

**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 15, 2022** at 9:00 a.m. at Circle Square Commons, 8395 SW 80th Street, Ocala, FL.

Present and constituting a quorum:

John Gysen	Chairman
Cynthia LaFrance	Vice Chairperson
Terry Solan	Assistant Secretary
Harold Brouillard	Assistant Secretary
Bob Hutson	Assistant Secretary

Also present were:

George Flint	District Manager
Jerry Colen	Colen Wagoner
Rachel Wagoner	Colen Wagoner

FIRST ORDER OF BUSINESS

Roll Call

Mr. Flint called the meeting to order. Five members of the Board were present at the meeting, constituting a quorum.

SECOND ORDER OF BUSINESS

Public Comment Period

Mr. Flint: Next is the public comment period. Are there any members of the public that would like to provide comments to the Indigo East Board? Hearing no comments, we will move on to the next item.

THIRD ORDER OF BUSINESS

Notice for Meeting

Mr. Flint: This meeting was advertised as a special meeting in the Ocala Star Banner.

FOURTH ORDER OF BUSINESS

**Consideration of Resolution 2023-01
Declaring a Vacancy in Seats #2 and #5**

Mr. Flint: This resolution declares seat #2 and #5 vacant as of the second Tuesday after the election, which is per statute. That would be November 22nd. We had three seats that were up for election, and there was a qualifying period in June. Mr. Solan qualified for his seat unopposed (seat #3). The other two seats held by Mr. Gysen and Mr. Hutson, no one qualified to run for those seats. The process is that the Board has to declare those seats vacant as of the second Tuesday after the election and then what happens is the incumbents would stay in that seat as a carryover until the Board takes action to either reappoint the incumbent or appoint someone else. The qualified elector has to live within the District and be registered to vote with their address within Indigo East. Today, the action is just adopting the resolution, declaring those two seats vacant, and then you have a meeting in February, and at that meeting on February 21st, the Board can either take no action, and the incumbents stay in a carryover situation until you appoint a qualified elector, or you could reappoint the incumbents if they chose to be reappointed, or you could appoint someone else.

Ms. LaFrance: We can't ask to retain them today?

Mr. Flint: No, you have to wait until they actually become vacant and that is the 22nd. The only thing you can do today is declare them vacant as of the 22nd, but the action to appoint someone to those seats has to happen after the 22nd. You could schedule another meeting between now and February, but I don't know if it's necessary.

On MOTION by Mr. Gysen, seconded by Ms. LaFrance, with all in favor, Resolution 2023-01 Declaring a Vacancy in Seats #2 and #5, was approved.

FIFTH ORDER OF BUSINESS

**Approval of Minutes of the September 6,
2022 Meeting**

Mr. Flint: The next item is approval of the September 6, 2022 meeting minutes. Did the Board have any comments or corrections to the minutes? Hearing no changes,

On MOTION by Mr. Brouillard, seconded by Ms. LaFrance, with all in favor, the Minutes of the September 6, 2022 Meeting, were approved.

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SIXTH ORDER OF BUSINESS

**Consideration of Resolution 2023-02
Amending the Fiscal Year 2022 Budget**

Mr. Flint: Next is Resolution 2023-02 which amends the Fiscal Year 2022 Budget. The statutes require that if the total expenses exceed the total budget bottom line, the Board is required to amend the budget within 60 days of the end of the fiscal year, which would be by the end of this month. We have prepared a proposed amendment. This gives us a little leeway in the event that some of the invoices come in late or during the audit there are adjustments. It doesn't exactly balance with the projected just because we don't want the Board to approve it to the penny just to have another invoice come in. What we've done on the revenue side is we have recognized an additional carry-forward of \$21,559. You can see we are projecting to end the year with \$15,957, so it's only an increase of about \$6,000, but we are giving ourselves some extra room just in the event that some of the additional invoices come in. On the expense side there were some additional meetings related to the financing, so you see some Supervisor fees. The additional engineering fees were related to the new statutory requirement that we do that annual stormwater report, and then there's also some geotechnical engineering invoices in there related to some sinkholes that were repaired. That's the primary reason for that \$7,800 increase. The attorney's fees were related to cleaning up all of the ownership between the CDD, the HOA, and the developer. There was a significant amount of attorney time involved in that process. I don't anticipate that we will have that type of expense on a yearly basis, but we did have a fair amount this year. Other current charges are primarily bank fees that came in higher than normal. And then we've made some adjustments on the maintenance side as well. Any questions on the budget? After this adjustment we still have an excess of the 90-day operating reserve, so we are fine as our operating revenue goes. Any questions? Hearing none,

On MOTION by Mr. Brouillard, seconded by Mr. Gysen, with all in favor, Resolution 2023-02 Amending the Fiscal Year 2022 Budget, was approved.

SEVENTH ORDER OF BUSINESS

**Discussion of Additional Speed Limit
Signs**

Mr. Flint: I was contacted by Mr. Hutson about a concern that there was a need for additional speed limit signs on the major road that runs north and south through Indigo East. We do currently have speed limit signs at each of the three entrances. We also added speed limit signs

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north and south of the clubhouse, but I think the concern is the main road and whether there is a need for additional speed limit signs on that road.

