, Mr. Brooks, and Mr. Gilpin voting AYE appointing Mr. Mike Hurley to the vacant seat on the Board was approved. 4-0

Let the record reflect Mr. Michael Hurley joined the meeting.

- Mr. Schumacher being a notary of the State of Florida administered the Oath of Office to Mr. Hurley.
- Mr. Brooks advised Mr. Johnson there are two seats coming up at the next election and he would like the opportunity to talk and meet with him to discuss this if he is interested.

FIFTH ORDER OF BUSINESS

Consent Agenda (ats: 0:31:13)

A. Minutes of the Board of Supervisors Regular Meeting held February 18, 2022

Mr. Gilpin MOVED to approve the consent agenda and Mr. Herrick seconded it.

- Mr. Brooks asked if there were any comments on the minutes. Mr. Brooks had two corrections which he relayed to Mr. Shoemaker. He asked if there were any public comments, there being none,

On VOICE vote with Mrs. Philips, Mr. Herrick, Mr. Brooks, Mr. Hurley and Mr. Gilpin voting AYE, the consent agenda was approved. 5-0

SIXTH ORDER OF BUSINESS

Public Comment (ats: 1:20:11)

- Public comments were received from George Puffenberger and Mark Camp on the following:
 - Code enforcement
 - Incomplete Practice bunker
 - Membership directory not available online
 - The greens are in the worst shape
 - Cart paths
 - Restaurant concerns
 - Inquiry about quarterly meetings with Troon Management

SEVENTH ORDER OF BUSINESS

Message from Commissioner Scott Kiroauc (ats: 0:40:23)

- Commissioner Kiroauc reported on the extra garbage can pick up. He informed the Board if residents want to surrender a can this needs to be reported to the County. The County

phone number will be placed in the next newsletter which will be distributed with the March utility bill for the residents to call and report their desire to surrender their extra garbage can.

- The deadline for residents to surrender the extra garbage can will be April 15, 2022 and Mr. Shoemaker will appoint a staff member who will maintain the list of residents who have made the request to surrender their extra garbage can.
- Mr. Kiroauc received an email from one of the Districts' residents regarding the ARPA funding which the County awards. He has communicated with Mr. Brooks about this briefly as well with the County Administrator.
- If the District would like to submit a list of projects which they are working on, he has spoken with his County staff, who will look at each of those projects and see if any of them would be eligible for current funding under the Treasury guide.
- Mr. Brooks asked if there was a specific way, they wanted this submitted. Commissioner Kiroauc's preference would be if someone could report to the Districts' General Manager who can submit it to the County Administrator. He will be brought up to date on the list and as they go through them, he will return to the Board on this.
- Mr. Brooks mentioned possible projects: utilities & recreation, the plant and Schumacher. Commissioner Kiroauc stated the Treasury Department has made some changes to the guidelines for ARPA funding and they would have to look at each of these projects and get more details. If his staff needs additional details on these projects a consultant whom the County contracted will look at all these projects and their eligibility. Further discussion ensued on this matter.
- Public comments were received from Dave Halbig, Tom Kosty and George Puffenberger to Mr. Kiroauc regarding:
 - The ARPA application and guideline process.
 - GATOR to come out and discuss the road deficiencies.
 - The alternative if you surrender your garbage cans.
- Ms. Fells once again provided the information for surrendering one's garbage can and Mr. Brooks suggested they compile a list, if it is a short list, they can go the telephone route

and residents call individually. However, if the list is long, it would be better off providing the list to the County.

