

**MINUTES OF MEETING  
TOWNE PARK  
COMMUNITY DEVELOPMENT DISTRICT**

The regular meeting of the Board of Supervisors of the Towne Park Community Development District was held Tuesday, **July 12, 2022** at 1:31 p.m. at the Holiday Inn – Winter Haven, 200 Cypress Gardens Blvd., Winter Haven, Florida and by Zoom.

Present and constituting a quorum:

Greg Jones	Chairman
Jennifer Tidwell	Vice Chairman
Brad Fritz	Assistant Secretary
Zabrina Sides	Assistant Secretary

Also present were:

Jill Burns	District Manager, GMS
Tricia Adams	District Manager, GMS
Meredith Hammock	District Counsel, KE Law Group
Alan Rayl	District Engineer
Clayton Smith	Field Services Manager, GMS

**FIRST ORDER OF BUSINESS**

**Roll Call**

Ms. Burns called the meeting to order and called the roll. There were three Board members present constituting a quorum.

**SECOND ORDER OF BUSINESS**

**Public Comment Period**

Ms. Burns stated that this is the portion of the agenda where if anyone has any public comments on anything they see on the agenda, now is the time that the public can comment. She noted that they also have a public comment portion at the end of the meeting for anything that is not on the agenda, so they could save those public comments for the end. She explained that they also have a public hearing today to adopt their Fiscal Year 2023 budget. She noted that if there were any budget related questions, they would have an opportunity to make a public comment

during the public hearing for that as well. She reminded everyone in person and on Zoom that if they had any comments, she asked them to limit those to three minutes so that they could make sure everyone had an opportunity to speak.

Ms. Burns addressed the public who were present first asking if they had any public comments on anything that was on the agenda. Hearing none, she moved on to the public who joined via Zoom asking if anyone had a public comment to anything that was on the agenda. Hearing none, the next item followed.

**THIRD ORDER OF BUSINESS**

**Organizational Matters**

**A. Acceptance of Resignation from Justin Frye**

Ms. Burns presented the resignation letter from Justin Frye stating that he had resigned from his seat on the Board.

On MOTION by Mr. Jones, seconded by Ms. Tidwell, with all in favor, Accepting the Letter of Resignation from Justin Frye, was approved.

**B. Appointment to Fill the Vacant Board Seat**

Ms. Burns stated that there was a vacant seat on the Board after the resignation of Justin Frye. Mr. Jones nominated Zabrina Sides to fill the vacant Board seat.

On MOTION by Mr. Jones, seconded by Ms. Tidwell, with all in favor, Appointing Zabrina Sides to the Board of Supervisors, was approved.

**C. Administration of Oath to Newly Appointed Supervisor**

Ms. Burns welcomed Zabrina Sides to the Board and did the administration of oath to Ms. Sides. Ms. Hammock reviewed the Sunshine Law for Ms. Sides. She stated that Ms. Sides was now a public official meaning that certain Florida laws do apply to her. She explained that those would be most importantly the Florida ethics law and prohibitions. Ms. Hammock told Ms. Sides that if she had any questions, she would be happy to answer them.

*\*All future Board action includes participation by Ms. Sides.*

**D. Consideration of Resolution 2022-04 Electing Officers**

Ms. Burns stated that they need to elect a Chair, Vice Chair and three Supervisors. She asked the Board if there was someone who would like to be Chair. Mr. Greg Jones volunteered to be Chair. Ms. Jennifer Tidwell volunteered to be Vice Chair. Ms. Burns stated that Zabrina Sides, Brad Fritz, and Rennie Heath would be Assistant Secretaries. She noted that they would also add Tricia Adams as an Assistant Secretary.

On MOTION by Mr. Fritz, seconded by Ms. Tidwell, with all in favor, Resolution 2022-04 Electing Officers as slated above, was approved.

**FOURTH ORDER OF BUSINESS**

**Approval of Minutes of the April 12, 2022 Board of Supervisors Meeting**

Ms. Burns presented the minutes of the April 12, 2022 Board of Supervisors meeting and asked for a motion to approve minutes.

On MOTION by Mr. Jones, seconded by Ms. Tidwell, with all in favor, the Minutes of the April 12, 2022 Board of Supervisors Meeting, were approved.

**FIFTH ORDER OF BUSINESS**

**Public Hearing on the Adoption of the Fiscal Year 2023 Budget**

Ms. Burns stated that this public hearing had been advertised in the paper as required by Florida statute.

On MOTION by Ms. Tidwell, seconded by Mr. Jones, with all in favor, Opening the Public Hearing, was approved.

