MINUTES OF MEETING
VERANDAH WEST
COMMUNITY DEVELOPMENT DISTRICT

The Board of Supervisors of the Verandah West Community Development District held a Regular Meeting on January 8, 2025 at 2:00 p.m., at 11390 Palm Beach Blvd., First Floor, Fort Myers, Florida 33905.

Present:

Jeffrey Jordan	Chair
Susie McIntyre	Vice Chair
Paul Zampiceni	Assistant Secretary
Gerald Baldwin	Assistant Secretary
Edward Faynor	Assistant Secretary

Also present:

Cleo Adams	District Manager
Chuck Adams (via telephone)	District Manager
Shane Willis	Operations Manager
Alyssa Willson (via telephone)	District Counsel
Mark Zordan (via telephone)	District Engineer
John Sample	VCA Board Member
Wally Watson	Property Infrastructure Group
Residents	

FIRST ORDER OF BUSINESS **Call to Order/Roll Call**

Mrs. Adams called the meeting to order at 2:01 p.m. Supervisors Jordan, McIntyre, and Baldwin and Hold-over Supervisor Faynor were present. Supervisor Zampiceni was not present.

SECOND ORDER OF BUSINESS **Public Comments (3 minutes per person)**

No members of the public spoke.

THIRD ORDER OF BUSINESS **Administration of Oath of Office to Elected Supervisors [Jeffrey Jordan - Seat 1 and Gerald Baldwin - Seat 5] (the following will be provided in a separate package)**

Mrs. Adams, a Notary of the State of Florida and duly authorized, administered the Oath of Office to Jeffrey Jordan and Gerald Baldwin. Mrs. Adams reviewed the following and explained how to handle public records requests and keeping personal and CDD related documents and communications separate from each other:

A. Required Ethics Training and Disclosure Filing

- **Sample Form 1 2023/Instructions**

B. Membership, Obligations and Responsibilities

C. Guide to Sunshine Amendment and Code of Ethics for Public Officers and Employees

D. Form 8B: Memorandum of Voting Conflict for County, Municipal and other Local Public Officers

FOURTH ORDER OF BUSINESS **Consideration of Resolution 2025-01, Declaring a Vacancy in Seat 3 of the Board of Supervisors Pursuant to Section 190.006(3)(b), Florida Statutes; and Providing an Effective Date**

Mrs. Adams presented Resolution 2025-01. No one qualified to run for Seat 3 in the November 2024 General Election and Mr. Faynor currently sits as a holdover in Seat 3. It is necessary to declare Seat 3 vacant, which will then enable the Board to appoint someone to fill Seat 3.

On MOTION by Mr. Jordan and seconded by Mr. Baldwin, with all in favor, Resolution 2025-01, Declaring a Vacancy in Seat 3 of the Board of Supervisors Pursuant to Section 190.006(3)(b), Florida Statutes; and Providing an Effective Date, was adopted.

FIFTH ORDER OF BUSINESS **Consideration of Appointment of Qualified Elector to Fill Vacant Seat 3; Term Expires November 2028**

Mr. Jordan nominated Mr. Edward Faynor to fill Seat 3. No other nominations were made.

On MOTION by Mr. Jordan and seconded by Ms. McIntyre, with all in favor, appointing Mr. Edward Faynor to fill Seat 3, was approved.

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

Mrs. Adams, a Notary of the State of Florida and duly authorized, administered the Oath of Office to Mr. Edward Faynor. Mr. Faynor is familiar with the items listed in the Third Order of Business.

SIXTH ORDER OF BUSINESS **Acceptance of Resignation of Paul Zampiceni [Seat 4]; Term Expired November 2026**

On MOTION by Mr. Baldwin and seconded by Mr. Jordan, with all in favor, the resignation of Mr. Paul Zampiceni from Seat 4, was accepted.