EIGHTH ORDER OF BUSINESS

Action Agenda (ats: 0:54:17)

A. Proposed Water Wastewater Facility Development Charge Study

Mr. Gilpin MOVED to approve the proposed water wastewater facility development charge study and Mrs. Phillips seconded the motion.
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- Mr. Shoemaker stated this proposal is for water and wastewater capacity fee, and is also called a connection fee which home builders and developers pay to the utility as a fee to hook up their water and sewer. They are basically paying for the construction of the system. The District engaged with Florida Water World Association to do a report and come up with the calculation on what this fee should be and they have presented two different figures, one is a useful life and the other is a total replacement cost. Mr. Shoemaker introduced Mr. Sterling Carrol with the Florida Water Association who is going to provide remarks about the study and data and answer any questions. Due to technical issues, Mr. Carrol was unable to join the meeting, but Mr. Shoemaker provided an overview of the report to the Board.
- Mr. Brooks asked if they decide on something today do adopt it in two weeks do they have to notify the public on what they are doing?
- Mr. Shoemaker asked the Board to set a public hearing which will be noticed in the newspaper so these numbers can be presented before the Board to make a decision. Mr. Brooks stated if they wanted to do anything, such as make changes to the rates it will be placed in the newspaper, and they will come back to discuss these rates which will take effect 30-days after the public hearing. This fee is typically paid by the home builder whether it is a private resident, or the company building this as they pass this right on and the only individuals these impacts are new homeowners.
- Mr. Shoemaker suggested implementing the useful life portion over a two-year period.
- Mr. Brooks asked if the Board had any questions, comments, or recommendations on this survey.

- Mr. Hurley asked about early payment. Mr. Shoemaker stated they will be paying a higher rate but once the public hearing has occurred the Board will officially approve what level of increase it will be and this goes into effect 30-days after the public hearing. Further discussion ensued on this matter.
- The question was asked whether a motion would be needed. Mr. Schumacher wanted to ensure he understood there was nothing to approve today. Mr. Brooks' understanding of this was they had to decide amongst the Board what they would like to do.
- Mr. Brooks asked for any public comments on this discussion.
- Public comments were received from David Halbrig and Tom Kosty regarding:
 - Impact fees and this being placed into an impact fee bucket.
 - The County's status on impact fees which Mr. Shoemaker explained.

Mr. Herrick MOVED to go with remaining life figures and implement it over two years and set a public hearing on March 18, 2022 and Mr. Gilpin seconded the motion.

On VOICE vote with Mrs. Phillips, Mr. Herrick, Mr. Brooks, Mr. Gilpin and Mr. Hurley all voting AYE to go with the remaining life figures and implement over two years and set a public hearing on March 18, 2022 was approved. 5-0

B. Proposed Adoption Revised Golf Rules and Regulations

Mr. Gilpin MOVED to approve the revised golf rules and regulations and Mr. Herrick seconded the motion.

- Mr. Herrick commented on this and indicated he believes it is related to an issue with a resident and they were asked to make adjustments to show more compassion to their residents/members on how they handle disabilities. Adjustments were made and he believes the altering they have done is successful.
- Mr. LaMere stated as it relates to the rules, option 1 is the one always used. A couple of months ago they spoke about two other options and narrowed it down to adding just the

second option. These are the two options the Board agreed upon and this is what he has presented to them today. Mr. Brooks asked if there were any questions from the Board.

- Mr. Brooks asked if he pays two payments, and he gets injured, does the money go toward the second payment or if he pays upfront for the year and he gets injured will the payment apply towards the following year? Mr. Herrick provided his input on this matter.
- Mr. Brooks asked if there were any public comments.
- Public comments were received from George Puffenberger and Dave Halbig.

On VOICE vote with Mrs. Phillips Mr. Gilpin, and Mr. Hurley voting AYE and Mr. Herrick and Mr. Brooks voting NAY the revised golf rules and regulations were approved. 3-2

C. Proposed Dog Park Rules and Regulations (ats: 1:18:01)

Mr. Herrick MOVED to approve the dog park rules and regulations and Mrs. Phillips seconded the motion.