Ms. Burns stated that before they opened up for public comments, she was going to give a brief overview for everyone who was in attendance who may have not been at the meeting where they approved the preliminary budget. She stated that this budget that the Board adopts contemplated keeping assessments the same for the upcoming year, so they were not contemplating assessment increases to the residents for each of the platted lots. She noted that for the Boards benefit, there had been no changes to this budget since they saw it at the last meeting

except for the removal of the telephone cost of \$200 because they were using the Zoom line and not a conference call. She stated that for everyone in attendance, the items that they added from last year were increased. The main one was security services to be able to have security on a limited basis. She noted that they increased the pool contract. She explained that was all that they changed from the prior year.

Ms. Burns stated that she would open it up for public comment asking if anyone present had a public comment. Hearing none, she asked everyone on the Zoom line if they had a public comment. She reminded everyone that this was public comments on the budget for the upcoming Fiscal Year 2023, which starts October 1, 2022 through September 30, 2023. Hearing none, she asked for a motion to close the public hearing.

On MOTION by Ms. Tidwell, seconded by Mr. Fritz, with all in favor, Closing the Public Hearing, was approved.

**A. Consideration of Resolution 2022-05 Adoption of the District’s Fiscal Year 2023 Budget and Appropriating Funds**

Ms. Burns stated that Resolution 2022-05 was included in the agenda package for review. She noted that it was the most that they could charge and that they couldn’t increase the assessment per lot from here. She stated that they had made the decision that they were not going to increase at the last meeting. She noted that if there were any line items or reallocations of funds that anyone wanted to change, they could look at that. She asked if anyone had any comments or changes. Hearing none,

On MOTION by Mr. Jones, seconded by Ms. Tidwell, with all in favor, Resolution 2022-05 Adopting the District’s Fiscal Year 2023 Budget and Appropriating Funds, was approved.

**SIXTH ORDER OF BUSINESS**

**Consideration of Resolution 2022-06  
Setting a Public Hearing to Amend  
Amenity Policies and Rates**

Ms. Burns stated that they were working with the janitorial company. She noted that they had an increase for their one-time fees for the room rental. She further explained that if someone rented the clubhouse room, they would be charged a rate to rent that as well as a security deposit. She noted that after every rental, the cleaning company would come in and clean that room. The

rate that was in place was \$100 to rent the room and they increased the fee to clean one-time to \$150. She stated that in order for the District not to lose money on those rentals, they needed to look at the rates associated with that room rental. She noted that in comparison with other Districts in the area, the rate to rent that was extremely low. She stated that the facility was rented every Saturday and Sunday for \$100. She recommended that the Board look at increasing the rental fee.

Mr. Jones stated that they wanted to make sure that they were not losing money to cover the cost. Ms. Burns stated that the rates had to be adopted at a public hearing, so they would not adopt the rates on this day. She continued to explain that they would set the rate that they advertise for and then they could bring it down from there. She stated that the rate that they had was \$250 for the deposit and \$200 for the rental fee. She explained that they could do that amount or lower if they thought they wanted to charge more than that. She addressed some security issues that they had with renters not locking the side door and stated that people had been able to go in and out of that facility because of that. She stated that if they went a little higher than the \$100 and go with the \$250, that would give them some flexibility to have a security guard go by and lock after each rental.

Mr. Smith stated that some of the things that they were dealing with there were having to repaint things because people would stick tape to the wall and also the furniture was getting moved around. He added that as far as the doors go, their plan was to make it to where the sliding glass doors would not open anymore. He stated that they would secure the big doors. He also noted that the \$150 cleaning fee did not include cleaning all the windows. He continued to explain that this was an additional service, which they did selectively. He stated that it was \$100 to go through the entire building and clean all the windows. Ms. Burns stated that she thought \$200 or \$250 was in line with what they would typically see for renting a small rental space for birthday party, baby shower, etc. Ms. Tidwell asked how many hours that would be to rent this space. Ms. Burns responded that it was a five-hour block and that if they went above that timeframe, they would have to pay double the fee. She noted that they typically did not allow for more than one rental in a day. She also stated that the only other change to the rules from previously was that the dog park policies were added. She noted again that they were not looking to adopt these today, they are just looking to set the public hearing. She stated that they needed at least 30 days in order to set the hearing ad, so they were proposing September 13, which was their regular September meeting. She asked if that worked for everyone, and the Board responded that it did.

On MOTION by Mr. Fritz, seconded by Ms. Tidwell, with all in favor, Resolution 2022-06 Setting a Public Hearing to Amend Amenity Policies and Rates for September 13, 2022, was approved.

