

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 17, 2020 at 9:00 a.m. at Circle Square Commons, 8395 SW 80<sup>th</sup> Street, Ocala, FL.

Present and constituting a quorum were:

John Gysen	Chairman
Frank DiPiero	Vice Chairman
Terrance Solan	Assistant Secretary
Harold Brouillard	Assistant Secretary

Also present were:

George Flint	District Manager
Rachel Wagoner	District Counsel
Gerald Colen	District Counsel
Philip Hisey	On Top of The World Communities
Patty Soriano	On Top of The World Communities
Bryan Schmalz	On Top of The World Communities
Tricia Adams	GMS

**FIRST ORDER OF BUSINESS**

**Roll Call**

Mr. Flint called the meeting to order. Four members of the Board were present, via Zoom, constituting a quorum.

*Mr. Gysen held a moment of silence for Mr. Barnes who had passed away the week prior.*

**SECOND ORDER OF BUSINESS**

**Public Comment Period**

Mr. Flint: Are there any members of the public here who would like to comment on any agenda items or anything that is not on the agenda for Indigo East? Hearing no public comment,

**THIRD ORDER OF BUSINESS**

**Notice for Meeting**

Mr. Flint: The notice of the meeting was included in the agenda book and was advertised in the Ocala Star Banner. We have met the legal noticing requirements.

**FOURTH ORDER OF BUSINESS**

**Organizational Matters**

**A. Administration of Oaths of Office to Newly Elected Board Members**

Mr. Flint: We need to take care of a couple things, and one is Mr. Brouillard's seat. He did not qualify to run, so as a technicality the Board needs to declare that seat vacant.

**B. Consideration of Resolution 2021-01 Declaring a Vacancy in Seat #1 and #4 with terms ending November 2024**

Mr. Flint: Seat #1 is technically vacant the second Tuesday after the election, which happens to be today, with a term ending November 2024. Then we have Seat #4 that was occupied by Mr. Barnes. As a result of his passing, you have another vacancy. The term of that seat is also through 2024. Are there any questions on the Resolution? Hearing none, is there a motion to approve?

On MOTION by Mr. Gysen, seconded by Mr. DiPiero, with all in favor, Resolution 2021-01 Declaring a Vacancy in Seat #1 and #4 with terms ending November 2024, was approved.

**C. Appointment of Individuals to Fulfill the Board Vacancies in Seats #1 and #4 with terms November 2024**

Mr. Flint: With that, Mr. Brouillard is technically in a carry-over position right now. He did not qualify, but he is the incumbent. Because no one else qualified he can carry over until the Board either reappoints him or appoints someone else to that seat. So, we will go ahead and deal with Seat #1 at this point and ask if there are any nominations to fill that vacancy.

Mr. Solan: I nominate Harold Brouillard.

On MOTION by Mr. DiPiero, seconded by Mr. Solan, with all in favor, the Appointment of Mr. Brouillard to Seat #1, was approved.

Mr. Flint: Let the record reflect that passed 3 to 0 with Mr. Brouillard abstaining because he cannot vote for himself. For Seat #4, You can operate with the vacancy, or if there is anyone that you would like to nominate at this time, we can consider nominations for that seat also.

Mr. Gysen: I would like to nominate Cynthia Lafrance, an Indigo East resident.

Mr. Flint: Before we vote, let me go ahead and administer the oath to Mr. Brouillard so that he can participate. Mr. Brouillard, as a citizen of the State of Florida and of the United States

of America, and as an officer of the Indigo East Community Development District and a recipient of public funds as such officer, do you hear by solemnly swear or affirm that you will support the Constitution of the United States and of the State of Florida?

Mr. Brouillard: I do.

Mr. Flint: If you could sign where it says, "Board Supervisor" and print your name at the top, I can notarize that for you. Now we have a nomination to nominate Ms. Cynthia Lafrance to Seat #4.

On MOTION by Mr. Gysen, seconded by Mr. Solan, with all in favor, the Appointment of Ms. Lafrance to Seat #4, was approved.

