

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, February 21, 2023 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
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
Brandon Siter	Colen Built

**FIRST ORDER OF BUSINESS**

**Roll Call**

Mr. Flint called the meeting to order. We have all of the board members here and we have 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 comment to the Indigo East Board on anything on the agenda or not on the agenda that they would like to bring to the Boards attention? Hearing none,

**THIRD ORDER OF BUSINESS**

**Notice for Meeting**

Mr. Flint: The affidavit of publication is in the agenda. It was advertised in the Ocala Star Banner back on August 30, 2022. The annual meeting notice is indicated there.

**FOURTH ORDER OF BUSINESS**

**Organizational Matters**

**A. Administration of Oath of Office to Newly Elected Supervisor**

Mr. Flint: We need to administer the oath of office to the newly elected Supervisor, Mr. Solan and we provide you the oath of office. Mr. Solan, 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 hereby solemnly swear or affirm that you will support the Constitution of the United States in the state of Florida?

Mr. Solan: I do.

Mr. Flint: If you will sign where it says Board Supervisor and then I can notarize that for you.

**B. Appointment of Individuals to Fulfill Board Vacancies in Seats 2 & 5**

Mr. Flint: Two of the seats that were up for election last November, no one qualified to run. Those are the seats occupied by Mr. Gysen and Mr. Hutson. The Board has the option of reappointing Mr. Gysen or Mr. Hutson. You can appoint another qualified elector or you can defer action and they can carry over in those seats in a carryover capacity. We will go ahead and take each seat individually. Seat #2 is Mr. Hutson’s seat, is there a motion to nominate someone to fill that seat?

Mr. Solan: I nominate Mr. Hutson.

On MOTION by Mr. Solan, seconded by Mr. Brouillard, with all in favor, Appointment of Mr. Hutson to Fulfill Board Vacancy in Seat 2, was approved.

Mr. Flint: We will handle seat 5 and then we will do the oath for both seats. Seat 5 is currently occupied by Mr. Gysen. Are there any nominations to fill that vacancy?

Ms. LaFrance: I make a motion to retain Mr. Gysen.

On MOTION by Ms. LaFrance, seconded by Mr. Hutson, with all in favor, Appointment of Mr. Gysen to Fulfill Board Vacancy in Seat 5, was approved.

**C. Administration of Oath of Office to Newly Appointed Board Members**

Mr. Flint: As citizens of the State of Florida and of the United States of America and as officers of the Indigo East Community Development District and a recipient of public funds as such officer, do you hereby solemnly swear or affirm you will support the Constitution of the United States in the State of Florida.

Mr. Hutson: I do.

Mr. Flint: If you could sign where it says Board Supervisor for me? We are all official now.

**D. Consideration of Resolution 2023-03 Election of Officers**

Mr. Flint: The statutes require that after each election, the Board should consider election of officers and we have provided you Resolution 2023-03 electing a Chair, Vice Chair, Assistant Secretaries, Treasurer, Assistant Treasurer. Currently Mr. Gysen is Chair and Ms. LaFrance is Vice Chair. The other three Board members are Assistant Secretaries. I am Secretary. Jill Burns in my office is Treasurer and Katie Costa is Assistant Treasurer. She is in charge of the accounting department. We can take each seat individually and consider nominations for each office or if the Board member wants to elect a slate of officers, we could handle it in one motion.

Mr. Gysen: I move that we elect the slate as is.

On MOTION by Mr. Gysen, seconded by Mr. Brouillard, with all in favor, Resolution 2023-03 Election of Officers as slated above, was approved.

**FIFTH ORDER OF BUSINESS**

**Approval of Minutes of the November 15, 2022 Meeting**

Mr. Flint: The next item is approval of the November 15, 2022 meeting minutes. Did the Board have any comments or corrections to those?

Mr. Hutson: Page 6 the 11<sup>th</sup> order of business where it says 8<sup>th</sup>, should be 80<sup>th</sup> Street.

Mr. Flint: It should be 80<sup>th</sup> Street. The second paragraph on page 6. Any other corrections?

