

**MINUTES OF MEETING
TOSCANA ISLES
COMMUNITY DEVELOPMENT DISTRICT**

The Board of Supervisors of the Toscana Isles Community Development District held a Regular Meeting on January 27, 2021, at 10:00 a.m., at the Comfort Suites Sarasota - Siesta Key, 5690 Honore Avenue, Sarasota, Florida 34233.

Present were:

Alex Hays	Chair
Brian Watson	Vice Chair
Daniel Peshkin	Assistant Secretary
Jeffrey Sweater	Assistant Secretary
Michael LaBoe	Assistant Secretary

Also present were:

Cindy Cerbone	District Manager
Daniel Rom	Wrathell, Hunt and Associates, LLC
John Vericker	District Counsel
Thomas Hart	Resident
Steve Wood	Resident
David Lewis	Resident
Erika Lewis	Resident
Tom Gerson	Resident
Jeanne Foley	Resident

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Ms. Cerbone called the meeting to order at 10:00 a.m. All Supervisors were present.

SECOND ORDER OF BUSINESS

Public Comments

Resident Steve Wood was concerned about the structural cracks in the roads and in the curbs and asked what the Board intended to do. He felt that the CDD should not have been billed for any repairs, as the work should be under warranty.

THIRD ORDER OF BUSINESS**Discussion: CDD Roadways**

Mr. Hays provided Ms. Cerbone with a thumb drive containing information related to the District's construction plans, as well as roadway and curbing reports and letters from the District's Civil Engineer and the Geotechnical Engineer. He read portions of the letters that were distributed to the Board, describing the inspections and testing that was done, which deemed the material used met or exceeded the requirements and that elements of the roadways were not deficient; cracks were typical and simply an aesthetic issue. Another engineering firm was engaged to perform a peer review of all the testing and perform an on-site inspection, which, if available, would be presented at the next meeting.

Mr. LaBoe stated the question remained as to why the CDD is paying for this service and using the 2018 Series bond funds to address Unit I issues, when, in his opinion, these issues should be under warranty and corrected by the original contractor. A Board Member discussed the original contract and stated that, to get the original contractor to make repairs, the District would need to provide proof the project was not completed to the specifications, which would be difficult to prove.

Mr. LaBoe and Mr. Sweater discussed comparing the contractor's technical specifications for Units I and II, against the City, State and County municipality requirements. Mr. LaBoe asked Mr. Hays whether he believed the contractors used the correct specifications for the projects. Mr. Hays referred to the Engineers' letters and stated he relies on the licensed opinions, which stated the roadway and curbing projects were constructed properly. Mr. Sweater asked how often sealing the roadways is scheduled and if the District budgeted for those costs. Discussion ensued regarding identifying a structural crack, as opposed to a cosmetic crack. Mr. LaBoe asked who would pay if structural repairs in Unit II are identified if bond funds are depleted. He believed that, by then, the Board would be comprised of residents and the District may need to issue a bond to repair these issues. Ending further discussion until the Peer Review Report is presented at the next meeting was suggested.

Mr. LaBoe continued asking Mr. Peshkin why Mr. Hays identified curbs at various areas in Unit I in need of repairs without knowing if they were structural. He stated that he has several photographs taken in Unit II and he asked to review them with City and County staff in order to get the contractor to address the issues.

Mr. Vericker stated that it is the District's responsibility to ensure the contract was fully performed, which was confirmed by two Engineers and the District was now waiting on confirmation from the upcoming Peer Review Report. In the event of a problem, the District would pursue recourse from the appropriate party. Mr. Hays discussed the duties of Board Members, who typically make judgment calls to improve the aesthetics of an area and noted that the reports prove there are no structural issues. Discussion ensued regarding the process for making repairs being dependent on judgment, the District's maintenance responsibilities and concerns that residents would be stuck with additional repair costs.