Mr. Brouillard: I find it hard to drive over 25 mph on that road with all of the curves and golfcarts. The only place you can do that is going past the clubhouse going south, but the rest of it is so curvy that you can't drive 40 mph.

Mr. Solan: It'll be more signs that people will ignore.

Ms. LaFrance: I think they will go the speed they want to go honestly.

Mr. Gysen: Do you recall how much we paid for the two additional signs?

Mr. Flint: I have to go back and look. If the Board was to take action for one additional sign, I would get a proposal and bring it back in February.

Mr. Gysen: Let's do that.

Mr. Flint: Okay. They are probably around \$300.

Mr. Gysen: Okay, yeah. Let's get a proposal.

Mr. Flint: And if I bring a proposal back and you guys don't want to do it, that's okay too. We will bring a proposal back for two additional signs at the February meeting.

EIGHTH ORDER OF BUSINESS

Ratification of Proposal from Taylor & Sons for Depression Excavation

Mr. Flint: We got two proposals for this repair, and Taylor & Sons was the least expensive of the two and they have also done work for us in the past. Because this needed to be repaired, I had to go ahead and approve the work, so I am asking the Board to ratify my action in doing that. My understanding is that they've staked off the property boundaries this week, and I believe they are supposed to start work this week. These sink holes are fairly typical in this area of Florida. Over time, if they are under a certain size our landscape contractor would just fill them in with dirt but that's if they are fairly small. This one was really deep and required a Geotech engineer to come out and look at it and come up with a plan for how it would be remediated and that is what this price is based on.

Ms. LaFrance: Where is this located?

Mr. Flint: I'll send a map out after the meeting with the area highlighted. Is there a motion to ratify?

On MOTION by Mr. Brouillard, seconded by Mr. Gysen, with all in favor, Proposal from Taylor & Sons for Depression Excavation, was approved.

NINTH ORDER OF BUSINESS

Consideration of Proposal for Fiscal Year 2022 Audit Services

Mr. Flint: The CDD as a government entity is required to have an annual independent audit performed. You had previously selected Grau & Associates as your independent auditor. They have provided an engagement letter with a not-to-exceed of \$3,900. This is for Fiscal Year 2022 which just ended on September 30th. Your budget is \$3,800, but that was based on the cost of last year's and they have increased their fee by \$100. It is still going to be less expensive than if you bid it out. I think that what you will find when we bid it, we will see the cost go up. The number of auditors doing CDD audits has shrunk, and because of that there is less competition, and the fees are starting to go up. It's hard to make money on these audits unless you do a lot of them and there's only two or three firms right now that are bidding on these. Grau does the most CDD audits in the state. My recommendation would be to approve this, and next spring we will start the audit RFQ process.

On MOTION by Mr. Gysen, seconded by Ms. LaFrance, with all in favor, the Proposal for Fiscal Year 2022 Audit Services, was ratified.

TENTH ORDER OF BUSINESS

Staff Reports

A. Attorney

Mr. Wagoner: I have no updates for the Board.

B. District Manager

1. Approval of Check Register

Mr. Flint: We have the check register. This is from July 1st through September 30th. It's for the general fund and the Board compensation and it totals \$38,002.52. Are there any questions on the check register? Hearing none,

On MOTION by Ms. LaFrance, seconded by Mr. Solan, with all in favor, the Check Register, was approved.

2. Balance Sheet and Income Statement

Mr. Flint: You also have the unaudited financials through September 30th. There is no action required. If the Board has any questions, we can discuss those. You can see the combined balance sheet that shows your general fund, debt service, and capital reserves. Your general fund, as of September 30th, you had \$130,000 in your operating account. There are some funds due from capital reserve for some expenses that would've been paid out of that fund. Your capital reserves have about \$482,000 in that account. And then you have your statement of revenue and expenditures for each one of the funds. You can see that we were fully collected on our on-roll assessments. Any questions on the financials?

ELEVENTH ORDER OF BUSINESS

Other Business

Mr. Flint: The refinancing that Indigo is doing on behalf of Bay Laurel is in a holding pattern because of interest rates. You all adopted a delegation resolution which delegated authority to the Chair. If certain parameters were met, the bonds could be refinanced. One of those is the net present value of the savings that would resolve from the refinancing. Because interest rates have gone up, we are not meeting that net present value that is delineated in delegation resolution, so for the time being, we are just in a holding pattern pending rates coming back down at some point. Anything else that the Board wanted to discuss that was not on the agenda?

Mr. Hutson: I'd like to bring up the trees and shrubs around the area. Everything looks like it hasn't been trimmed as you drive down 80th street.

Mr. Flint: I will get with the landscape contractor to have them fix that. And some of those issues are for the master association, some were CDD, some were HOA. All of those contracts are managed by the same people, so I will get with those folks.

Mr. LaFrance: Also, when you're coming from the south side and you're going down 79th and you turn into 81st loop, right there the trees are covering the sign. So, if the landscapers could trim that back a little that would be great.

Mr. Flint: Okay, I can have them do that.

TWELFTH ORDER OF BUSINESS

Supervisors Request

Mr. Flint: Are there any Supervisor requests? Hearing none, we will move on to the next item.

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THIRTEENTH ORDER OF BUSINESS

Adjournment

The meeting was adjourned.

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


Secretary / Assistant Secretary


Chairman / Vice Chairman