

MINUTES OF MEETING
INDIGO EAST
COMMUNITY DEVELOPMENT DISTRICT

The Regular Meeting of the Board of Supervisors of the Indigo East Community Development District was held on Tuesday, November 20, 2018 at 9:00 a.m. at the Circle Square Commons Cultural Center at 8395 S.W. 80th Street, Ocala, Florida.

Present and constituting a quorum were:

John Gysen	Chairman
Frank DiPiero	Vice Chairman
Terry Solan	Assistant Secretary
Donald G. Barnes	Assistant Secretary

Also present were:

George Flint	District Manager
Gerald Colen	District Counsel
Rachel Wagoner	Colen & Wagoner
Lynette Vermillion	On Top of the World Communities
Robert Stepp	On Top of the World Communities

FIRST ORDER OF BUSINESS

Roll Call

Mr. Flint called the roll and there was a quorum present.

Mr. Flint: Just for the record Mr. Gysen and Mr. DiPiero are hold overs in their current seats. Until we get Mr. Brouillard here, they will continue to serve in their seats and then once we have the other three Board Members the Board can make a determination on reappointing them to their seats. Also, for the record I have administered the Oath of Office to Mr. Solan prior to the meeting. So, that brings us to the public comment period.

SECOND ORDER OF BUSINESS

Public Comment Period

Mr. Flint: Are there any members of the public who would like to comment on anything on the agenda or not on the agenda for the Indigo East Board of Supervisors?

Robert Hutson, 8090 SW 81st Loop: There have been a lot of people commenting about the golf cart path or shared roadways. The signs are still there on the sidewalks that says, "you must use these for the golf cart paths." I don't think they were meant to be the legal golf cart path. At the last meeting they said that they knew they were there. Mr. Hisey said that they were supposed to be removed but they were never removed.

Mr. Flint: Ok I can follow up with Mr. Hisey and Lynette on that issue. Thanks for bringing that up to our attention again. Any other comments? Hearing none, next item as follows,

THIRD ORDER OF BUSINESS

Notice of the Meeting

Mr. Flint: The notice of the meeting was included in your agenda and was advertised in the Ocala Star Banner on September 18th, 2018 and you will see that November 20th, 2018 is indicated on that notice.

FOURTH ORDER OF BUSINESS

Organizational Matters

A. Appointment of Individual to fulfill the Board of Vacancy in Seat 2 & 5 with a Term ending November 2022

Mr. Flint: The agenda says seat 4 but it is actually seat 2 and 5. As I indicated previously those seats will be addressed at a future meeting once we have all five Board Members here.

B. Administration of Oath of Office to Newly Appointed Supervisor

Mr. Flint: I have administered the Oath to Mr. Solan who ran unopposed for his seat, seat number 3.

C. Election of Officers

D. Consideration of Resolution 2019-01 Electing Officers

Mr. Flint: My suggestion would be to, if the Board is amenable, defer action on that until you deal with John and Frank's seats unless you want to deal with it today?

This item was deferred to the next meeting.

FIFTH ORDER OF BUSINESS

Approval of Minutes for the August 21, 2018 Meeting

Mr. Flint: Were there any additions, deletions or corrections to the minutes.

Mr. Barnes: Yes, I had one. On page 9 at the bottom, I actually made that comment and on the following page at the top.

Mr. Flint: So, on page 9 at the bottom where it referenced Mr. Cohen it should say Mr. Barnes. And then at the top of page 10 where it says Mr. Cohen its Mr. Barnes as well. Alright, any other comments on the minutes?

Mr. DiPiero: Yes, there is another correction on page 11 where it says Mr. Hisey that was actually me.

Mr. Gysen: The one on top Frank?

Mr. DiPiero: Both of them.

Mr. Flint: If there are no other corrections is there a motion to approve the minutes as amended?

On MOTION by Mr. Gysen, seconded by Mr. Barnes, with all in favor, the Minutes of the August 21st, 2018 Meeting, were approved as amended.

SIXTH ORDER OF BUSINESS

**Consideration of Resolution 2019-02
Budget Amendment**

Mr. Flint: The statutes require that if your total actual expenses exceed your total budgeted expenses you're required to amend the budget within 60 days of the end of the fiscal year. Which would be the end of November. So, we've provided a proposed amendment in your agenda and you can see the difference in right of way maintenance caused the budget to go over. So, we have adjusted the expenses to account for that. We've reduced plant replacement, tree trimming, pressure washing and some utility expenses to account for the increase in right of way maintenance. Any questions on the amendment?