- Mrs. Phillips stated the regulations the Board is looking at are posted on the gate of the Dog Park. The problem is there is no enforcement of these rules, and she is suggesting possibly having some sort of swipe card, or enforcement of the rules.
- Mr. Brooks asked if anyone on the Board had any issues with the rules as they are written, on Board consensus they are good with the rules.
- Mr. Gilpin provided his input in this discussion and indicated he agreed with Mrs. Phillips to a certain degree, but he would like to have the dog park increased and the entrance moved.
- Mr. Schumacher stated he has a call in with the City of Sebring Attorney and is awaiting a return call. He stated the District owns the dog park and they have the right to trespass or ban individuals from the park who violate the rules. He indicated the honor system is what they are on, but this has not been working. Further discussion ensued regarding the dog park and how the dog park was funded.
- Mr. Schumacher thinks it is best to develop a policy for what happens when the rules are broken in the dog park which is complaint driven and he can work with Ms. Fells on this and have it ready for presentation and a vote at the next meeting.

- Ms. Fells stated in the budget documents from that year, it is mentioned APAC funds going for it, but Ms. Valentine does not recall the District actively pursuing those funds.

Mr. Gilpin MOVED to table the dog park rules and regulations until the next meeting and Mr. Hurley seconded the motion.

- Mr. Hurley stated some individuals have been told not bring their dogs as they are aggressive. He recommended signs be placed which tells guests how to file the complaint with a security telephone number.
- Public comments were received from George Puffenberger.

On VOICE vote with Mrs. Phillips, Mr. Herrick Mr. Brooks, Mr. Gilpin and Mr. Hurley voting AYE to table the dog park rules and regulations until the March meeting was approved. 5-0

D. Proposed Purchase of Utility Vehicle (ats: 1:29:13)

- Mr. Shoemaker stated when they were allocating funds for the utility project on February 18, 2022 and in the capital plan for the FY2021-2022 there was \$30,000 in there for a utility truck. He obtained quotes on a four-cylinder cabin, long bed Toyota Tacoma and he received bids back from three dealers. One was really high at \$37,000, their local dealer was at \$33,500, and the dealer at AutoNation, Fort Myers was \$30,200.
- Mr. Shoemaker's recommendation is to purchase the vehicle from AutoNation Fort Myers and they will deliver the truck. Mr. Brooks asked if there were any Board comments.

Mr. Herrick MOVED to approve the purchase of a utility vehicle and Mr. Hurley seconded the motion.

- Mr. Hurley stated the Utility Services does need another vehicle and asked if they checked their Ford and Chevy dealers. Mr. Shoemaker stated they went to Toyota because it is a four cylinder, and he was looking at reliability, price and resale value.

On VOICE vote with Mrs. Phillips, Mr. Herrick, Mr. Brooks, Mr. Gilpin and Mr. Hurley voting AYE the purchase of a utility vehicle in the amount of \$30,200 from AutoNation, Fort Myers was approved. 5-0

E. Proposed Drainage Project (ats: 1:32:10)

- Mr. Brooks stated this is an add on item and as some of these add-ons come, they have to get the information to the Board members.
- Mr. Shoemaker stated this item was approved at the last Board meeting to move forward with the Phase 6 of the drainage plan in the amount of \$99,000 plus \$16,000 for the sod, and this left them about \$40,855. KBL is moving forward with this work, and has some pictures cleaning out Florida Avenue which is part of that work. What was not part of that work was taking that outfall all the way to the Frontage Road where it drains. He asked KDL for a quote to clear the whole area out and bring it out to the eventual outfall which is the Frontage Road, which it drains to and this was \$27,300. This would leave the drainage maintenance line item with a balance of \$13,585.

Mr. Herrick MOVED to approve the drainage project and Mrs. Phillips seconded the motion.

- Mr. Brooks asked if there were any questions about this. He stated when Mr. Shoemaker brought this to his attention with Mr. Jones from KBL he is uncertain why Mr. Jones did not submit this with his original bid without looking at the big picture.
- Mr. Brooks asked if there were any Board or public comments, there being none,

On VOICE vote with Mrs. Phillips, Mr. Herrick, Mr. Brooks, Mr. Gilpin and Mr. Hurley voting AYE the drainage project in the amount of \$27,300 by KBL was approved. 5-0

F. Proposed Utility Project (ats: 1:35:40)

Mr. Gilpin MOVED to approve the utility project and Mrs. Phillips seconded the motion.

