

**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, **January 3, 2023** at 3:00 p.m. at the Towne Park Amenity Center #1, 3883 White Ibis Road, Lakeland, Florida and by Zoom.

Present and constituting a quorum:

Greg Jones	Chairman
Jennifer Tidwell	Vice Chairperson
Roger Runyon	Assistant Secretary
Zabrina Sides	Assistant Secretary
Tom Zimmerman	Appointed as Assistant Secretary

Also present were:

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. Adams called the meeting to order and called the roll. There were four Board members present constituting a quorum.

SECOND ORDER OF BUSINESS

Public Comment Period

Ms. Adams noted that this time was an opportunity for any members of the public to make a statement to the Board of Supervisors.

Resident Sandra Stidham expressed her concern over the lack of lighting at night that made her feel unsafe.

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THIRD ORDER OF BUSINESS

Organizational Matters

A. Acceptance of Resignation of Brad Fritz

Ms. Adams noted that they had received a letter of resignation from Brad Fritz, adding that he had a seat that wouldn't expire until 2024. Ms. Adams asked for a motion to approve.

On MOTION by Mr. Jones, seconded by Ms. Tidwell, with all in favor, the Resignation of Brad Fritz, was approved.

B. Appointment of Individual to Fulfill the Board Vacancy of Seat 1 with a Term Ending November 2024

Mr. Jones nominated resident Tom Zimmerman to fill the vacancy. Ms. Adams asked for a motion to accept Mr. Fritz's resignation as well as a motion to accept the appointment of Mr. Zimmerman.

On MOTION by Mr. Jones, seconded by Ms. Tidwell, with all in favor, Appointment of Tom Zimmerman to Seat #1, was approved.

C. Administration of Oaths to Newly Appointed Supervisor

Ms. Adams swore in Mr. Tom Zimmerman and delivered the oath of office. She added that she had various documents for him to sign.

Ms. Hammock went over several laws that were required to be followed as a member of the Board of Supervisors, including Florida Ethics laws and Sunshine laws. She added that any information regarding the District that would be discussed in a Board meeting should not be discussed under any circumstances outside of a meeting, as well as that any records regarding the District were public records. Therefore if Mr. Zimmerman decided to keep any, they would need to be kept in a file cabinet or folder of some sort that is locked.

D. Consideration of Resolution 2023-02 Electing Officers

Ms. Adams noted that the Board had previously elected the Greg Jones as Chairman, Jennifer Tidwell as Vice Chair, with the remaining Board Members serving as Assistant Secretaries. The Board decided to appoint Mr. Zimmerman as an Assistant Secretary, and Ms. Adams asked for a motion to approve.

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On MOTION by Mr. Jones, seconded by Ms. Sides, with all in favor, Resolution 2023-02 Electing Officers with Greg Jones Serving as Chair, Jennifer Tidwell Serving as Vice Chair, the Remaining Board Members Serving as Assistant Secretaries including Tom Zimmerman, Jill Burns Serving as Secretary, Tricia Adams Serving as Assistant Secretary, George Flint Serving as Treasurer, and Katie Costa Serving as Assistant Treasurer, was approved.

FOURTH ORDER OF BUSINESS **New Business**

A. Consideration of Contract Agreement with Polk County Property Appraiser

Ms. Adams presented the contract agreement, noting that it was an annual agreement that put the CDD assessments on the tax roll. She added that the CDD fees were collected as a non-ad valorem assessment on the tax bill. She also noted that the county charged a 1% collection fee and that the District benefited from that. She asked for a motion to approve.

On MOTION by Mr. Jones, seconded by Ms. Tidwell, with all in favor, the Contract Agreement with Polk County Property Appraiser, was approved.

B. Consideration of 2023 Data Sharing Agreement with Polk County Property Appraiser

Ms. Adams noted that the county provided the agreement to the District each year because there were certain classifications of citizens that could have exemptions from their records being public. She added that those individuals included law enforcement personnel and judges. She explained that the agreement was in place so that the District kept those public records for exempt individuals exempt from public disclosure as well. She asked for a motion to approve.