On MOTION by Mr. Solan, seconded by Mr. Gysen, with all in favor, Resolution 2019-02 Budget Amendment, was approved.

SEVENTH ORDER OF BUSINESS

**Consideration of Agreement with Grau &
Associates, Inc. to provide Auditing
Services for Fiscal Year 2018**

Mr. Flint: The next item is the engagement letter with Grau and Associates. As a governmental entity, the CDD is required to have an annual independent audit performed. You all went through an RFP process that's prescribed by the statutes. You selected Grau to perform

the independent audit. I believe this is the 2nd year of the engagement. They provided multiple years of pricing although you enter into annual year agreements with them and this is for a not to exceed of \$3,700. Are there any questions on the agreement? If not is there a motion to approve it?

On MOTION by Mr. DiPiero, seconded by Mr. Barnes, with all in favor, the Agreement with Grau & Associates, Inc. to Provide Auditing Services for Fiscal Year 2018, was approved.

EIGHTH ORDER OF BUSINESS

Ratification of Agreement with Earthscapes Unlimited, Inc. for Maintenance of Right of Way

Mr. Flint: Staff had provided you with quotes for the maintenance of the right of way and you had selected Earthscapes Unlimited to provide the services. This is just a ratification of the actual agreement that was executed between the District and the contractor. This runs from October 1, 2018 through September 30, 2021.

Mr. DiPiero: I've got a question on Exhibit A. Does it address anywhere in there about trimming the hedges? The only place I can see that might reference it was page 9 section 7 that talks about pruning. I don't think it specifically addresses trimming up the hedges. Am I missing that or am I correct?

Mr. Flint: That's the section that deals with it, the section you referenced.

Mr. DiPiero: Basically, it talks about moving dead branches and so forth but just for the looks I don't think it really addresses like the looks. Because some of those hedges are really overgrown. They are touching the bottom of the trees.

Mr. Flint: We can address that with Phil.

Mr. DiPiero: I'm sorry to throw a wrench in the work at this late hour here.

Mr. Flint: Well my suggestion would be, this agreement already been signed and it's in effect. So, the issue would be whether we need to go back and amend it for an increased level of service. Or whether they'll perform the services under the existing agreement. I can get with Phil Hisey after the meeting when he gets back from vacation. We can either address it administratively or if we need to make an amendment, we can bring it back to the Board.

Mr. DiPiero: Okay.

Mr. Flint: Any other comments on that agreement? If not, we have a motion to ratify it.

On MOTION by Mr. Gysen, seconded by Mr. Solan, with all in favor, the Agreement with Earthscapes Unlimited, Inc. for Maintenance of Right of Way, was ratified.

NINTH ORDER OF BUSINESS

Ratification of Agreement with Sharp Fence Construction, LLC for Maintenance of Retention Ponds

Mr. Flint: Again, this is for Fiscal Year 2019 the Board previously approved their bid, and this is just ratifying the agreement that was executed subsequent to your last meeting. Any questions on the agreement? Is there a motion to approve it?

On MOTION by Mr. Barnes, seconded by Mr. Solan, with all in favor, the Agreement with Sharp Fence Construction LLC for Maintenance of Retention Ponds, was ratified.

TENTH ORDER OF BUSINESS

Staff Reports

A. Attorney

There being none, the next item followed.

B. Engineer

There being none, the next item followed.

C. District Manager

i. Approval of Check Register

Mr. Flint: You have approval of the check register from August 14th through November 13th, 2018. It totals \$52,502.65 and the detailed register is contained behind the summary. If there are any questions, we can discuss those. If not, I ask for a motion to approve it?

On MOTION by Mr. DiPiero, seconded by Mr. Gysen, with all in favor, the Check Register totaling \$52,502.65, was approved.

ii. Balance Sheet and Income Statement

Mr. Flint: Next is the unaudited financial statements through October 31st, 2018. This is the first month of Fiscal Year 2019. There is no action required by the Board on these. If you have any questions, we can discuss them.

ELEVENTH ORDER OF BUSINESS

Other Business

Mr. Flint: Were there any items the Board wanted to request that was not on the agenda?

TWELTH ORDER OF BUSINESS

Supervisors Requests

There being none, the next item followed.

THIRTEENTH ORDER OF BUSINESS

Adjournment

The meeting was adjourned at 9:13 a.m.

On MOTION by Mr. Gysen, seconded by Mr. Solan, with all in favor, the meeting was adjourned.


Secretary / Assistant Secretary


Chairman / Vice Chairman