

**MINUTES OF MEETING
VERANDAH EAST
COMMUNITY DEVELOPMENT DISTRICT**

The Board of Supervisors of the Verandah East Community Development District held a Regular Meeting on June 11, 2021 at 2:00 p.m., at the Verandah Sales Office, 11571 Verandah Boulevard, Fort Myers, Florida 33905.

Present were:

David Moore	Chair
Richard Shields, Jr.	Vice Chair
Christina Jaross	Assistant Secretary
Jacqueline Voiles	Assistant Secretary

Also present were:

Chuck Adams	District Manager
Cleo Adams	Assistant District Manager
Shane Willis	Operations Manager
Alyssa Willson (via telephone)	District Counsel
Brent Burford (via telephone)	District Engineer
Wendy Drake	General Manager VCA
Gary Dittwan	VCA Board Member
Mike Lapinski	Resident

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Mrs. Adams called the meeting to order at 2:00 p.m. Supervisors Moore, Shields, Voiles and Ms. Christina Jaross, who was being appointed to Seat 4, were present, in person. One seat was vacant.

SECOND ORDER OF BUSINESS

Public Comments [3 minutes per person]

There being no public comments, the next item followed.

THIRD ORDER OF BUSINESS

Consider Appointment of Christine Jaross to Vacant Seat 4, Term Expires November 2024 (the following to be provided in a separate package)

Mr. Adams stated it was necessary to appoint Ms. Jaross to the Board prior to administering the Oath of Office. Ms. Jaross was nominated to fill Seat 4. No other nominations were made.

On MOTION by Mr. Moore and seconded by Mr. Shields, with all in favor, appointing Ms. Christine Jaross to Seat 4, Term Expires November 2024, was approved.

Mrs. Adams, a Notary of the State of Florida and duly authorized, administered the Oath of Office to Ms. Jaross. She provided and briefly explained the following items:

- A. Guide to Sunshine Amendment and Code of Ethics for Public Officers and Employees**
- B. Membership, Obligations and Responsibilities**
- C. Financial Disclosure Forms**
 - I. Form 1: Statement of Financial Interests**
 - II. Form 1X: Amendment to Form 1, Statement of Financial Interests**
 - III. Form 1F: Final Statement of Financial Interests**
- D. Form 8B – Memorandum of Voting Conflict**

FOURTH ORDER OF BUSINESS

Acceptance of Resignation of Supervisor Mark Santasiero [Seat 2]; term expires November 2024

Mrs. Adams presented Mr. Mark Santasiero's resignation letter.

On MOTION by Mr. Shields and seconded by Ms. Voiles, with all in favor, the resignation letter from Mr. Mark Santasiero from Seat 2, dated March 1, 2021, was accepted.

FIFTH ORDER OF BUSINESS

Consideration of Resolution 2021-03, Declaring a Vacancy in Seat 2 of the Board of Supervisors Pursuant to Section 190.006(3)(b), Florida Statutes; and Providing an Effective Date

Mrs. Adams presented Resolution 2021-03.

On MOTION by Mr. Moore and seconded by Mr. Shields, with all in favor, Resolution 2021-03, Declaring a Vacancy in Seat 2 of the Board of Supervisors Pursuant to Section 190.006(3)(b), Florida Statutes; and Providing an Effective Date, was adopted.

Mr. Moore stated he would like to fill vacant Seat 2 by October and urged the other Board Members to refer potential candidates. Candidates must be residents of the CDD who are registered to vote in Florida.

SIXTH ORDER OF BUSINESS

Consider Appointment to Fill Unexpired Term of Seat 2

- **Administration of Oath of Office to Newly Appointed Supervisor**

This item was deferred to the next meeting.

SEVENTH ORDER OF BUSINESS

Consideration of Resolution 2021-04, Designating a Chair, a Vice Chair, a Secretary, Assistant Secretaries, a Treasurer and an Assistant Treasurer of the Verandah East Community Development District, and Providing for an Effective Date

Mrs. Adams presented Resolution 2021-04. The following slate of officers was nominated:

Chair	David Moore
Vice Chair	Richard Denis Shields, Jr.
Secretary	Chesley (Chuck) E. Adams, Jr.