**SEVENTH ORDER OF BUSINESS**

**Consideration of Resolution 2022-07  
Designation of Regular Monthly Meeting  
Date, Time, and Location for Fiscal Year  
2023 Meetings**

Ms. Burns stated that the schedule that was in their package contemplated looking at the same date, time, and location. She stated that it was entirely up to the Board where and when they would like to hold these meetings. She stated that if the Board was looking to make a change now that it was transitioning from the developer to resident control in November, that would be up to them. She stated that if they wanted more time to look at that, they could always table this to the next meeting. She stated that they had the same schedule for August and September, which was in their current location. This would take place October 1<sup>st</sup>, if they wanted to change it. The Board discussed the date, time, and location for the 2023 monthly meetings. After discussion, Ms. Burns stated that they would table this and look at a schedule and present an option to the Board at the September meeting, unless something comes up in August to meet for.

**EIGHTH ORDER OF BUSINESS**

**Review of Security Post Orders and  
Discussion Regarding Options for Remote  
Monitoring**

Ms. Burns reminded the Board that certain security things such as camera locations, procedures, and security hours were exempt from public records requests and discussing in a public meeting. She stated that they didn't want to disclose which hours the security guards were there. She stated that they also had seen some information that had been redacted from these post orders. She referred to the security orders that were provided from Securitas, which is the company that the Board hired to do limited security during peak hours. She noted that they were new on site and that they were working through some issues. She stated that Ms. Adams had been in contact with their site Supervisor a lot recently and that they thought they were stepping into the right direction after a couple of incidences that they had reviewed on some security footage. She stated that this was their standard orders on emergencies. Ms. Burns stated that the security company was happy to put procedures in place that the Board would like. Ms. Burns asked if the Board wanted the security guards to identify cards from every person who was in the area at the time. Mr. Jones

responded yes. He stated that he thought that they were at a growing period and that soon everyone would know how to get the access.

Ms. Burns stated that there had also been a couple of instances with residents reporting to them certain things that were said to them by the Lakeland police department that they were not able to enforce laws at the pool, which is incorrect. She noted that Ms. Hammock did reach out to the police department. Ms. Hammock stated that she contacted the Lakeland police department to try to figure where this discrepancy was coming from, and they directed her to the city attorney. She stated that she had been in communication for the last week with the city attorney trying to figure out where the disconnect was happening and how they could fix it. She noted that the city was aware, and she was talking to and coordinating with the city's attorney and their police department. She stated that they were hoping to get that cleared up quickly. Ms. Burns stated that she would pass along to the residents that if they see something happening at the facility that was not an illegal issue or a crime and only an amenity violation, they could report those to their office at any time.

Mr. Jones stated that he wanted to add that there was an incident that happened at Riverstone pool where the fire department and police responded. He stated that he spoke to the captains after to make sure that there were no issues because there had been issues with the back gate before with both Polk County and Lakeland getting in through there. He stated that before that timeframe, they had added two locks both for Polk County and Lakeland to get through the emergency gate. He stated that their equipment was able to come through that. He stated that the gate was working as it should now. He also stated that the captains noted that they had the Riverstone pool address but stopped at Towne Park first according to the address that they were directed to and the pool. He stated that he did work with them in identifying Pool 1 and Pool 2 and clarified the addresses so that they could update their system. He noted that now they should have a better response time and that it would be clearer in their computer system for both Polk County and Lakeland.

## **NINTH ORDER OF BUSINESS**

### **Acceptance of Fiscal Year 2021 Audit Report**

Ms. Burns noted that the District was required to get an independent audit performed every year and was due to the state by June 30<sup>th</sup>. She referred to the copy of the report and stated that on page 23 was the report to management, which summarized that report. She stated that there were

no instances of non-compliance and that the District did not meet any of the conditions for financial emergency. She noted that it was considered a clean audit. She asked if anyone had any questions. Hearing none,

On MOTION by Mr. Jones, seconded by Ms. Tidwell, with all in favor, Accepting of Fiscal Year 2021 Audit Report, was approved.

**TENTH ORDER OF BUSINESS**

**Staff Reports**

**A. Attorney**

Ms. Hammock had nothing further for the Board.

**B. Engineer**

**i. Ratification of Stormwater Needs Analysis Report**

Mr. Rayl stated that they had submitted the stormwater needs assessment by the deadline at the end of June. He stated that they had submitted the record to the county and copied GMS. Ms. Burns stated that they had included it in the agenda package for the Boards review.