- Mr. Shoemaker stated this is the same thing, them not looking at it holistically as part of the Phase 6 drainage improvements. Between Barbarosa and Almeria there is a 1500-foot run where they are going in to clean the ditch and do maintenance on. Mr. Shoemaker explained what needs to be done.

On VOICE vote with Mrs. Phillips, Mr. Herrick, Mr. Brooks, Mr. Gilpin and Mr. Hurley voting AYE utility project was approved. 5-0

NINTH ORDER OF BUSINESS

Add-in Items (ats: 1:38:11)

- There being none, the next agenda item followed.

TENTH ORDER OF BUSINESS

Petitions and Communications (ats: 1:38:19)

- A. Compliment to Employees with Picture**
 - Mr. Shoemaker stated they received a complimentary letter regarding Mr. Hilts for his help trapping the hogs for the residents.
- B. Information item – Revised Calendar and posted on the website: Recreation and Golf Rates moved from August 19, 2022 to July 22, 2022**
 - The revised schedule was provided for information purposes.

ELEVENTH ORDER OF BUSINESS

General Counsel Report (ats: 1:39:29)

- Mr. Schumacher informed the Board there was some email communications regarding the Castro matter and Mr. Sessums is trying to schedule a phone conference.
- Cliff Rhodes' office has been moving forward on the Avanti issue. There was an email in which he communicated with the Avanti's opposing counsel and they have something set up for the next two weeks to discuss this.
- Discussion was had regarding the bond issue, bond related lawsuit against a resident. He has a next week with Cliff Rhodes.
- Mr. Herrick asked about Granada. Mr. Schumacher met with Bob yesterday and was present when he called Beverly and is waiting on the County to get back to him. The reason why the County is involved is the County can bulldoze or demolish to bring it to code this is what is going to happen those trusses will have to be removed, they do not have the power to do so but all they can do is fine them.

- Mr. Herrick stated he would like to put forward a motion to fine them \$100 a day until it is done. Mr. Schumacher stated when he meets with Bob he will make sure they take the step to start this process. Mr. Herrick stated they have put up with this for years and enough is enough.

TWELFTH ORDER OF BUSINESS**General Manager's Report (ats: 1:42:08)**

- Mr. Shoemaker has a few things in the unfinished business to bring up. There was a question at the last meeting about the number of Unit 12 lots by the District. Ray Hornick has done two acquisitions of the properties and has put in a petition to the County to have the roadways right-of-way vacated, so a letter was submitted to the County making Sun'n Lake the utility provider. Discussion was had regarding the 300 lots and the foreclosure notices which were mailed out and the majority came back as undeliverable. They also checked to see if the assessments had been paid by the "undeliverable", but so far they were not paying the assessments on them.
- Mr. Herrick asked since they are not paying the assessment whether they are taking foreclosure action. Mr. Schumacher stated Cliff Rhodes office is also the one he has been talking to help facilitate the foreclosure process, further discussion ensued on this matter.
- Mr. Brooks asked Mr. Shoemaker to keep them updated on this item as well to ensure Bob is present at the next meeting to discuss this issue.
- Mr. Shoemaker asked two consultants for a rate study as he was looking to raising the water and sewer rates. They are looking to raise them in the top 50% and recapture their costs. The rate case would include potential principle, and interest for borrowing ten million for the Utility Department from the SRF fund. It will also look at cost for any new positions that they recently approved and any other expenses. The rate analysis will go in and look at all their costs and compare it with the average area. He informed them he would like this study done in 60-days and bring it back as part of the budget process. Currently they are the lowest rates in the area, and they are not trying to push them up to the highest rates but would like them to be somewhere in the middle.