#### **D. Election of Officers**

Mr. Flint: The statutes require that after each election, the Board is required to consider officers. Currently Mr. Gysen is Chairman, Mr. DiPiero is Vice Chairman, and the other three have historically been Assistant Secretaries.

#### **E. Consideration of Resolution 2021-02 Electing Officers**

You have Resolution 2021-02 in your agenda. We can take each seat individually, or if the Board member wants to make a motion to elect a slate of officers we could handle it in one motion.

Mr. Gysen: I make a motion that we elect the slate of officers as discussed.

On MOTION by Mr. Gysen, seconded by Mr. Brouillard, with all in favor, Resolution 2021-02 Election Officers Keeping the Board as is in addition to Ms. Lafrance as Assistant Secretary, was approved.

### **FIFTH ORDER OF BUSINESS**

#### **Approval of Minutes of the August 18, 2020 Meeting**

Mr. Flint: You have approval of the minutes from August 18, 2020. Did the Board have any comments or corrections on those?

Mr. Gysen: Was Harold at the last meeting?

Mr. Brouillard: No, I was not. I could see what was going on but could not hear.

Mr. Gysen: Okay. Another question that I have regards page 4, where Ms. DiPiero says, "I don't have a problem with it. John and I went and took a look at the area". We never went together.

Mr. Flint: Okay, why don't we indicate there that you both went "individually"?

Mr. Gysen: Correct.

Mr. Flint: Any other comments or corrections? Hearing none, is there a motion to approve the minutes as amended?

On MOTION by Mr. Solan, seconded by Mr. DiPiero, with all in favor, the Minutes of the August 18, 2020 Meeting, were approved.

## **SIXTH ORDER OF BUSINESS**

### **Consideration of Resolution 2021-03 Budget Amendment**

Mr. Flint: The statutes require that if your total expenses exceed the total budget, you are required to amend the budget within 60 days of the end of the fiscal year. This is a very minor budget amendment that may or may not be necessary depending on the closeout of the audit. In the event that there is an audit adjustment and we are slightly over the bottom-line, we are asking the Board to approve this which give us about \$10,000 in leeway. What the amendment does is it recognizes \$10,366 of carry forward to balance the budget at the end of the year. However, we are ending the year projecting with \$10,855, so you can see that it is very close. In the event that one expense is reclassified and could put this over, we are asking the Board to consider approving the budget amendment. We also have an insurance claim for the pump that got hit by lightning and one of the Indigo South pumps was damaged. We've filed an insurance claim and we are waiting to hear the result of that. If that insurance claim is approved and funded before the end of this month, it would be booked back to last fiscal year and that would solve the issue too. Are there any questions on the budget amendment? Hearing none,

On MOTION by Mr. Gysen, seconded by Mr. Brouillard, with all in favor, the Resolution 2021-03 Budget Amendment, was approved.

## **SEVENTH ORDER OF BUSINESS**

### **Consideration of Agreement with Grau & Associates to Provide Auditing Services for Fiscal Year 2020**

Mr. Flint: The Board went through a competitive bidding process for auditing services and selected Grau to provide those services. This is for a not-to-exceed of \$3,600 for Fiscal Year 2020, which just ended on September 30<sup>th</sup>. Any questions on the agreement? Hearing none, is there a motion to approve it?

On MOTION by Mr. Brouillard, seconded by Mr. Solan, with all in favor, the Agreement with Grau & Associates to Provide Auditing Services for Fiscal Year 2020, was approved.

## **EIGHTH ORDER OF BUSINESS**

### **Consideration of Landscape Enhancement Proposal with Earthscapes Unlimited, Inc.**

Mr. Flint: Just prior to the last meeting we had some communication from one of the Indigo East South residents with concerns about the dry retention area behind his home. There was a concern that he didn't believe the level of landscaping on that pond was consistent with the ponds in Indigo East North. I believe Mr. Hisey is here, and he was asked between last meeting and this meeting to come back to the Board with some options for how we might address that issue. The proposal from Earthscapes provides three suggested options, and I will let Philip present those.