Mr. Smith stated that they closed the lift station at the tract that was south of Phase 3 and 4. He noted that per the property appraisal, it did include the lift station. Mr. Rayl stated that a lot of times the tract may be dedicated to the CDD leadership, but then a lot of times it needs to go to utility services. Mr. Jones responded that he thought that was in the plat and that there was an easement for their water. He mentioned getting with Ms. Hammock on working through that. Ms. Hammock stated that sometimes the property appraiser's website would show the owner being one entity and that it just had not been updated properly. She stated that sometimes they would have to contact the property appraiser's office to get that cleared up. Mr. Smith stated that the other element of that was the bridge and the maintenance responsibility. He noted that his understanding was that the roadway was the city's. Mr. Jones stated that Lakeland owned the roads and that they would stop 50 ft. from the bridge. He stated that this needed to get clarified legally so that as they grow, things would be maintained 3-4 years down the road. He stated that he wasn't sure if this was something they needed to do internally or if they needed to add it to the agenda. Ms. Burns responded to let them look into it and then if they need Board action on something, they could do that.



On MOTION by Ms. Tidwell, seconded by Mr. Fritz, with all in favor, the Stormwater Needs Analysis Report, was ratified.

### **C. Field Manager's Report**

Mr. Smith Presented the field manager's report starting with the general maintenance. He stated that they repaired some fences that were ripped down. He also noted that the damaged fans had been removed, and that they were going to replace those. He discussed the paver warranty that was done at amenity 2 and stated that they were going to come back in and fill in the open gaps with some sand. He added that they did correct some graffiti on the bridge by painting it. He noted that they continued to do various maintenance items. He stated that they did replace the Slate Rock Rd. signage to Slate Rock Dr. because it was incorrect originally with the Slate Rock Rd. He stated that the solar lights that were approved at the previous Board meeting were added to the mailboxes in Phases 3, 4, 5, and 6. He stated that they added 2 additional bollards at the southern tract of Phase 3 and 4. He noted that 2 additional bollards were ordered. He also noted that signage would also be ordered to deter parking.

Mr. Smith stated that another item was the insect management that they had discussed previously. He stated that they had some complaints about midges on the pond. He stated that he had a company that would perform a chemical treatment on the pond, which would be expensive. He stated that they could do it on an ongoing basis. He noted that he had gone through and assessed the acres of ponds that they had, and the top part had a ton of ponds. It stated that it would be a ton of money to add Gambusia to them. He stated that if they were to address ponds near an amenity, it would be about 16 acres worth of pond, which would be \$2,400 to stock with 16,000 Gambusia and 80,000 shrimp. He stated that was for 6 ponds around both amenities, but it did not include the big pond. Ms. Burns asked if they were getting complaints about the midges at the amenity facility. Mr. Smith responded no, but that they were there. He noted that the worst pond was amenity owned and it was the pond right across the street from it. He stated that this pond was 5 acres. He gave the option to only do this pond. He stated that these fish specifically target the mosquitos and midges, so these fish would heavily reduce the number of those types of insects. He stated that the treatment programs were \$50,000-\$100,000 a year. The Board discussed the options and decided to treat the worst pond that was 5 acres across from amenity 1 for now.

Mr. Smith stated that another couple of items to address was the updates on the landscape. He stated that he understood that the community has had a lot of issues with the landscaper and

had issues with getting through the summer season because it had been a very heavy growing season. He noted that they had also had their trucks vandalized and that it ended up being about \$40,000 worth of repairs. He stated that in order to meet the demands of the ponds, which they were by contract required to do 1,926 pond mows per year based off the need and more frequently during the growing season. He stated that they had ordered more mowers, more trucks, and added a new pond crew, so they will be mowing the ponds more frequently through the summer. Mr. Smith stated that he still had confidence in the landscaper, and that they were working in the direction to resolve the issues.

Mr. Smith stated that the pool vendor was very responsive. He noted that they had went through three pool vendors here in the last year. The first one, they had major issues with and they stopped responding, so they ended up terminating this vendor. The second one was a good pool vendor who essentially resigned because of the difficulty with dealing with Towne Park pools. He stated that the current vendor seemed very responsive. He noted that they had been on site for four days a week now. He stated that they had been responding constantly to the issues that he brings up to them.

**i. Consideration of Quotes to Replace Pool Filters at Amenity Center Pools**

Mr. Smith stated that the vendor had wrote proposals to replace the pool filters. He noted that they were in need especially at amenity 1 and even amenity 2 was taking a toll on the filters. Mr. Smith recommended going with this proposal to replace the filters at both amenities to help keep the pools clean. Ms. Burns stated that they had \$1,350 for amenity 1 and \$2,875 for amenity 2. The Board discussed the options and agreed to hold on the proposal for amenity 2 and just approve the quote for amenity 1 at this time.