MR. VERICKER'S COMMENTS AND RESPONSES WERE

TRANSCRIBED VERBATIM, PER THE DISTRICT MANAGER'S REQUEST

Mr. Vericker: One area where you see it a lot, not roads, is the ponds. You may see a pond that is 20 years old that is still functioning as a retention pond, and we see a lot with people who would like a clear, clean pond with nothing in it. Well that is an aesthetic thing, whether you like plants in your pond or no plants, and that is a judgment call. That will be the kind of thing, in many years from now, that the District will decide whether they want full on expensive treatment because it looks prettier, even though it is functioning. So, there will be things like that, that are aesthetic versus not, and that has nothing to do with roadways, but, that is an example of something that the Board will have to think about it, as a right of the Board for differences of opinion.

Mr. LaBoe asked questions about the process for inspections with the contractor, as Mr. Hays referred to the opinion letters. Mr. LaBoe, in response to a request, stated he would give Ms. Cerbone access to a file of over 200 photographs to forward to the Board.

Ms. Cerbone welcomed members of the public and introduced herself, Board Members and District Staff. In response to the question of whether any members of the public were attending via telephone, no one spoke. She distributed her business card and asked that they email her any document requests and call her or a Board Member with questions or concerns.

Ms. Cerbone discussed the District's Rules of Procedure regarding how meetings and public comments are conducted and stated that neither Board Members or Staff were required to respond to public comments or answer any questions during the meeting but they can, at the discretion of the Board. She asked residents to use the Sign-In Sheet for attendance

purposes and complete the Speakers' Sign-in Sheet if they wished to make any comment. She noted that the entire agenda package could be accessed on the District's website.

FOURTH ORDER OF BUSINESS**Discussion: Requisition(s)**

Ms. Cerbone explained the requisition process and noted that the Developer asked for requisitions to be placed on the agenda, for transparency, although it is not required.

The Board agreed to hear public comments.

In response to a question, Ms. Cerbone reiterated that the Developer asked for requisitions to be placed on the agenda but it is not a requirement since there is a stipulation in the bond validation process that validated the Capital Improvement Plan (CIP) and allows the District Engineer to prepare requisitions, review supporting documents and certify that the requisition expenses met certain criteria. The Chair also reviews the requisitions before they are submitted to Management for transmittal to the Trustee to release the construction funds.

Discussion ensued regarding the District adhering to Florida State and Local statutes. Mr. Sweater and Mr. LaBoe noted that the District Engineer and Chair reviewed, approved and paid the upcoming requisitions and that approval from the entire Board was not required.

Before the requisitions were presented, Mr. LaBoe stated he did not believe the District should have paid Requisition No. 235 for Unit I but paid for with Unit II bond funds, as he felt that the expense should be charged back to the original contractor. He believed the repairs were structural. Mr. Hays recalled the opinion given at the last meeting. Mr. Vericker opined that some items overlapped in the Master Plan, in that Unit II funding could be used for Unit I expenses, as long as the District Engineer reviewed and certified the requisitions. Mr. LaBoe stated that he would make comments regarding Requisitions #227 and #237 during the Tenth Order of Business.

Ms. Cerbone read each of the following requisitions into the record:

- A. No. 227, Lopez Painting, LLC {\$1,750.00}**
- B. No. 228, AM Engineering, LLC [\$15,987.65]**
- C. No. 229, Rusty Plumbing Company, Inc. [\$50,446.33]**
- D. No. 230, Guy's Hauling & Dumpster Service, Inc. [\$95.00]**
- E. No. 231, Juniper Landscaping of Florida, LLC [\$2,390.69]**

- F. No. 232, Pennuto Underground Cable and Conduit, Inc. [\$1,120.00]
- G. No. 233, Guy's Hauling & Dumpster Service, Inc. [\$521.92]
- H. No. 234, Solitude Lake Management, LLC [\$45,123.00]
- I. No. 235, Curbco, Inc. [\$28,440.00]
- J. No. 236, Commercial Residential Aluminum & Fabricating, LLC [\$600.00]
- K. No. 237, Becerra Construction of Central Florida, Inc. [\$3,500.00]
- L. No. 238, LALP Development, LLC [\$2,413.55]
- M. No. 239, T-Top Electric, LLC [\$4,750.00]
- N. No. 240, Sarasota Land Services, Inc. [\$113,754.42]