Assistant Secretary	Jacqueline Voiles
Assistant Secretary	Christina Jaross
Assistant Secretary	Vacant
Assistant Secretary	Craig Wrathell
Treasurer	Craig Wrathell
Assistant Treasurer	Jeff Pinder

No other nominations were made.

On MOTION by Mr. Moore and seconded by Ms. Voiles, with all in favor, Resolution 2021-04, Designating a Chair, a Vice Chair, a Secretary, Assistant Secretaries, a Treasurer and an Assistant Treasurer of the Verandah East Community Development District, as nominated, and Providing for an Effective Date, was adopted.

EIGHTH ORDER OF BUSINESS

Consideration of Resolution 2021-05, Approving Proposed Budgets for Fiscal Year 2021/2022 and Setting a Public Hearing Thereon Pursuant to Florida Law; Addressing Transmittal, Posting and Publication Requirements; Addressing Severability; and Providing an Effective Date

Mrs. Adams presented Resolution 2021-05 and read the title. Mr. Adams responded to questions regarding overspending in the Fiscal Year 2021 budget, GIS mapping program, increase in insurance and surplus fund balance.

On MOTION by Mr. Moore and seconded by Mr. Shields, with all in favor, Resolution 2021-05, Approving Proposed Budgets for Fiscal Year 2021/2022 and Setting a Public Hearing Thereon Pursuant to Florida Law for August 11, 2021 at 1:00 p.m., at the Verandah Sales Office, 11571 Verandah Boulevard, Fort Myers, Florida 33905; Addressing Transmittal, Posting and Publication Requirements; Addressing Severability; and Providing an Effective Date, was adopted.

NINTH ORDER OF BUSINESS

Consideration of Resolution 2021-06, Designating Dates, Times and Locations for Regular Meetings of the Board of Supervisors of the District for Fiscal Year 2021/2022 and Providing for an Effective Date

Mrs. Adams presented Resolution 2021-06 and read the title. Mr. Moore announced he would not be present for the May 11, 2022 meeting. Asked why the August 11, 2021 meeting is not included in the schedule, Mrs. Adams stated the August 11, 2021 meeting falls in Fiscal Year 2021; the attached Meeting Schedule is for Fiscal Year 2022.

On MOTION by Mr. Moore and seconded by Ms. Voiles, with all in favor, Resolution 2021-06, Designating Dates, Times and Locations for Regular Meetings of the Board of Supervisors of the District for Fiscal Year 2021/2022 and Providing for an Effective Date, was adopted.

TENTH ORDER OF BUSINESS

Consideration of SOLitude Lake Management Second Year Option - Agreement for Lake & Wetland Maintenance

Mrs. Adams presented the SOLitude Lake Management Second Year Option - Agreement for Lake & Wetland Maintenance.

On MOTION by Mr. Moore and seconded by Mr. Shields, with all in favor, the SOLitude Lake Management Second Year Option - Agreement for Lake & Wetland Maintenance, was approved.

ELEVENTH ORDER OF BUSINESS

Discussion: Lake A-1 Transfer to O&M

Mr. Burford stated Staff was working with Mr. Paul Martin to clear up outstanding applications for the ERP permit, related to required certifications and transfers. Once the certifications are completed, Staff would assist with the transfer to O&M. Mr. Moore asked if

that would complete all the lakes. Mr. Burford stated Lake A-1 was the only outstanding lake not certified and transferred to the District.

Discussion ensued regarding two lakes that are deeded to the west, the need for a corrected deed and the exact location of the deeded lakes. Ms. Willson would correct the deeds for Lakes L-T2 and L-LW4. Mr. Willis would review all the lakes in the District to determine if any other deeds need to be corrected.

TWELFTH ORDER OF BUSINESS

Discussion: CDD Ownership and Maintenance of Perimeter Fencing and Walls

- A. Facilities Maintenance Assignment Agreement with Master HOA**
- B. Non-Exclusive Perpetual Access and Maintenance Easement Agreement with KH Verandah LLC and Verandah Development LLC**

Mr. Adams stated the Facilities Maintenance Assignment Agreement between the CDD and the Master HOA is typically put in place early in the development of a community. The Agreement enables the HOA to manage certain facilities for the CDD, such as perimeter landscaping, to prevent duplication of services.