Ms. LaFrance: Yes, on page 2, I think Mr. Hutson’s name is spelled wrong. First paragraph where it says, “the two seats held by Dr. Gysen and Mr. Hudson.”

Mr. Flint: Okay, it should be a “t”, Hutson. Thank You. Any other comments?

On MOTION by Ms. LaFrance, seconded by Mr. Brouillard, with all in favor, the Minutes of the November 15th, 2022 Meeting, were approved as amended.

**SIXTH ORDER OF BUSINESS**

**Consideration of Proposal for 2 Additional Speed Limit Signs**

Mr. Flint: I think Mr. Hutson had asked about this item about the possibility of adding an additional sign north of the club house and south of the club house so we got a proposal. You can see that the cost would be \$295.86 and this does not include installation. OTOW staff had indicated that they would install these on behalf of the CDD. The sales tax would need to come off of here obviously. The cost would be about \$275 total. Is there any desire to move forward with this?

Mr. Gysen: At this time, I do not think it is necessary. People have been speeding along that way all the time, even trying to pass me when I am driving by so I am guessing they are not going to pay attention to any signs. If they want to go around me, I won't stop them.

Mr. Flint: Alright, we can always bring it back later if the Board changes their minds. At this point, we will defer any action on that proposal.

**SEVENTH ORDER OF BUSINESS**

**Ratification of Proposal from Precision Curbs & Landscape for Sidewalk Repair**

Mr. Flint: There were two 5 x 10 sections of sidewalk that you may have noticed cones were on a section of it that was cracked and broken and fortunately I do not believe we had any trip and falls in this area. In an effort to avoid any health safety issues, this repair was made and I am just asking the Board to ratify the proposal.

On MOTION by Mr. Gysen, seconded by Ms. LaFrance, with all in favor, the Proposal from Precision Curbs & Landscape for Sidewalk Repair, was ratified.

**EIGHTH ORDER OF BUSINESS**

**Consideration of Proposal from Facility Resources for Sidewalk Pressure Washing**

Mr. Flint: This would be for the entire community, North and South Indigo on the areas that are owned and maintained by the CDD. It is slightly over our budget. I think our budget is \$15,000 and the proposal came in at \$16,635. We have not been successful in getting a second proposal. There was a question about one of the entrances needing to be pressure washed and we

were able to get two proposals just for that entrance, but annually we do the entire community and it did not make sense to just do the entrance way. My recommendation would be to move forward with the proposal that we have received. If we can get another proposal that is lower in a timely fashion, I would ask to have the flexibility to be able to enter into that agreement but in the absence of being able to get a second proposal, I would recommend authorizing the work with facility resources. Any questions? Is there a motion to approve it?

On MOTION by Mr. Hutson, seconded by Mr. Gysen, with all in favor, Proposal from Facility Resources for Sidewalk Pressure Washing, was approved.

**NINTH ORDER OF BUSINESS**

**Consideration of Resolution 2023-04 Authorizing the Use of Electronic Documents and Signatures**

Mr. Flint: Resolution 2023-04 which authorizes the use of electronic document signing. There were some legislative changes a year or two ago that allow us to be able to use DocuSign which is an electronic signature software. In lieu of having an actual wet signature on the agreements and the resolutions etc., we are able to actually email an electronic link to the Chair or Vice Chair and have those signed electronically. It gives us the option of doing that. There are still some documents that will need signatures and things that have to be recorded and that sort of thing, but this would give us the option of using DocuSign. Any questions on the resolution? Is there a motion to approve it?

On MOTION by Mr. Gysen, seconded by Mr. Hutson, with all in favor, Resolution 2023-04 Authorizing the Use of electronic Documents and Signatures, was approved.

**TENTH ORDER OF BUSINESS**

**Ratification of Proposal from Earthscapes for Replacement Plants**

**A. Proposal from MHS for Comparison**

Mr. Flint: We have provided you the second proposal. OTOW staff had reached out to Earthscapes and to the other vendor and requested proposals to remove the juniper and replace it with one gallon Flax Lily and pine straw. You can see that Earthscapes proposal is about \$800 less than the other proposal. I went ahead and authorized the work to be done. We do have a plant

replacement budget. This would come out of that line item. My understanding is that the work has not been actually completed yet. Do we have a status?

