

**MINUTES OF MEETING
LIVE OAK LAKE
COMMUNITY DEVELOPMENT DISTRICT**

The regular meeting of the Board of Supervisors of the Live Oak Lake Community Development District was held on Wednesday, **August 9, 2023** at 2:30 p.m. at the West Osceola Branch Library, 305 Campus Street, Celebration, Florida and via Zoom.

Present and constituting a quorum:

Andrea Stevens
Mel Gray Marshall
Ned Bowman
Kimberly Locher

Vice Chairperson
Assistant Secretary
Assistant Secretary
Assistant Secretary

Also present were:

Tricia Adams
Michelle Rigoni
Nicole Stalder
Jarrett Wright

District Manager/GMS
District Counsel, Kutak Rock (*via Zoom*)
District Engineer, Dewberry (*via Zoom*)
Field Services, GMS

FIRST ORDER OF BUSINESS

Roll Call

Ms. Adams called the meeting to order. Four Supervisors were present in person constituting a quorum.

SECOND ORDER OF BUSINESS

Public Comment Period

Ms. Adams opened up the public comment period.

Ms. Payne-Lewis asked that a fountain be installed in the Greenland's pond for pest control. She also commented on the scheduled Board meetings being cancelled without notification and wanted to know how many meetings are required for the year. She commented on the minutes of the meetings and asked if they were just a synopsis or are they word for word. She felt the minutes did not show who voted yes/no and objections were not noted. She asked if an

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“unedited” version would be available to the public. She added comments on the three seats that were occupied and wanted to know what determined when the seats are turned over to residents.

Ms. Rocha asked a question about the main close at Twin Lakes.

Mr. Michael Taylor commented on the problem with no-see-ums in the area.

Hearing no other comments, Ms. Adams closed the public comment period.

THIRD ORDER OF BUSINESS

Public Hearing on the Fiscal Year 2024 Budget

A. Public Comment

Ms. Adams noted the public hearings were to hear comments on the proposed Fiscal Year 2024 budget and imposing special assessments to fund the same. She asked if District Counsel would be ok with one motion for both public hearings. Ms. Rigoni stated they could do both. She asked for a motion to open the both public hearings.

On MOTION by Mr. Bowman, seconded by Ms. Locher, with all in favor, Opening the Public Hearings, was approved.

Ms. Adams introduced the resolution and the proposed budget. She noted this will approve the budget for FY 2024 starting October 1, 2023 and ending September 30, 2024. She reviewed the proposed budget. She stated the overall total proposed amount for administrative is similar to last year at \$131,676. She added the increases are due to the additional property to maintain and the field expenses are proposed at \$621,560. She noted there was an increase in aquatic control, landscape maintenance, fountain service, new line item for midge management for \$24,000. She noted the proposed amount for the gross assessment per unit for the 35 foot duplexes is \$249.55, for 50 foot is \$356.50, the 70 foot is \$499.10, and the unplatted is at \$63.59. This is an increase from the previous year and all property owners have received mailed notice, general notice and notice of public hearings and posted two days in advance to the meeting.

Ms. Adams noted the debt service for the 2016 bonds, the amortization schedule and the amounts for each. The property tax includes the maintenance fees and the debt fees. There are two bond issues the 2016 and the 2020 bond. The gross assessment for the debt service is the same and does not change year to year. She added the next resolution is for assessments and authorizes the District to collect the fees and the funding.

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Ms. Adams asked for any questions from the public regarding the budget. Ms. Lewis commented on contingencies for adding pond fountains and Ms. Adams noted there was a contingency. It was noted there was no plan to add fountains, but there are other plans for midge control. Discussion ensued on midge issues and control plans, spraying, the added amount to the budget to control the midge problems, fountain maintenance, adding fish to the ponds, update notification to the community, stocking plans for the ponds, issues with fish and shrimp.

Other concerns were voiced on the bond issuances and the assessment areas of the 2016 and the 2020 bonds. Ms. Adams asked for a motion to close the public hearing.

