

**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 May 6, 2022 at 9:01 a.m. at the Community Center, 3500 Edgewater 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
Joey Sliva	Utilities
Amanda Valentine	District Accountant
Bob Hilts	Security
Bob Brumfield	Code Enforcement
Jimmy Murphy	Director of Agronomy
Brian Rhodes	Indigo Golf Partners, Regional Director, Operations
Andy Kesling	Head Golf Professional
Deb Border	General Office Clerk

*The following is a summary of the discussions and actions taken during the May 6, 2022 Sun 'n Lake of Sebring Improvement District Board of Supervisors Meeting.*

**FIRST ORDER OF BUSINESS**

**Call to Order (ats:06:40)**

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

**SECOND ORDER OF BUSINESS**

**Pledge of Allegiance (ats:06:42)**

- The Pledge of Allegiance was recited.

**THIRD ORDER OF BUSINESS**

**Announcements (ats: 07:11)**

- The next regular meeting of the Board of Supervisors will take place on Friday May 20, 2022 at 9:00 a.m. at the Community Center, 3500 Edgewater Drive, Sebring, FL 33872.
- Please silence or turn off your cell phones.

**FOURTH ORDER OF BUSINESS**

**Consent Agenda (ats:03:43)**

**A. Minutes of the Board of Supervisors Regular Meeting held April 2, 2022**

Mrs. Phillips MOVED to approve the Minutes of the April 2, 2022 meeting and Mr. Gilpin seconded the motion.

- Mr. Brooks asked if there were any Board or public comments on the minutes, there being none the next item followed.

On VOICE vote with Mrs. Phillips, Mr. Herrick, Mr. Gilpin, Mr. Hurley and Mr. Brooks all voting AYE the minutes of the April 2, 2022 meeting was approved. 5-0

**B. Treasurer's Report, March 2022**

Mr. Gilpin MOVED to approve the Treasurer's Report for March 2022 and Mrs. Phillips seconded the motion.

- Mr. Brooks asked if there were any Board comments. Mr. Herrick stated they had half a million dollars for roads and drainage and asked what was the significant item that made it go up so high. Mr. Shoemaker stated there was \$275,000 of maintenance items and they expended all that money. There is another \$75,000 left for repairs. Mr. Brooks asked if there were any other Board comments.
- Mr. Brooks asked if there were any public comments, there being none,

On VOICE vote with Mr. Herrick, Mr. Gilpin, Mr. Hurley, Mrs. Phillips and Mr. Brooks the Treasurer's Report for March 2022 was approved. 5-0

**C. Golf Financial Report, March 2022**

Mr. Gilpin MOVED to approve the Golf financial report for March 2022 and Mrs. Phillips seconded the motion.

- Mr. Brooks stated what they are going to do since he believes we caught them off guard and this was added at the last minutes and the Golf team was not aware of it. If there are any questions, they will take notes and get back to the Board. Since the Board just received the report, and not prepared to discuss this, this item will be tabled until the next meeting.

Mr. Hurley MOVED to table Golf Financial Report for March 2022 to the next Board meeting and Mr. Herrick seconded the motion.

On VOICE vote with Mr. Gilpin, Mr. Hurley, Mrs. Phillips, Mr. Herrick and Mr. Brooks all voting AYE Golf Financial Report for March 2022 was tabled. 5-0

**FIFTH ORDER OF BUSINESS**

**Public Comment (ats:12:46)**

- There being no comments, the next agenda item followed.

**SIXTH ORDER OF BUSINESS**

**Message from Commissioner Scott Kirouac (ats: 13:02)**

- Commissioner Kirouac discussed the following:
  - ARPA funding request is moving forward to the Board for presentation.
  - Paving all the way down Cortez but not the entire length. This will save money and alleviate concerns to property owners to the South.
  - Recycling facilities did work out an agreement with Avon Park now that they have worked out the interlocal agreement all the costs have been approved.
  - Construction of the facilities will be starting shortly Lake Placid will be the first to come online then probably Sebring followed by Avon Park.
  - Mr. Kirouac spoke to the County Administrator who will reach out to Mr. Shoemaker and working on picking up any recycling bins they discussed. Mr. Brooks stated he did not want to drag this on too long since the resident had been notified about a month ago that this was going to happen.

- Mr. Kirouac has spoken with staff, and they are very flexible. If there are any citizens unable to physically bring their bins to the facility due to physical limitations, he asked to get a list of those individuals and they would coordinate an effort possibly a Saturday with Waste Connections and go around and pick up those cans for those individuals.
- Mr. Shoemaker was asked when this could be finalized and he stated as far as them getting involved, they can put it together rather quickly and make a space at the maintenance facility.
- Mr. Brooks stated once they get this in motion it will take a while for everyone to get their cans as he is sure they are not waiting at home to get their extra cans.
- It was suggested to set a pick-up date and residents are asked to put the bins at the end of the driveways and have the trailer pick them up.
- Many of the Northerners have already returned home but should be able to get their bins picked up when they return.
- Further discussion ensued on this matter.