On MOTION by Mr. Jones, seconded by Ms. Tidwell, with all in favor, the Quote for \$1,350 to Replace Pool Filter Grids at Amenity Center Pool #1, was approved.
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**ii. Consideration of Quote for Additional Swing at Amenity 1 Playground**

Mr. Smith stated that the playground company gave them a route to make it a little cleaner. He noted that they would come on and add a swing as well as some climbable play structures. He stated that the quote was \$25,719.93. Mr. Fritz asked what the liability would be for the new

structures. Mr. Smith responded that it would be the same as any other playground equipment because they would construct it in a manner that was all within code. He noted that they could come up with signage for different ages, etc. Mr. Fritz stated that he wanted to make sure that there was no added liability for having a specific climbing device. Ms. Burns stated that if the Board wanted to move forward with this, they could absolutely check with insurance to make sure it wasn't an issue. She asked the Board if this was something that they wanted to track for the future to see. The Board responded yes.

**D. District Manager's Report**

**i. Approval of the Check Register**

Ms. Burns reviewed the check register and noted that it could be found in the agenda package. She stated that it was from April 6 through July 4, 2022 and was \$462,715.14. She asked if anyone had any questions. Hearing none, she asked for a motion to approve.

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

**ii. Balance Sheet and Income Statement**

Ms. Burns stated that the financial statements were included in the agenda packets for review through the end of May, adding that there was no action required from the Board.

**iii. Presentation of Number of Registered Voters – 1,368**

Ms. Burns stated that they were required to determine the number of registered voters within the District as of April 15<sup>th</sup> of each year and that the total number for Towne Park was 1,368.

**ELEVENTH ORDER OF BUSINESS**

**Other Business**

Ms. Burns stated that the last thing she had was that they had received a couple of requests from residents that have a group who were training for a triathlon and that they were hoping to get into the pool to swim early at 6:00 a.m. She noted that the facility was dawn to dusk, so it opened at 8 a.m. She stated that she would bring the request up to the Board, but she did not recommend opening before the sun was up because it would be a liability issue for the District. After Board discussion, the Board agreed to allow the pool hours to start at 7:00 a.m. until the day school starts.

Ms. Burns stated that they would send out the information to let people know of the change to the hours until the day school starts.

**TWELFTH ORDER OF BUSINESS**

**Supervisors Requests and Audience comments**

Mr. Roger Runyan who was present stated that he lived around the lake and was concerned about the midges and mowing. He asked if they were paying Prince the full price for not mowing all the grass. Mr. Runyan stated that he had to ask the mowing company three times to come finish the mowing. He stated that he understood that it was difficult for them to mow around the lake, but he suggested that they could weed eat that area. He stated that they were paying for something that they were not getting.

Ms. Burns asked if anyone else had any public comments who were present. Hearing none, she asked if anyone on the Zoom line had any public comments. One person on the Zoom line had a public comment. The resident stated that she wanted to draw the Boards attention to pool 2 stating that it was green again after they fixed it the last time and it happened a couple of days ago and was still present. She just wanted to make sure that the Board was aware. Ms. Burns responded that they would take a look at that.

Ms. Burns asked if there were any more public comments from the Zoom line. Hearing none, she asked if there was anything from the Board that they wanted to address from the public comments. Ms. Tidwell responded that with the midges, they were trying to do just one lake to see if it works with the intention to do all the lakes. Mr. Smith stated that half of that pond was mowed by HOA entity and that they could consider a cost share to stock that pond. Mr. Jones suggested that they try and do the ponds that border more houses. Ms. Burns asked if they wanted to come back with more quotes at the next meeting for the Board to review. Mr. Jones and the Board responded yes.

**THIRTEENTH ORDER OF BUSINESS**

**Adjournment**

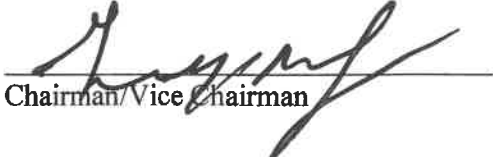
Ms. Burns adjourned the meeting.

On MOTION by Mr. Fritz, seconded by Mr. Jones, with all in favor, the meeting was adjourned.

July 12, 2022

Towne Park CDD

  
Secretary/Assistant Secretary

  
Chairman/Vice Chairman