Mr. Hisey: Good morning. You have the three proposals as promised, with good, better, best options, if you will. The first option is no irrigation and just doing cordgrass and pine tree beds, which is similar to what the retention ponds in Indigo South that back up to the community center have. This would be the simplest and easiest installation. It would be irrigated from grow bags from the trees and the grasses would not have any irrigation, it would just be natural rainfall. The second option would be to add pine trees and some additional shrubs with irrigation, so you would have a little bit more appealing look. The last option is the same landscape treatments as what is currently in Indigo South with the other retention ponds. So it is cypress trees, oak trees, grasses, shrubs, and things like that.

Mr. DiPiero: Do you have any recommendations, Phil?

Mr. Hisey: For what it is, I think that you all can achieve what we are trying to do with the good option with the pine trees and the cordgrasses. It's not a huge expense to the CDD compared to the best option, which was \$23,000. The good option is \$2,500, so there is a big difference there in cost. It's your choice, but I think if you are just trying to get some landscape around it, that is the best option.

Mr. DiPiero: Did I hear you say that it was similar to what the others have?

Mr. Hisey: That is similar to what the ponds in Indigo East have currently. Indigo South has some higher-level beds, but this would just be three beds around that retention area with pine trees and cordgrass.

Mr. Flint: You could always add irrigation and modify it later.

Mr. Hisey: Correct, that is the beauty of the irrigation system there, that it's a two-wire system where you just connect the wires and splice the next valve in.

Mr. DiPiero: If you go with option 1, natural rainfall is enough to sustain that?

Mr. Hisey: Yes.

M. Flint: Didn't you say that you were going to put buffalo bags on?

Mr. Hisey: Yes, we will put the grow bags on the trees, and they will be there for about 60 days. You may lose a pine tree or some cordgrass, but that is something that we can address afterwards. You are looking at \$6 cordgrass, and a pine tree might be \$100, but both are very seldom. We planted about 40 of them in another community planted some back this year. If you all ever go to the Veteran's park at all, all the pine trees around the outer wall are un-irrigated.

Mr. DiPiero: What do you all think, Option 1?

Mr. Gysen: Yes, Option 1.

On MOTION by Mr. DiPiero, seconded by Mr. Brouillard, with all in favor, Option #1 for Landscape Enhancement Proposal with Earthscapes Unlimited, Inc., was approved.

Mr. Brouillard: When will this be ordered?

Mr. Hisey: As soon as I come back the week after Thanksgiving. I would say that we would have it by Christmas, no later than.

## **NINTH ORDER OF BUSINESS**

### **Staff Reports**

#### **A. Attorney**

Mr. Flint: Jerry, do you have anything else for the Board?

Mr. Colen: I do not.

**B. District Manager****1. Approval of Check Register**

Mr. Flint: You have the approval of the check register that was in your agenda. This is for the General Fund and the Board payroll with a total of \$69,081.18. The detailed register is behind the summary and you can see that Everglade's pine straw is a significant expense that was on here at about \$25,000 of the total. Were there any questions on the check register? Hearing none,

On MOTION by Mr. Gysen, seconded by Mr. Solan, with all in favor, the Check Register, totaling \$69,081.18, was approved.

**2. Balance Sheet and Income Statement**

Mr. Flint: You also have the unaudited financials through September 30th. They require no action, but if you have any questions we can discuss those. You can see that these are unaudited, but they reflect that we have collected about \$1,200 more in assessments than in our budget. Our administrative costs were also slightly over, and that is a result of attorney's fees which were higher than normal because we are working through the cleanup of all the parcels and tracts and making sure what the CDD should own, as well and the HOA and developer. There has been some additional time spent by Rachel on that effort which has been reflected there. On our maintenance, we are about \$1,700 under our total budget. Are there any questions on the financials? Hearing none,

**TENTH ORDER OF BUSINESS****Other Business**

Hearing none, the next item followed.

**ELEVENTH ORDER OF BUSINESS****Supervisors Request**

Hearing none, the next item followed.

**TWELTH ORDER OF BUSINESS****Adjournment**

The meeting was adjourned.

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


November 17, 2020

Indigo East CDD



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Secretary / Assistant Secretary



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Chairman / Vice Chairman