SEVENTH ORDER OF BUSINESS **Consideration of Appointment of Qualified Elector to Fill Unexpired Term of Seat 4**

- **Candidate: Norman Toback**

Mr. Jordan nominated Mr. Norman Toback to fill Seat 4. No other nominations were made.

On MOTION by Mr. Jordan and seconded by Ms. McIntyre, with all in favor, appointing Mr. Norman Toback to fill Seat 4, was approved.

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

Mrs. Adams, a Notary of the State of Florida and duly authorized, administered the Oath of Office to Mr. Norman Toback. Mrs. Adams reviewed the items listed in the Third Order of Business. and explained how to handle public records requests and keeping personal and CDD related documents and communications separate from each other.

Mr. Toback wishes to receive the allowable Supervisor compensation.

EIGHTH ORDER OF BUSINESS **Consideration of Resolution 2025-02, Electing and Removing Officers of the District and Providing an Effective Date**

Mrs. Adams presented Resolution 2025-02. Mr. Baldwin nominated the following:

Jeffrey Jordan	Chair
Susie McIntyre	Vice Chair
Edward Faynor	Assistant Secretary
Gerald Baldwin	Assistant Secretary
Norman Toback	Assistant Secretary

No other nominations were made.

This Resolution removes the following from the Board:

Paul Zampiceni	Assistant Secretary

The following prior appointments by the Board remain unaffected by this Resolution:

Chuck Adams	Secretary
Craig Wrathell	Assistant Secretary
Cleo Adams	Assistant Secretary
Craig Wrathell	Treasurer
Jeff Pinder	Assistant Treasurer

On MOTION by Mr. Baldwin and seconded by Mr. Jordan, with all in favor, Resolution 2025-02, Electing, as nominated and Removing Officers of the District and Providing an Effective Date, was adopted.

NINTH ORDER OF BUSINESS **Discussion: Special Warranty Deed**

Ms. Willson stated that this and the Eleventh Order of Business are related. It involves the Verandah Community Association (VCA) and relates to the Maintenance Easement that the Association found in the public records between the CDD and Verandah Development regarding the boardwalks and sidewalks within CDD property, primarily in the preserve area.

Ms. Willson stated that the VCA has historically maintained that area. In the past, the CDD had extensive discussions with the VCA trying to finalize a Maintenance Agreement regarding what each entity would do and another Maintenance Agreement was found pertaining to the walls and the VCA asked to cease discussion of further Maintenance Agreements with the CDD. The VCA was maintaining the sidewalks and pathways within the CDD; however, the VCA found an area where Verandah Development was maintaining areas within the CDD's property and the VCA notified the CDD that it is no longer maintaining those areas.

Ms. Willson reviewed the Easement and the Conveyance Deed and thinks it is very clear that those improvements on the CDD property are within the easement rights of Verandah Development and they are not currently the CDD's obligation to own, operate, or maintain. She spoke to Mr. Paul Martin who advised that Verandah Development is maintaining those areas for liability purposes but not for aesthetic purposes. Verandah Development inspected the areas and found them to be in good working order; there was no debris on the pathways. Verandah Development will provide the CDD with a letter clarifying that Verandah Development continues maintaining those areas and a boardwalk that provides access between the golf courses.

Ms. Willson stated the only thing to do now is to wait for the letter from Verandah Development stating that Veranda Development is maintaining that infrastructure and that there is no action necessary on behalf of the CDD. Per Mr. Martin, if the CDD is interested in maintaining the area between Shady Bend and Cypress, Verandah Development would be okay with that.

Mr. Jordan asked who maintains those areas once the Developer is finished. Ms. Willson will find out.

Discussion ensued regarding the difference between maintaining for liability versus aesthetic purpose, the areas and types of maintenance that the VCA was doing, etc.

Mr. John Sample, of the VCA, introduced himself and Mr. Wally Watson, representing the Property Infrastructure Group.

Mr. Sample discussed maintenance that the VCA was doing, use of the Citra Shield for sidewalk cleaning, a resident complaint about one of the bridges/boardwalk, the VCA's decision to cease maintaining.