Mr. Brouillard: It will start Monday morning.

Mr. Flint: The work should commence next Monday. Any questions? If not, is there a motion to ratify the Earthscapes proposal?

On MOTION by Mr. Brouillard, seconded by Ms. LaFrance, with all in favor, Proposal from Earthscapes for Replacement Plants, was ratified.

**ELEVENTH ORDER OF BUSINESS**

**Review and Acceptance of Draft Fiscal Year 2022 Audit Report**

Mr. Flint: The CDD is a special District government entity and is required to have an annual independent audit. We have provided you with the draft audit in your agenda. If you turn to page 29 which is the last page, this is the report to management. If there were any findings or recommendations in the current or prior year, they would be indicated there and you can see that there are no findings or recommendations. They have also determined that we have complied with the provisions of the auditor general that they are required to review. It is a clean audit. If there are any questions, we can discuss those and if not, I would ask for a motion to accept the audit and authorize it to be transmitted to the State of Florida.

Ms. LaFrance: On #5 the District has not met one or more of the financial emergency conditions. Can you explain that to me?

Mr. Flint: That is good that we have not met those conditions. In the statutes, I think there is approximately 10 or 11 items that they have to look at. If we meet any of those items, then it would be an indication that there is a potential financial emergency. The fact that we have not met those is a good thing because it means there is no indication that there is a financial emergency.

Ms. LaFrance: Thank you.

Mr. Flint: Sometimes those may be met and it is not really an indication of a financial emergency but it may be another reason for meeting it. What happens is the audit gets transmitted to the state that will typically get flagged and they will send us a letter asking the details, but we do not have that situation here so it is a clean audit.

Ms. LaFrance: Thank You.

Mr. Flint: Any other questions or discussion? If not, is there a motion to accept the audit and authorize it to be transmitted to the state?

On MOTION by Mr. Gysen, seconded by Ms. LaFrance, with all in favor, Accepting the Draft Fiscal Year 2022 Audit Report, was approved.

**TWELFTH ORDER OF BUSINESS**

**Staff Reports**

**A. Attorney**

Mr. Flint: Anything for the Board for Indigo?

Ms. Wagoner: I have none.

**B. District Manager**

**1. Approval of Check Register**

Mr. Flint: You have the approval of the chest register from October 1<sup>st</sup> through December 31<sup>st</sup>, 2022. It totals \$92,954.66 and the detailed register is behind the summary showing the individual checks, the amounts and who they are written to. Any questions on the check register? If not, is there a motion to approve?

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

**2. Balance Sheet and Income Statement**

Mr. Flint: You have the unaudited financial statements through December 31<sup>st</sup>. If there are any questions, we can discuss those. There is no action required by the Board on these. As of December 31<sup>st</sup>, you can see that we have collected \$99,000 of the \$254,000 that was certified for collection on the tax roll. I am sure at this point it is much higher than that. We are typically close to 100% collected by the end of March and our expenses are under our prorated budgets both for general, administrative, and operations and maintenance. Any questions on the financials? Hearing none,

**3. Presentation of Arbitrage Rebate Calculation Report**

Mr. Flint: Next item is the arbitrage rebate calculation report. The IRS requires that we demonstrate that we have earned less interest than we have paid and we engage Amtech to do that

annual calculation for the District. You can see there is a negative \$12,897 rebatable arbitrage so we do not have an arbitrage issue. Are there any questions on the report? If not, is there a motion to accept it?

On MOTION by Mr. Solan, seconded by Mr. Gysen, with all in favor, Accepting the Arbitrage Rebate Calculation Report, was approved.

**THIRTEENTH ORDER OF BUSINESS                      Other Business**

Mr. Flint: That is all of the business that we had on the agenda. Were there any other items that the Board wanted to discuss that was not on the agenda? Hearing none,

**FOURTEENTH ORDER OF BUSINESS                      Supervisors Request**

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

**FIFTEENTH 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 at 9:21 a.m.

  
Secretary / Assistant Secretary

  
Chairman / Vice Chairman