On MOTION by Mr. Jones, seconded by Ms. Tidwell, with all in favor, the 2023 Data Sharing Agreement with Polk County Property Appraiser, was approved.

C. Consideration of Temporary Group Fitness Instruction Agreement

Ms. Adams presented the agreement, noting that there was a resident of the District who approached the Board with the concept of having group fitness classes at the facility, and that the Board had been in favor of the concept. The Board had directed District Council to prepare an agreement with certain provisions that had been discussed at the previous month’s meeting.

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Ms. Hammock presented the agreement, noting that the classes would be \$10 per person, and that the participants could include both residents and non-residents. The Board discussed a possible schedule, with feedback from residents stating that they would prefer early morning at 6:15 a.m. on Tuesday, Wednesday, Thursday, and Friday, or early evening 6:15 p.m. on Monday, Tuesday, Wednesday, and Thursday. She also added that the fees collected by the instructor would be \$120 for 12 sessions, with 20% of it coming back to the District on a monthly basis. She also added that there was a waiver included in the agenda packet that participants would be required to sign.

The Board decided to approve the agreement, and Ms. Adams asked for a motion to approve.

On MOTION by Mr. Jones, seconded by Ms. Sides, with all in favor, the Temporary Group Fitness Instruction Agreement, was approved in substantial form.

D. Ratification of Temporary License Agreement with First Step Marketing (Holiday Event)

Ms. Adams presented the license agreement, noting that there had been an opportunity for a holiday gift wrap event with First Step Marketing, and District Counsel had prepared a temporary license agreement. The event had taken place on December 23rd, and the vendor was pleased. She asked for any questions, and hearing none, asked for a motion to ratify the license agreement.

On MOTION by Mr. Jones, seconded by Ms. Tidwell, with all in favor, the Temporary License Agreement with First Step Marketing (Holiday Event), was ratified.

FIFTH ORDER OF BUSINESS

Approval of Minutes of the December 6, 2022 Board of Supervisors Meeting

Ms. Adams presented the minutes of the December 6, 2022 Board of Supervisors meeting and asked for a motion to approve the minutes.

On MOTION by Ms. Tidwell, seconded by Ms. Sides, with all in favor, the Minutes of the December 6, 2022 Board of Supervisors Meeting, were approved.

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SIXTH ORDER OF BUSINESS**Staff Reports****A. Attorney****i. Status of Roadway Conveyance**

Ms. Hammock noted that a meeting had been held with Faulkner Engineering Group, which had previously provided a report of certain roadways within the District, and they would be responding to the city's punch list of items that were sent to the District. She added that it would address any areas where they believed there could be warranty repair, and that the vendor who did the construction on the roadways agreed as well. She also noted that any areas where there was ongoing construction that caused damage to the roadways would be repaired by the builders, and that they had received confirmation in writing from that of that occurring. She added that the city may come in and do their own boring testing at some point in time.

Ms. Hammock added that Mr. Smith would be going through with Mr. Tindall to repair anything regarding damaged sidewalks.

Mr. Jones asked if the punch list had been circulated to the Board, and Ms. Adams responded that she had not, but would be happy to do so. Ms. Hammock added that she would keep updating the Board if she got any more information in between Board meetings.

B. Engineer

Mr. Scheerer presented the Engineer's report, noting that they were reducing the number of items that the District would get attached to as far as repairs going on. This included both the sidewalks and the trails with all the other items being addressed between the contractor and the builders. He explained that this was better for the District because the City of Lakeland was taking over them for ownership and maintenance.

He noted that he had nothing further for the Board but would be happy to answer any questions.

C. Field Manager's Report**i. Update on Stormwater Pond Erosion Repair Schedule**

Mr. Smith presented the Field Manager's report, noting that completed items included the repairing of the clubhouse door handle, the installation of bike racks outside the amenity facility. He added that fence repairs were being completed, and the pond erosion repair would be completed by the middle of February. Discussion ensued regarding the repair of dredge socks, as well as if

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the location of the dock that was in the area would be in the way of maintenance and repair. A solution came up of doing rip rap and adding sod to solve the problem of having to move the dock, but it was turned down due to that solution not being long-lasting. The Board decided that they would not commence the project before the full Board had reviewed all the solutions of the dock area.