On MOTION by Mr. Watson and seconded by Mr. Peshkin, with Mr. Watson, Mr. Peshkin, Mr. Hays and Mr. Sweater in favor and Mr. LaBoe dissenting, Requisitions No. 227 through 240, as presented by Ms. Cerbone, were ratified. [Motion passed 4-1]

FIFTH ORDER OF BUSINESS

Ratification of Agreement(s),
Contract(s)/Change Order(s)/ Purchase
Order(s)/Proposal(s)

Mr. LaBoe and Mr. Sweater agreed to proceed with ratifying the items listed below, as the documents were already processed. Mr. LaBoe referred to Agenda Item 5D and voiced his opinion that the Contractor did not perform a very good job and stated that he would comment on this during the Tenth Order of Business.

Ms. Cerbone presented the following items individually, with the dollar amount for each:

A. Juniper Landscaping of Florida, LLC

I. Main Line Re-Route for Utility and Road Construction – Irrigation (No. 97000)

Amount: \$5,888.20

II. Screening Material for South Side of Center Roundabout (No. 97094)

Amount: \$3,360.14

III. Sod Repairs from Rip-Rap Installation and Stock Piles (No. 96970)

Amount: \$3,405

- B. Nostalgic Lampposts & Mailboxes PLUS, Estimate #1712, Street Sign Blades and Speed Limit Signs**
Amount: \$8,245
- C. CRA (Commercial Residential Aluminum), Installation of Seamless Gutters Around New Mailbox Structure**
Amount: \$600
- D. Kleaning Krew Pros, Pressure Wash Area Next to Mailbox Structure, Tennis Court Portion Near Mailbox Structure, Perm Cast Wall Sections (11) Sections 9' x 9' Each Agreements**
Amount: \$500
- E. Permacast, LLC, Supply and Installation of Precast Concrete Panel Fencing**
- **Re-Contracting for Fence Installation Removed from Phase 5 Contract and Addition of Fence Re-Installation at Median Bump-Outs**
- Amount: \$138,995
- F. Wetland Management Services, Nuisance Exotic Removal & Planting**
Amount: \$6,657.45
- G. Phase 7 Roadway Paver Agreement with Pat O'Hara Pavers, Inc.**
Not-to-exceed amount: \$40,000
- H. Rusty Plumbing Co., Inc.**
- I. Change Order Number Four, Phase 5 & 6**
- **Install and Remove Temporary Watermain Jumpers Based on Phasing of Utility Turnover**
- Amount: \$29,125
- II. Change Order Number One, Phase 7**
- **Removal of Median Bump-Out Fencing and Installation of Storm Pipe Under Lift Station Driveway**
- Amount: \$6,381.80
- I. Sarasota Land Services, Inc.**
- I. Change Order #1, Phase 7**
- **Addition of Offsite Turn Lane Work for Secondary Entry**

Amount: \$120,464.68

II. Change Order #8, Phase 5 & 6

- **Miscellaneous Grading and Clean-up Upon Completion of Various Phase 5 Work**

Amount: \$18,569.55

III. Change Order #9, Phase 5 & 6

- a. Credit for Phase 5 & 6 Work Removed from Scope**

Amount: \$101,282.25 credited, of which a portion was applied to Item 5I.III.b, which resulted in a net credit of \$33,946.25.

- b. Update to Knights Trail Sidewalk Unit Price**

Amount: \$67,336

IV. Change Order #10, Phase 5 & 6:

Correction of a scrivener error noting the substantial completion date was February 1, 2022. Ms. Cerbone explained the reason for the error, which caused the scrivener error in Section 3.3 of the Agreement.

In response to Mr. Sweater's question regarding Item 5D, Mr. Hays stated the contractor was engaged to perform tasks in other areas; he was still working on addressing the other issue.

On MOTION by Mr. Hays and seconded by Mr. Peshkin, with all in favor, the Items 5A through 5I, as presented, were ratified and/or approved.