On MOTION by Mr. Bowman, seconded by Ms. Locher, with all in favor, Closing the Public Hearings, was approved.
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B. Consideration of Resolution 2023-08 Adopting the Fiscal Year 2024 Budget and Relating to the Annual Appropriations

Ms. Adams asked for a motion to approve the fiscal year 2024 budget. The Board had no changes to the budget proposal.

On MOTION by Mr. Bowman, seconded by Ms. Stevens, with all in favor, Resolution 2023-08 Adopting the Fiscal Year 2024 Budget and Relating to the Annual Appropriations, was approved.

FOURTH ORDER OF BUSINESS

Public Hearing on the Fiscal Year 2024 O&M Assessments

A. Public Comment

Ms. Adams noted the comment period for the public hearing on the Fiscal Year 2024 O&M assessments had been approved and held at the same time as the public hearing on the budget.

B. Consideration of Resolution 2023-09 Imposing Special Assessments and Certifying an Assessment Roll

Ms. Adams noted this authorizes the collection and the assessments on the property tax bill.

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On MOTION by Mr. Bowman, seconded by Ms. Locher, with all in favor, Resolution 2023-09, Imposing Special Assessments and Certifying an Assessment Roll, was approved.

C. Direct Collection Agreement with the Developer for FY 2023-2024

Ms. Adams noted this agreement is with the Developer. Ms. Rigoni presented the collection agreement and the collection schedule. Mr. Bowman asked if there was an interest rate on the agreement. Ms. Rigoni noted there was not.

On MOTION by Mr. Bowman, seconded by Ms. Locher, with all in favor, the Direct Collection Agreement with the Developer for Fiscal Year 2023-2024, was approved.

D. Deficit Funding Agreement with the Developer for FY 2023-2024

Ms. Adams noted this agreement was with Narcoossee Land Ventures, LLC the developer for the FY2023-2024. Ms. Rigoni noted the assessment levels were targeted and no increases beyond a certain point, so the developer agreed to deficit fund any expenses over the targeted revenue amount.

On MOTION by Mr. Bowman, seconded by Ms. Stevens, with all in favor, the Deficit Funding Agreement with the Developer for Fiscal Year 2023-2024, was approved.

FIFTH ORDER OF BUSINESS

Approval of Minutes of the June 7, 2023 Board of Supervisors Meeting

Ms. Adams presented the minutes from the Board of Supervisors meeting on June 7, 2023, which can be found in the agenda packet. She asked for any comments, corrections, or questions from the Board. There being no changes, she asked for a motion of approval.

She addressed a previous public question and noted the minutes are presented in summary format and does include a recording of all motions and any opposing members identified. Anyone wishing to hear the recording can notify the District Manager's office. They have been reviewed by District Counsel. The meeting date was clarified as of June 7th. Further comments from Mr. Bowman noted the midge issue was addressed in this meeting and are noted in the minutes.

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On MOTION by Mr. Bowman, seconded by Ms. Stevens, with all in favor, the Minutes of the June 7, 2023 Board of Supervisors Meeting, were approved.

SIXTH ORDER OF BUSINESS

Presentation of Fiscal Year 2022 Financial Audit Report

Ms. Adams presented the Fiscal Year 2022 audit report from Grau & Associates to the Board. She noted the report is a requirement and was a clean report with no findings. The report noted the District is considered to be in compliance with all regulations of auditing standards.

She asked for any questions or comments regarding the report. It was asked if this was mailed to the homeowners. Ms. Adams noted this is supplied to the state of Florida and posted on the District website.

On MOTION by Ms. Stevens, seconded by Ms. Locher, with all in favor, the Fiscal Year 2022 Financial Audit Report, was approved.

SEVENTH ORDER OF BUSINESS

Staff Reports

A. Attorney

Ms. Rigoni stated she had nothing further to report.

B. Engineer

i. Acceptance of Fourth Annual Conservation Area Monitoring Report

Ms. Stadler presented the monitoring report which was included in the agenda package. She noted this is an annual requirement to ensure the conservation areas are treated.