**SEVENTH ORDER OF BUSINESS**

**Action Agenda (ats:19:50)**

**A. Request for Legal Fees for Foreclosure**

Mr. Gilpin MOVED to approve retainer agreement with Sokolof Remtulla, PLLC, Attorneys at Law dated April 26, 2022 and payment of \$102,600 retainer fee for the 76-foreclosure actions and Mr. Herrick seconded the motion.

- The Fiscal Year 2021-2022 budget includes \$55,000 for legal fees, foreclosure and liens with a \$50,000 account balance. There is a potential liability of \$167,200 ( $\$2,200 \times 76$ ), the expenditure will exceed the budgeted funds by \$117,200. There will be additional expenditures if there are defenses filed.
- The District should recoup these funds as the settlement funds are first directed to the reimbursement of expenses. The reimbursement is done at the end of the process so it could be 3-6 months for all the expenses to be recovered. There will be a limited number

of cases which may not be completed or may take an inordinate amount of time to settle. These cases should only represent 10% of the total files, or less than either case or less than \$20,000.

On VOICE vote with Mr. Herrick Mr. Gilpin, Mr. Hurley, Mrs. Phillips and Mr. Brooks all voting AYE the retainer agreement with Sokolof Remtulla, PLLC, Attorneys at Law dated April 26, 2022 and payment of \$102,600 retainer fee for the 76-foreclosure actions were approved. 5-0

**B. Proposal Utility Project**

Mr. Herrick MOVED to approve the utility project proposal and Mr. Gilpin seconded the motion.

- Discussion was had regarding the maintenance purposes for utilities. It was indicated this item is already budgeted.
- This is for wastewater surge tank backup, as the current one is failing.

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

**EIGHTH ORDER OF BUSINESS**

**Add-on Items (ats: 26:22)**

- There being no add-on items the next agenda item followed.

**NINTH ORDER OF BUSINESS**

**Petitions and Communications (ats:26:37)**

- Mr. Brooks received a positive recognition email for Bob Hilt. The email stated his professionalism and responding promptly as well as the excellent experience the resident encountered with Mr. Hilt. The Board was pleased about receiving this positive comment.

**TENTH ORDER OF BUSINESS**

**Staff Reports (ats:27:34)**

**A. Golf Report**

- The vendor, Brooker fence was able to come earlier than planned and complete the fence installation.

- Sunday is the Mother's Day buffet, and they currently have over 400 reservations.
- He informed the Board they have hired two new key employees. They have hired an administrative assistant who is like a membership administrator her name is Dee Petty. They have also hired a new food and beverage manager, Sandra Durban, she started on Monday.
- Mr. Herrick inquired as indicated on the sheet handed in today whether the new hire for Food and Beverage it seems she will be responsible for both sides of the house. The Board was informed their focus will be the front of the house to ensure it is operating correctly and with more efficiency they want to ensure to make the service great. Further discussion ensued on this matter.
- Discussion was had regarding protocol for two golf players per cart which is the policy the Golf Department follows. Mr. Herrick questioned what the issue was of using private carts. Mr. LaMere stated during the pandemic the club had cart shortages and allowed members to use their own but are now going to back to what the Board agreed upon.
- Mr. Murphy is happy with the greens and indicated aeration on the Turtle Run will begin on May 23<sup>rd</sup> and Deer Run the aeration is done. Spot treatments are continuing.
- The Board asked that they do not skip on the fertilization and the Golf Department continue to come to the Board and show the costs. The Board indicated no vote or objection to spend the money since it is already in the budget.

**B. General Counsel Report (ats: 40:30)**

- Mr. Schumacher presented his report and discussed the following:
  - Ongoing litigations
  - Discovery requests
- He met with Ms. Valentine regarding accounting issues which she is working on.
- He discussed how the phase five bond which is Auckland versus what is called the Bond 44 which is fifth-third which Ms. Valentine is working on those responses.
- The Avante matter is going to be a bit bigger deal.
- Mr. Rhodes is wanting to amend pleadings and is wanting to speak to someone at the District who has the most knowledge about the water meter issue and the warranty

violations. He indicated the person who knew the most was Omar, but he is no longer with the organization. Further discussion ensued on this matter.