SIXTH ORDER OF BUSINESS

Ratification of Utility Turnover Documents

Ms. Cerbone presented the following items:

- A. City of Venice - Unit II, Phase 7 Guarantee**
- B. City of Venice - Unit II, Phase 7 Affidavit of No Liens**
- C. City of Venice - Unit II, Phase 7 Bill of Sale**
- D. City of Venice - Unit II, Phase 7 Certification of No Contribution**

Mr. Hays identified the locations of the utility improvements in Phase 7 and noted that just the water main utility would be conveyed to the City, as the wastewater utility would be

conveyed to Sarasota County. He stated that portions of the CDD's wastewater systems were under the jurisdiction of the City and Sarasota County. Zoning was discussed. Mr. Hays stated that the entire CDD was annexed into the City around 2006 but, despite annexation, when the County created an Improvement District, certain areas of the CDD's wastewater systems were now under the County's jurisdiction.

On MOTION by Mr. Watson and seconded by Mr. Sweater, with all in favor, the Utility Turnover Documents for Unit II, Phase 7, Items 6A through 6 D, as presented, were ratified.

SEVENTH ORDER OF BUSINESS

Acceptance of Unaudited Financial Statements as of November 30, 2020

Ms. Cerbone presented the Unaudited Financial Statements as of November 30, 2020.

On MOTION by Mr. Hays and seconded by Mr. Peshkin with all in favor, the Unaudited Financial Statements as of November 30, 2020, were accepted.

EIGHTH ORDER OF BUSINESS

Approval of Minutes

- A. December 2, 2020 Regular Meeting
- B. December 16, 2020 Regular Meeting

Ms. Cerbone presented the Meeting Minutes listed above.

On MOTION by Mr. Sweater and seconded by Mr. Hays, with Mr. Sweater, Hays, Mr. Peshkin and Mr. Watson in favor and Mr. LaBoe dissenting, the December 2, 2020 Regular Meeting and the December 16, 2020 Regular Meeting Minutes, as presented, were approved. [Motion passed 4-1]

Mr. Sweater asked Mr. LaBoe for his reason for objecting to approval of the meeting minutes. Mr. LaBoe stated it was because his request to incorporate his edits verbatim in the prior meeting was voted down and not on record.

NINTH ORDER OF BUSINESS

Staff Reports

A. District Counsel: *Straley Robin Vericker*

There being no report, the next item followed.

B. District Engineer: *AM Engineering, LLC*

There being no report, the next item followed.

C. District Manager: *Wrathell, Hunt and Associates, LLC***I. Update from HOA Regarding Clubhouse Availability**

Ms. Cerbone stated that, as part of the Board's directive for monthly updates, the Property Management's response was that The Clubhouse is not accepting reservations at this time. The Clubhouse had not made changes to its guidelines and did not know when restrictions would be lifted.

Mr. Sweater stated he heard The Clubhouse was basing its decisions on the Center for Disease Control (CDC) guidelines and, once the CDC approves gatherings, The Clubhouse would follow suit.

II. Discussion: Potential Meeting Location – Elks Club, 1021 Discovery Way, Nokomis, Florida 34275

Ms. Cerbone stated that, after touring the Elks Lodge facilities and waiting on pricing, the Comfort Suites asked her to finalize the agreement and payment in order to hold the meeting rooms for the remainder of Fiscal Year 2021. As she was unable to comply, the February and May meeting dates were no longer available to the District. She compared the rates and criteria of the Elks Lodge and Comfort Suites and discussed additional advertising costs if the Board does not select one meeting location for the year. The added expenses may require a budget amendment for Fiscal Year 2021 and adding a new line item to the Fiscal Year 2022 budget.