THIRTEENTH ORDER OF BUSINESS**Unfinished Business (ats: 1:47:15)****A. Pavement Program Update – Drew Jones**

- Mr. Jones was not present at today's meeting and Mr. Brooks requested he be present at the next meeting.

B. Update on CPR Classes – Ariel Fells

- Ms. Fells provided an update on the CPR classes and indicated April 5th will be the day the classes will take place. She has requested to hold two sessions on the same day which will be hosted by Highland Fire and Rescue. This is a program offered at no cost for the participants, and they are asking for 50 or less participants in the class. Their recdesk software has the capability to do an online sign up so that would be the best way to compile the guest list for that class.
- Mr. Hurley asked about employees and Ms. Fells stated they are doing a different approach for this group. The CPR scheduled for April 5th is hands on and the employees are required to have something a little more in depth such as first aid and the use of AEDs and this is something they will pay for the employees to have. Further discussion ensued regarding CPR for the employees and Ms. Fells was asked to provide the date for the employees to Mr. Brooks.

C. Racquet Club Resurfacing Project for Conversion of Tennis Court for Multi-Use or Construction of New Courts – Ariel Fells

- Ms. Fells stated what they discussed during the budget was an option which they could choose. They can choose to keep it as it is, or they can choose to make the change. What they would recommend to them from staff would come to the Board whenever they start talking about an RFP. Further discussion ensued on this project.
- Mr. Brooks asked if they had a consensus for this project. On Board consensus they will move forward with this project.

D. Update on Heartland Senior Games – Ariel Fells

- Ms. Fells discussed the Heartland Senior games and is seeking approval to host a pickleball tournament at Sun'n Lake between November 1st and 4th. On Board consensus this was approved.

E. Update on Monza Speed Bump Report – Bob Hilt

- Mr. Hilt indicated he did a second study as per the Boards' request on Matanzas and the speeds were slower than what they were in the first study. One of the comments from

the last Board meeting, he went out with his own golf cart and speed gun, and he monitored traffic for an hour and most of the vehicles were travelling at around 20 m.p.h. and the highest speed he got was 28 m.p.h. and only two golf carts passed by.

- He also provided the speed results for Monza. On Board consensus they opted to decline the speed bumps for both streets.

F. Missing Financial Reports for Golf (Nov/Dec/Jan), District (Oct/Nov/Jan) – Amanda Valentine

- Mr. Brooks asked Ms. Valentine if they could present the financials for November, December and January and Ms. Valentine indicated the January financials will be available online next week and all financials will be discussed at the March 18th meeting and hard copies will be provided to each Board member.

G. Code Enforcement Update on Garbage Problems Matanza and Parking on Lawns – Bob Brumfield

- Mr. Puffenberger expressed his concerns regarding enforcing the code regulations on Granada and Mendoza and asked Mr. Shoemaker to reach out to Mr. Eric Longshore, the code enforcer with the County.
- Mr. Brooks requested to have Mr. Brumfield and Mr. Shoemaker bring a list of improvements which need to be made to the code enforcement policies. He also asked what help or support Mr. Brumfield needs to help enforce the code policies. This will be presented at the first meeting in April.
- Mr. Camp inquired about the staff reports and was informed this has been changed to be presented at the second meeting of each month.
- Mr. LaMere discussed the changing of the flags. He requested to change the high visibility yellow and checkered flags. On Board consensus the flags will be changed.

FOURTEENTH ORDER OF BUSINESS

New Business (ats: 2:25:59)

- There being none, the next agenda item followed.

FIFTEENTH ORDER OF BUSINESS

Discussion to/from Board (ats: 2:26:04)

- Public comments were received from Mr. Camp regarding the restaurant, the golf course and staff reports.

March 4, 2022

Sun 'n Lake of Sebring Improvement District

SIXTEENTH ORDER OF BUSINESS

Adjournment (ats: 2:28:04)

- There being no additional business to be brought before the Board, the meeting adjourned at 11:10 a.m.



Ray Brooks, President