Mr. Adams stated he reviewed the files but did not locate the Agreement that formalizes the HOA’s management of certain CDD facilities for either the Verandah East CDD (VECDD) or Verandah West CDD (VWCDD). He asked the Board to authorize Staff to prepare a Facilities Maintenance Assignment Agreement with the Master HOA and present the Non-Exclusive Perpetual Access and Maintenance Easement Agreement.

Referencing an area map, Mr. Moore asked if a specific property that is currently in the Verandah Developer’s name was going to be turned over to the HOA. He pointed out that document 12B states that the Developer turned over the wall to the CDD. Mr. Adams stated the CDD acquired it and likely has an easement in place. Asked if it is common practice for facilities that do not sit on CDD property to be maintained by the CDD, Ms. Willson stated it depends on what the overall planning of the property is. Discussion ensued regarding assigning maintenance of CDD assets to the HOA, importance of continuity of maintenance in landscaping, the perimeter wall, Capital Improvement Plan (CIP), infrastructure identified in the

Engineer’s Report for both VWCDD and VECDD, the easement, Construction Completion Agreement, the Board’s fiduciary responsibilities to CDD residents and adherence to the Sunshine Laws.

Mr. Moore asked if the CDD could give the wall structure to the HOA. Ms. Willson replied no, because it was purchased with public bond funds so the CDD must own it or give it to another governmental entity. Mr. Moore stated the Engineer’s Report document stated that the CDD did not pay for the structure; it was given to the CDD gratis. Ms. Willson stated she would review the documents to determine if that changes the legal answer.

Mrs. Adams stated this item would be carried over to the next agenda and, for presentation at the next meeting, Staff would prepare a formal maintenance agreement whereby the HOA would be charged with the maintenance of the wall.

THIRTEENTH ORDER OF BUSINESS

Acceptance of Unaudited Financial Statements as of April 30, 2021

Mrs. Adams presented the Unaudited Financial Statements as of April 30, 2021. The financials were accepted.

FOURTEENTH ORDER OF BUSINESS

Approval of January 13, 2021 Regular Meeting Minutes

Mrs. Adams presented the January 13, 2021 Regular Meeting Minutes.

On MOTION by Mr. Shields and seconded by Ms. Voiles, with all in favor, the January 13, 2021 Regular Meeting Minutes, as presented, were approved.

FIFTEENTH ORDER OF BUSINESS

Staff Reports

- A. District Counsel: *Hopping Green & Sams, P.A.*
There being no report, the next item followed.
- B. District Engineer: *Johnson Engineering, Inc.*

Mr. Burford would follow up on the discussion regarding the perimeter wall and lake ownership and report his findings at the next meeting.

▪ **Supervisors' Requests**

This item, previously the Sixteenth Order of Business, was addressed out of order.

Mr. Moore asked Staff to investigate ownership of a walkway between Pebble Brook Road and Otter Bend and report the findings.

C. District Manager: *Wrathell, Hunt & Associates, LLC*

I. 779 Registered Voters in District as of April 15, 2021

There were 779 registered voters residing within the District as of April 15, 2021.

II. NEXT MEETING DATE: August 11, 2021 at 1:00 P.M.

○ **QUORUM CHECK**

All Supervisors confirmed their attendance at the August 11, 2021 meeting.

Mrs. Adams reported the following:

- She emailed Mr. Paul Martin earlier today and has yet to receive a response surrounding the sales center being listed for sale through a realtor.
- The SOLitude Annual Fixed Structure Report was completed yesterday and would be included on the August agenda for informational purposes.

SIXTEENTH ORDER OF BUSINESS

Supervisors' Requests

This item was addressed following Item 15B.

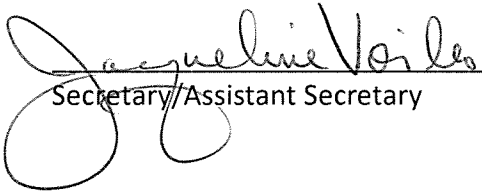
SEVENTEENTH ORDER OF BUSINESS

Adjournment

There being nothing further to discuss, the meeting adjourned.

On MOTION by Ms. Voiles and seconded by Mr. Shields, with all in favor, the meeting adjourned at 3:13 p.m.

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]


Secretary/Assistant Secretary


Chair/Vice Chair