**C. General Managers' Report (ats: 42:46)**

- Mr. Shoemaker presented his report on:
  - Received correspondence from the folks at the Pink palace regarding repairing the drainage out front. They were concerned about the liability with it causing some damage to their parking on their property. So, they will be out there in the next couple of weeks cleaning the ditch before the rainy season starts.
  - They are waiting on the facilities plan for the SRF for the utility and stormwater budget. He stated he had the draft from the stormwater from Polston, but they should have it in the next week the draft from rural water for the utility side. He was going to try to have the public hearing and present to the Board at the May 20<sup>th</sup> meeting, but it looks like this will be moved to June 3<sup>rd</sup>.
  - Mr. Shoemaker received quotes on the AC replacement for the kitchen which can be done under the \$50,000 budget.
  - Mr. Shoemaker had a meeting with Mr. Jonathan Harrison who is the head of roads and bridges for the County and he came out with their Environmental Manager and another staffer.
  - Look at repairs to stormwater.
  - Grant application is moving forward, and Mr. Shoemaker will be meeting with Randy, the County Administrator next week, but it looks like they will get some of the money out of this effort.
  - Solid waste - dumpster overflow due to lack of workers. He has had staff fill up dump trucks and bring to the landfill. He indicated residents have been throwing their trash in the dumpster, but he will have to put a sign up that this is not allowed.

- Mr. Brooks mentioned the General Election and indicated they have to register by June 13<sup>th</sup> to 17<sup>th</sup>. They are getting ready to get the noticed published in the newspaper, newsletter, District website and a flier to provide quick notification to the public.
- Mr. Gilpin asked Mr. Shoemaker to speak to Debra at Manor regarding the speedbumps.
- Mr. Brooks indicated Ms. Fells was supposed to provide an update on the safety of the playground equipment and questioned if there were any issues or anything which need attention. Mr. Shoemaker stated the glaring issues when they were addressing a lot of the deficiencies in the insurance report they received were taken out. Mr. Shoemaker stated all the metal that could cause injury to a child has been pulled out. He indicated no formal inspection has occurred as yet but anything that could cause a danger has been fixed.
- Mr. Gilpin also inquired why Ms. Fells was not in attendance. Mr. Shoemaker stated she has taken her long-standing vacation due to her anniversary and both Ms. Fells and Mrs. Banks are out today.
- Mr. Brooks asked if there were any public comments.
  - Mr. Bill Norcross commented on:
    - Safety
    - Lightning struck over Myrtle Beach and wanted to inform the Board so they are aware of a 3 to 5 minute delay if the GPS is not working. Mr. Norcross was informed this is an EMT-Fire Department issue and they should be reminded.

**ELEVENTH ORDER OF BUSINESS**

**Unfinished Business (ats: 54:41)**

**A. Update on Facility Inspection Report dated January 13, 2022**

- Mr. Shoemaker indicated everything on the insurance company list has been addressed.
- They have holders for the torches, if you go back to the Golf and public Works facility. They have new:



- Eye washes
- First aid kits
- Working on lights for the vehicles
- Looking at work on the bridge going out to the island
- Mr. Brooks stated Mr. Shoemaker should inform him at the next meeting and indicate it is complete and he is pleased with the progress versus going through page by page. As well, Mr. Gilpin feels something like this should be scheduled 2 to 3 years to confirm Sun'n Lake is complying.

**B. Revised Deer Run Irrigation Project Course Closure**

- There seems to be a discrepancy on the days with 45 days on the front and 30 days on the back. The 15 days they wanted in October was due to the weather. He knows they do not want to go into October and would like this done by September 30, 2022
- Mr. Gilpin commented on the importance of having this done by October. Mr. Herrick commented they do not want an unrealistic date and to note the Board is watching.
- Mr. Brooks commented on referencing correspondences received with estimated dates which said it would be completed October 15 and Golf opens on October 16. Mr. Herrick stated it is not up to the Board to state when it will be done. Mr. Hurley stated the weather will control when this gets done.
- Further Board comments were received.
- Mrs. Phillips commented and suggested using a November 1<sup>st</sup> date and come back to the Board with a more accurate date.
- Mr. Brooks stated closing down Turtle Run at any time was not on the report and asked Mr. Murphy to revise the report. Mr. Brooks felt the report was inaccurate and would like this report done accurately. He requested a calendar which shows the full year and requested this calendar be presented at the next meeting.

**C. Review Revised Budget Goals**

- Mr. Brooks indicated he made a mistake which he corrected in the capital. Currently \$1.2 million is a reasonable amount to have. His recommendations after raising the assessment rate, utilities raise \$200,000 to 250,000 there is still \$500,000 and \$600,000

is needed. He believes it will take four years to raise the money and support it and stated this needs to be done now.

- The question was asked whether there are any grant monies for either of the projects. Mr. Shoemaker indicated probably not, but he will continue to look at it and for any alternatives. He added the increase on the connection fees is in a reserve account for expenditures.