Mr. Smith noted that he would contact the owner of the dock once he obtained more information about the condition of the dock as well as if it was going to be in the way of dredge repair, and then they would proceed afterward.

Ms. Adams asked if the Board wanted to delegate authority to the Chairman to approve a solution for the dock area, and they agreed to direct staff to work with supervisor Runyon as it related to the lake bank restoration project.

Mr. Smith also noted that they had installed solar lighting on all of the mailboxes, adding that they would be repairing one that was damaged in the storm. He also added that the cost would be approximately \$600 to be installed. The Board directed staff to include a proposal in the next agenda.

D. District Manager's Report

i. Approval of the Check Register

Ms. Adams reviewed the check register found in the agenda package. She stated that it was from November 29, 2022 through December 23, 2022 and was \$101,841.72. She added that behind the check register was a check run summary. She asked if anyone had any questions, and Mr. Jones asked about the last item on the check register, which was a "life ring rope" and asked if had been stolen or lost.

Mr. Tindall responded that Simon had replaced it, Mr. Jones noted for the record that these were \$150 and expressed concern about people taking them in community, as it was the fourth one that they had to replace.

Ms. Adams noted that life rings were something that was required by the state, and that they had to replace them if they went missing but added that there could be security footage that they could pull up on the cameras if they were notified right away.

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

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ii. Balance Sheet and Income Statement

Ms. Adams reviewed the unaudited financial statements that were included in the agenda packet through the end of November. She added that the Board was well within the prorated budget and the actuals, and that the Board was in a good position. She noted that there was no action required from the Board.

SEVENTH ORDER OF BUSINESS

Other Business

Ms. Adams asked for any other business. There being none, the next item followed.

EIGHTH ORDER OF BUSINESS

Supervisors Requests and Audience Comments

There being none, the next item followed.

NINTH ORDER OF BUSINESS

Public Comments

Resident expressed his concern about people walking around and behind houses to get to the ponds to catch fish. Ms. Adams noted that the stormwater ponds were part of the amenity policies that the Board adopted, and the Board had allowed fishing at the CDD ponds. She added that there were Districts that did not allow recreational activities and only treated them as a utility, but that many Districts did allow for bank fishing, catch and release, etcetera.

Ms. Hammock added that the catch and release policy that was allowed by the District stated that any easements in residential lots were not for accessing for fishing, but instead only for maintenance. She noted that if anyone was cutting through private property to get to those ponds, that homeowners call the Lakeland Police Department.

Mr. Runyon noted that there weren't enough signs around the pond areas that state that the fishing was for residents only, as well as that there are no signs that say "catch and release" only.

Ms. Adams responded that the signage that was currently out there was likely what was required by local law enforcement in order to prosecute trespassers. She also added that they could put more signs out if they would like, but a lot of signs around the area can cause sign pollution. She suggested that they could also communicate about the amenity policies by utilizing the CDD messaging system. She also added that there were agencies that regulated hunting and fishing laws, so if there were any violations of state law, they could alleviate the issue.

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Mr. Runyon brought up the issue of trespassing again, noting that there were no signs stating, “No trespassing”, and asked that they put up a sign that says, “Residents only”, however Ms. Hammock noted that non-residents who paid the amenity fees were allowed to use the amenities, therefore the terminology may become confusing. She also added that she usually only saw “catch and release only” signs in other Districts.

The Board decided to authorize staff to bring back a proposal to propose language for signs to be put up, as well as to replace the signs with new ones that had additional terminology.

Ms. Adams clarified that in the next agenda packet with the Field Manager’s report, they would include proposed verbiage and locations for the Board to consider the fishing policies. She also noted that she would check with the Lakeland Police Department to make sure they were complying with regulations as it related to the ability to get rid of trespassers.

The Board also decided to send out a correct copy of the amenity policies regarding fishing to remind residents of the rules and policies regarding that, as well as to include a link regarding pool policies.

TENTH ORDER OF BUSINESS

Adjournment

Ms. Adams adjourned the meeting.

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

Tricia Adams
Secretary/Assistant Secretary

Gregory M. Jones
Chairman/Vice Chairman