Mr. Hays suggested reserving the Comfort Suites for the remainder of Fiscal Year 2021, as meetings extend past an hour, and then reconsider the meeting location matter for next year. Mr. LaBoe expressed his opinion that it is more appropriate to hold meetings at the Elks Lodge and continue with monthly updates from the HOA, in order to accommodate 40 residents. He believed more residents would be attending future meetings, due to its proximity to the District. Ms. Cerbone discussed her plans, if a meeting room exceeded capacity, and

stated that residents have the option of attending meetings via telephone. She noted that, in light of COVID-19, this was not her only District having difficulty scheduling a facility to accommodate large gatherings. Discussion ensued about the legality of turning residents away. Mr. Vericker stated that, just because it is a public meeting, it does not mean space limitations do not apply. He noted that he attended City and County public meetings that allowed virtual participation once the meeting location reached fire code or CDC capacity limitations.

Mr. Hays discussed his position on the suggestion to hold the next meeting at the Elks Lodge before finalizing the meeting location for the remainder of Fiscal Year 2021. Supervisors Peshkin and Watson supported Mr. Hays' position, as they expected several members of the public would attend and some may need to attend via telephone; however, they did not expect that much participation throughout the remainder of the year. Supervisors LaBoe and Sweater favored holding the meetings at the Elks Lodge for the remainder of Fiscal Year 2021, until The Clubhouse is available.

On MOTION by Mr. LaBoe and seconded by Mr. Sweater, with Mr. LaBoe and Mr. Sweater in favor and Mr. Watson, Mr. Hays and Mr. Peshkin dissenting, holding the remaining Fiscal Year 2021 meetings at the Elks Club, on the fourth Wednesday of each month, was not approved. [Motion failed 2-3]

Ms. Cerbone distributed a new Fiscal Year 2021 Meeting Schedule and noted that there would be no meeting in May, due to the holiday and close schedule of the next meeting. Mr. LaBoe and Mr. Hays voiced differing opinions about the meeting location for the remainder of Fiscal Year 2021.

The Board agreed to hear public comments.

Resident Erika Lewis asked Ms. Cerbone to address her earlier comment about additional costs and asked what happens when The Clubhouse opens, since the CDD would have already paid the Comfort Suites. In her opinion, most residents would attend meetings if they were conducted locally. Ms. Cerbone explained the additional advertising costs incurred when there is more than one meeting schedule and costs when meetings exceed the one hour allotted time. She confirmed that the CDD would lose its payments to the Comfort Suites if the Board chooses to change locations. Ms. Cerbone polled the Board regarding continuing public

comments on this matter. Two wanted to continue with public comments and three wanted to wait until the next Public Comments section.

On MOTION by Mr. Peshkin and seconded by Mr. Hays, with Mr. Peshkin, Mr. Hays and Mr. Watson in favor and Mr. LaBoe and Mr. Sweater dissenting, holding only the February 24, 2021 meeting at the Elks Club and booking the Comfort Suites for the remainder of the new Fiscal Year 2021 Meeting Schedule, was approved. [Motion passed 3-2]

III. Discussion: Discussion: Consideration of Resolution 2021-05, Adopting Policies Regarding the Conduct of Meetings of the Board and Providing for an Effective Date

Ms. Cerbone presented Resolution 2021-05. Mr. Sweater recommended excluding the time limit on meetings, noted in Item (g) of the Resolution. Mr. LaBoe agreed with Mr. Sweater. In response to a request for clarification, Ms. Cerbone explained that, in the verbiage under Item (i), the first sentence "should be provided", was not absolute. She referred to other language in the paragraph. Mr. LaBoe also wanted Item (i) excluded from the Policy.

While presenting a motion, Ms. Cerbone called point of order twice, due to cross talk. Mr. Hays appreciated the way the meeting policies were drafted, as it would help conduct productive meetings. Since Mr. Sweater had no issue with Item (i), Mr. LaBoe and Mr. Sweater amended the original motion to withdraw Item (i).