On MOTION by Ms. Stevens, seconded by Ms. Marshall, with all in favor, the Fourth Annual Conservation Area Monitoring Report, was approved.

ii. Consideration of Dewberry Proposal for Wetland Year 5 Consulting Services

Ms. Stadler presented the proposal and noted this will ensure compliance and there are no exotic issues. She added this includes coordination services and semi-annual maintenance events that are required which includes the removal and spraying and another report. Ms. Adams noted they confer with the District Engineer in preparing the budget to cover expenses. They will provide

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notice to Homeowner's Associations. Mr. Bowman commented on the tree issue and responsiveness.

On MOTION by Mr. Bowman, seconded by Ms. Locher, with all in favor, the Dewberry Proposal for Wetland Year 5 Consulting Services, was approved.

C. Field Manager's Report

Mr. Wright presented the Field Managers report and updated the Board on the landscape items to include the removal of firebush plants at the roundabout, pond bank erosion repair, new plantings and the individual map for sections to verify results. He explained the purpose of the maps to locate addressing the issues.

Mr. Wright noted the fountain repairs were completed and were operational. He addressed lights and timers. Mr. Wright also explained the midge spray treatments were conducted at pond 13 and 14. He addressed the budget increase.

D. District Manager's Report

Ms. Adams addressed a question on the seats on the Board seats and elections. She explained the process to include the 6 years after establishment and 250 registered voters, the seats will transition from landowner elected to the general election process. She noted the next general election will be 2024 and she explained the qualifications and process for the seats.

i. Check Run Summary

Ms. Adams reviewed the check run summary from June 9, 2023 to August 1, 2023 totaling \$147,753.27. Ms. Adams offered to answer any questions for the Board. Hearing no questions, she asked for a motion of approval.

On MOTION by Mr. Bowman, seconded by Ms. Locher, with all in favor, the Check Run Summary, was approved.

ii. Balance Sheet

Ms. Adams stated that the financials were included in the agenda package through the end of June. There was no action needed on this item.

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iii. Review of the Fiscal Year 2024 Meeting Schedule

Ms. Adams reviewed the proposed Fiscal Year 2024 Meeting schedule starting October 1st. She noted there was a question on how often the Board is required to meet and noted there is no number of required meetings but there are certain events must occur. She added the Board is required to approve a proposed budget by June 15th of every year and adopt a budget by September 15 of every year to be in compliance of Florida statues.

She added this Board has scheduled meetings for the first Wednesday of each month the process of cancellation of meetings.

This proposed meeting schedule is for 2:30 p.m. at the Osceola Branch Library on the 1st Wednesday of each month. She answered a previous question on meeting locations and stated the meeting location must be accessed by the public.

Mr. Bowman made the recommendation for the Chairman to look at the schedule for the July 3rd meeting. Ms. Adams noted the options for this meeting and also the January meeting date. She added a posting is required for meetings. Other discussion ensued on concerns of the locations. It was asked to consider revising the FY24 meeting schedule.

She recommended approval of the schedule now and looking at moving problematic dates. Ms. Adams noted she would check into the feasibility of moving meetings to Veterans' Memorial Public Library in St. Cloud at 4:00 p.m. on the first Wednesday of the month.

On MOTION by Mr. Bowman, seconded by Ms. Stevens, with all in favor, the Fiscal Year 2024 Meeting Schedule, was approved.

**Ms. Locher left the meeting at this time.*

EIGHTH ORDER OF BUSINESS**Other Business**

A question was asked on informing the community of the budget status. Ms. Adams noted the unaudited funds are noted in the balance summary and that is accessible to the public.

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NINTH ORDER OF BUSINESS**Supervisors Requests and Audience
Comments**

Ms. Lewis commented on the ponds and the Board should get estimates on additional fountains. Mr. Wright commented on vendors and his responsibilities. It was addressed that the Board is who would approve additional fountains.

Jody on Zoom commented on the public asking for additional items that would increase maintenance costs.

TENTH ORDER OF BUSINESS**Adjournment**

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

DocuSigned by:

Tricia Adams
Secretary/Assistant Secretary

DocuSigned by:

Andrea Stevens
Chairman/Vice Chairman