Mr. Watson voiced his opinion that there is confusion regarding what Mr. Martin stated needs to be maintained and what is encompassed in the Amended Easement Agreement sent to the CDD; wherein the VCA indicated that it would no longer take care of the property. He discussed areas that the VCA Attorney advised are not the VCA's responsibility. He expressed his opinion that the County's position is that the owner of the property is responsible for compliance and, as someone will likely complain to the County, the County will go to the CDD to be in compliance.

Mrs. Adams stated, and Ms. Willson confirmed that the CDD bonds did not fund the sidewalks, paths or bridges; they were installed by the Developer. Mr. Watson reiterated that the VCA Attorney's position is that the CDD will be responsible for replacing them.

Mr. Toback wants to know what entity is responsible for routine maintenance and replacement. Mrs. Adams stated, since the CDD does not own those improvements, the CDD cannot spend taxpayer funds on them. It was noted that, if the CDD were to pay to maintain/replace those improvements, then it would mandate that the public can have legal access to the CDD.

On MOTION by Mr. Jordan and seconded by Ms. McIntyre, with all in favor, authorizing District Counsel to speak with the VCA Attorney regarding the CDD's position and the VCA's position, was approved.

TENTH ORDER OF BUSINESS **Discussion: Lake Maintenance Plan**

A. Consideration of MRI Construction Inc. C/O Proposal #498 for Lake H-12 Bank Restoration

Mrs. Adams presented MRI Construction Inc. (MRI) C/O Proposal #498 for Lake H-12 Bank Restoration. She recommended approving a not-to-exceed amount as specified in the proposal, with Mr. Willis obtaining additional proposals to hopefully find a lower price and proceeding with the MRI proposal if a lower cost proposal is not received.

On MOTION by Mr. Jordan and seconded by Ms. McIntyre, with all in favor, authorizing Lake H12 Bank Restoration work, in a not-to-exceed amount of $138,698, subject to Mr. Willis obtaining additional proposals in an attempt to obtain a lower priced proposal, and proceeding with the MRI Construction Inc. C/O Proposal #498 for Lake H12 Bank Restoration if a lower proposal is not obtained, was approved.

ELEVENTH ORDER OF BUSINESS **Discussion: Amended and Restated Grant of Easement - Shady Bend/Cypress Trail**

This item was discussed during the Ninth Order of Business.

TWELFTH ORDER OF BUSINESS **Acceptance of Unaudited Financial Statements as of November 30, 2024**

Mrs. Adams presented the Unaudited Financial Statements as of November 30, 2024. She discussed budgeting annually for pipe cleaning every three years.

The financials were accepted.

THIRTEENTH ORDER OF BUSINESS **Approval of August 14, 2024 Public Hearings and Regular Meeting Minutes**

> **On MOTION by Mr. Baldwin and seconded by Ms. McIntyre, with all in favor, the August 14, 2024 Public Hearings and Regular Meeting Minutes, as presented, were approved.**

FOURTEENTH ORDER OF BUSINESS **Staff Reports**

A. District Counsel: Kutak Rock LLP

- **Discussion: Deed for Tract C-1**

This item was not addressed.

B. District Engineer: Johnson Engineering, Inc.

There were no District Counsel or District Engineer reports.

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

- **District Manager's Report**

Mr. Willis discussed a complaint about a lake bank weed concern; he inspected and, in his opinion, the littorals look great. He thinks the resident did not understand that the littorals are not weeds.

- **NEXT MEETING DATE: May 14, 2025 at 1:00 PM**
  - **QUORUM CHECK**

FIFTEENTH ORDER OF BUSINESS **Supervisors' Requests**

There were no Supervisors' requests.

SIXTEENTH ORDER OF BUSINESS **Adjournment**

> **On MOTION by Mr. Jordan and seconded by Ms. McIntyre, with all in favor, the meeting adjourned at 2:35 p.m.**

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Secretary/Assistant Secretary

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Chair/Vice Chair