On MOTION by Mr. LaBoe and seconded by Mr. Sweater, with Mr. LaBoe and Mr. Sweater in favor and Mr. Watson, Mr. Hays and Mr. Peshkin dissenting, Resolution 2021-05, as amended to exclude Item (g), Adopting Policies Regarding the Conduct of Meetings of the Board and Providing for an Effective Date, was not approved. [Motion failed 2-3]

On MOTION by Mr. Hays and seconded by Mr. Peshkin, with Mr. Hays, Mr. Peshkin and Mr. Watson in favor and Mr. LaBoe and Mr. Sweater dissenting, Resolution 2021-05, Adopting Policies Regarding the Conduct of Meetings of the Board and Providing for an Effective Date, was approved. [Motion passed 3-2]

IV. NEXT MEETING DATE: February 23, 2021 at 10:00 A.M.

- **QUORUM CHECK**

The next meeting would be held February 24, 2021 at 10:00 a.m., instead of February 23, 2021. The meeting would be held at the Elks Club, 1021 Discovery Way, Nokomis, Florida 34275.

TENTH ORDER OF BUSINESS

Board Members' Comments/Requests

- **Supervisor LaBoe:**

- A. Mailbox Roof Structure Project**

- **Concrete Dust, Concrete and/or Stucco Material and Paint Adhered to the Surface of the Newly Resurfaced Tennis Court**
 - **Construction Contracts Contract**
 - **Scope of Work**
 - **Subsequent Cleanup of Work Site**

Mr. LaBoe expressed his opinion that the contractor engaged to pressure wash the tennis court, in response to a request made at the prior meeting, caused further damages to the court. He referred to Agenda Items 4A and 4K and payment of Requisitions #227 and #237, which caused the damage resulting from the mailbox roof project and asked how the Board would handle going after the contractors and having this issue remedied. Mr. Hays stated they are working on ways to get the issued corrected. Mr. LaBoe asked for further details, which he believed Mr. Hays should expand upon.

Ms. Cerbone called a point of order, as facilitator of the meeting, and asked Mr. Vericker for direction when Board Members cannot reach a point where both are satisfied with each other's responses. Mr. Vericker advised that, when parties are at an impasse, she, as the person chairing the meeting, has discretion to move on to the next agenda item.

In response to Mr. Hays stating he was working on resolving the issues and Mr. LaBoe's request for a timeframe, Mr. Hays stated there were a lot of moving pieces to this project. As cross talk started again, a Board Member asked if Resolution 2021-05 was in effect now and if these types of questions should be submitted to the District Manager in advance. Mr. Hays

explained again that the Board Chair is designated to manage construction and various aspects of the project and remaining Board Members were typically not involved in the minutia of certain aspects of a project. He noted that all Board Members already agreed that these issues need to be corrected. Mr. Sweater asked Mr. Hays to provide the Board with a plan of action. This item would remain an agenda item for the next meeting.

B. Payment Billed and Paid by D.R. Horton, Inc., Regarding FY2015 Debt Service Assessments and FY2016 Debt Service Assessments

Mr. LaBoe referred to a letter from D.R. Horton's Counsel, acting as their Settlement Agent for the Toscana Isles property, to Mr. Szymonowicz, of Wrathell, Hunt and Associates, LLC, the District's Management firm, requesting assessment information for Unit I Phase I. He compared the debt assessment information from Mr. Szymonowicz against the Final Supplemental Special Assessment Methodology Report and perceived that the District is owed assessments for FY2015 and FY2016 for the various lot sizes. During Mr. LaBoe presenting a motion, Mr. Hays asked for the Board to be provided these documents and given time to listen to the audio and review the information before any determination is made.

Mr. Vericker discussed the Debt Service payment process, which basically pass through the homeowners or the Landowners paying it to the District and the District paying it to the Bond Trustee. The District would have received notification on May 1st or November 1st, if the bond debt payment had not been paid because of a default. Further research needed to be done. Mr. Watson mentioned that the debt service is comprised of interest and principal payments and was a requirement of the Bond Indenture. Mr. Vericker noted the amortization schedule. In response to other Board Members obtaining the documents, Mr. LaBoe stated his analysis was based on the documents he received directly from Ms. Cerbone. Mr. LaBoe discussed proceeding with his motion. Ms. Cerbone discussed aspects of the process in obtaining certain information from others in her office that was provided to Mr. LaBoe, her responses to Mr. LaBoe's emails, and that he obtained information from other outside sources. Mr. LaBoe and Ms. Cerbone discussed open items that the other had not provided. She asked that Mr. LaBoe's motion be document specific and include providing his analysis and any other documents supporting his claim, as Management only provides documents that are available at the time of the request and they do not create new documents. She presented verbiage to

include in Mr. LaBoe's motion, which he agreed was correct. Mr. LaBoe believed the assessments for all 413 units needed to be reviewed for potential errors.