**D. Budget Conversation to Explore Golf Marshals/Starters, Job Description and Coverage**

- Mr. Kesslering, Head of Golf Professionals indicated golf will deploy starters and rangers as needed during the non-peak seasons (May to Mid-October).
- They will utilize the ranger to ensure the place of play is under 4.15 hours and the cart procedure is followed.
- At the beginning of March, they will staff a starter and ranger each day of the week. The duties for the ranger will be to track place of play, ensure cart procedures are followed and golfers are taking care of the course and to assist with any other needs. The duties of the starter will be to welcome guest, check guest receipts, track member play, pass along the days hole locations, go over place of play expectations, cart procedures and taking care of course, bathroom and beverage cart service and handicap flag instructions.
- Mr. Herrick commented on this and suggested it should take four hours or less. Mr. Kesslering believes 2.10 hours per nine is sufficient. Mrs. Phillips does not feel 4.15 hours is an unreasonable time. Mr. Herrick understood the expectations. Mr. Kesslering feels it is a fair time limit, as people will want to just have an enjoyable time or they will not know the course, some may drink a bit more and some just are out for a fun time.

**TWELFTH ORDER OF BUSINESS**

**New Business**

- There being no new business, the next agenda item followed.

**THIRTEENTH ORDER OF BUSINESS**

**Discussion to/from Board (ats 1:39:16)**

**A. Recognition of Bob Hilts**

- Recognition of Bob Hilts was discussed earlier in the meeting.
- Mr. Herrick stated because of the importance of them talking into the microphones he would like them to go back and check with Basset and see other alternatives. Mr. Brooks

agreed with Mr. Herrick on this. Mr. Shoemaker indicated he will bring some options to the next meeting.

- Mr. Brooks is going to form a Committee with the Boards' approval. In reviewing, review a list of the equipment which the District currently leases, owns or between all three functions, it is a little over \$4 million dollars' worth of equipment listed. He finds it difficult to decipher and is not totally familiar with it. He thinks it may be in the best interest of the District if they could have one lease agreement representing the District. He suggested the committee be comprised of Mr. Shoemaker, Mr. Murphy, Mr. LaMere, Mr. Sliva and Mr. Hurley.
- Mr. Brooks would like to see if all the leased equipment could go into one lease agreement package since the cost of the lease agreement will be going up. There was a Board consensus on this.
- Mr. Schumacher stated this process will fall under the Sunshine Law. He stated if it is an informational committee where no decision is made but recommendations made then the committee can be formed, and it would be considered a fact-finding committee.
- Mr. Brooks asked they meet as soon as possible and report back to the Board.
- Mr. Hilt discussed the letter of speed from a resident and indicated it seems as though the volume has picked up and there is a concern. Mr. Hilt recommended putting in two speed bumps but noted this is not in the budget and the cost is about \$3,000.
- The Board would like to receive the petition letter prior to them being given to Mr. Hilt. On Board consensus they agreed to purchase the speed bumps.

*Let the record reflect the Board suspended the meeting for a five-minute recess.*

#### **FOURTEENTH ORDER OF BUSINESS**

#### **Budget Workshop (ats:1:58:35)**

##### **A. First Workshop – Golf Fund Only**

- Mr. Brooks feels the department is not right and the golf report is incorrect.
- Mr. Murphy stated they will go through an in-depth review as he believes they can get accurate numbers, but he is concerned they are going to see double digit inflations with their suppliers.

- Mr. Rhodes informed the Board he would have the golf budget completed by next Friday and the numbers will be close by working to keep the budget down and keeping the 5% increase.
- Mr. Gilpin commented and stated they need to make sure the operation and budget are correct.
- Mr. Brooks indicated in reviewing the organizational chart handed out, he is concerned there is not enough supporting management in the restaurant. He stated in order for the Board to feel comfortable they would like to see a breakdown.
- Mr. Brooks asked if switching the nines on Deer Run to utilize the Shack during peak season. Only four Board members agreed with this.

**B. Budget Planning Process**

- Mr. Brooks sent out a revised budget planning process as he had to make some revisions. He made an error in the one he originally did
- Discussion was had regarding the budget planning process.
- Further discussion ensued on this matter.

**FIFTEENTH ORDER OF BUSINESS**

**Future Meetings**

**May 20, 2022**

- A. Revisit Golf Recommendations on Course Maintenance
- B. Update Recommendations/Specifics on Security and Code Enforcement

**June 3, 2022**

- C. Revisit Listings of All Equipment Used by the District and Indigo

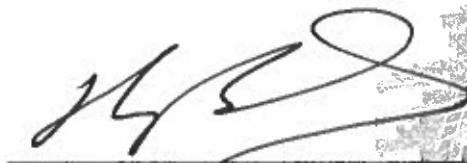
**June 17, 2022**

- D. Update for Community Newsletter
- E. Discussion on Popular/Landowner's Seat on the Board

**SIXTEENTH ORDER OF BUSINESS**

**Adjournment (ats: 2:43:44)**

- There being no additional business to be brought before the Board, the meeting adjourned at 11:36 A.M.



Ray Brooks, President