Ms. Cerbone called point or order to allow Mr. Watson to proceed with his comment. Mr. Watson discussed off-roll assessments, which do not include lot numbers. Discussion ensued regarding conduct and holding productive meetings, Management not having to charge additional fees to provide additional services, etc. As Ms. Cerbone would provide documents to Mr. LaBoe, in order to calculate the other remaining lots, he withdrew his motion. This item would remain on the next agenda.

C. Discussion of Unit 3 True-Up Mechanism re: Unit 3 - Number of Unit Reduction and Type of Unit Built

Mr. LaBoe asked if the District Engineer was working on the True-Up Mechanisms for Unit III now that the request to reduce the number of residential units was approved. Mr. Cerbone asked Mr. LaBoe to email his questions, in detail, and stated that Management and District Counsel, not the District Manager, is involved in that process. Mr. LaBoe presented a motion, which died due to a lack of a second. Discussion ensued regarding requests and if information is sent to the District Engineer to work on the True-Up process, once the plat is recorded into the record and if certain criteria are triggered. Mr. Vericker explained the True-up process. This item would be on the next agenda.

ELEVENTH ORDER OF BUSINESS

Public Comments

A resident posed several questions regarding the meeting location. The resident asked, if decisions made in the meeting are reasonable, why additional arbor stone was added to the sea wall. The resident stated that several cracks were identified in the construction of the boat lift and seawall and requested detailed monthly budget reports. The resident asked why reserves for Phase I were not yet established. The resident agreed to Staff's request to email his questions to Management. Discussed ensued regarding meeting minutes.

Resident Erika Lewis asked Mr. Hays, Mr. Watson and Mr. Peshkin to explain their reason for not conducting all meetings at the Elks Lodge, as it would allow residents to participate in meetings. Mr. Hays noted they were not required to respond to questions during the meeting but stated he hoped the next meeting at the Elks Lodge goes well. Mr. LaBoe asked

if they were waiting for the next meeting to see if that is a proper venue. Ms. Cerbone called a point of order, due to cross talk and degrading comments.

Resident Jean Foley asked if Board meetings were always contentious and noted that residents do not have time for long meetings. Ms. Cerbone stated the reason for the Resolution that was just passed, was that it would help move the meetings forward. Ms. Cerbone called point of order, due to repetitive questions.

A resident expressed his disappointment with the three Board Members appointed by the Developer for not moving the meeting location closer. Mr. Sweater commended the Board Members for allowing time for discussions, as there is a lot to learn before they transition from a Developer to Resident Board.

Resident Steven Wood questioned statements in AM Engineering’s letter and asked for detailed information that he believed was missing from the Report that would be helpful. Discussion ensued regarding providing inspection reports that differed from the email request, due to the lack of faith in the Design Engineer. Names of Districts with the same projects were requested to help bridge a perceived gap in trust since the District’s website was streamlined, due to recent litigation involving the Americans with Disability Act (ADA). Mr. LaBoe would email a request to the District Engineer. Ms. Cerbone would upload the Geotechnical Reports and send the link to the Board to access documents.

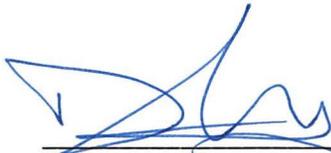
TWELFTH ORDER OF BUSINESS

Adjournment

There being nothing further to discuss, the meeting adjourned.

On MOTION by Mr. Watson and seconded by Mr. Sweater, with all in favor, the meeting adjourned at 1:54 p.m.

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]



Secretary/Assistant Secretary



Chair/Vice Chair