

**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 11, 2023**, at 6:00 p.m. at the Towne Park Amenity Center #1, 3883 White Ibis Road, Lakeland, Florida and by Zoom.

Present and constituting a quorum:

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| Greg Jones | Chairman |
| Jennifer Tidwell <i>by Zoom</i> | Vice Chairperson |
| Zabrina Sides | Assistant Secretary |
| Tom Zimmerman | Assistant Secretary |
| Roger Runyon | Assistant Secretary |

Also present were:

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| Tricia Adams | District Manager, GMS |
| Meredith Hammock | District Counsel, Kilinski Van Wyk PLLC |
| Alan Rayl <i>by Zoom</i> | District Engineer, Rayl Engineering |
| Clayton Smith <i>by Zoom</i> | Field Services Manager, GMS |
| Allen Bailey | Field Operations, GMS |

FIRST ORDER OF BUSINESS

Roll Call

Ms. Adams called the meeting to order and called the roll. There were four Board members present in person constituting a quorum and one Board member joined via Zoom.

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.

Ms. Adams noted there were no members of the public in person or on Zoom with a comment, so the comment period was closed.

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THIRD ORDER OF BUSINESS

**Approval of Minutes of the June 6, 2023,
Board of Supervisors Meeting**

Ms. Adams presented the minutes of the June 6, 2023, Board of Supervisors meeting. She asked for any comments, corrections, or changes to the minutes. The Board had no changes to the minutes.

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| On MOTION by Mr. Jones, seconded by Ms. Sides, with all in favor, the Minutes of the June 6, 2023, Board of Supervisors Meeting, were approved. |
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FOURTH ORDER OF BUSINESS

**Discussion of District Easement
Encroachments**

Ms. Adams presented the sample letter that could be mailed to property owners within the District’s boundaries to provide a high-level explanation of what an easement is and why an encroachment constructed or installed within an easement dedicated to the District could prevent the District’s contractors from performing necessary services to District property, such as component parts of the overall stormwater management system. Ms. Hammock provided additional information to the Board regarding the legal rights conferred and in usage of the land in this situation.

Ms. Adams noted that, in June, field management staff identified an encroachment within an easement dedicated to the District and District staff notified the District Engineer for further consideration and analysis of potential impact. Mr. Rayl reported his findings to the Board regarding the encroachment within the 15-foot drainage easement on the plat, which easement was dedicated to the public and therefore, the District. He noted this specific easement area contains a part of the District’s overall stormwater management system. At issue in this specific property, a resident installed a fence within the easement area that is blocking District vendors access to the property and the fence is prohibiting the flow of water within the drainage easement area, which is the purpose of the infrastructure in this particular drainage easement.

Ms. Adams stated that, after becoming aware of the fence installation, District staff confirmed that the HOA had approved the installation and requested the Board’s approval for District staff to communicate with the HOA to review potential impacts to easements within residential property carefully and not approve any requests that would result in encroachments within District easements to avoid this type of situation in the future. The Board asked for

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recommendations from District staff, and District staff recommended the Board ask the property owner to move the fence so that is no longer encroaching on the easement of the District. Board discussion regarding options ensued. It was noted there are at least 5 residential properties that already have fences encroaching on District easements. District Counsel recommended sending letters to residents with known, existing encroachments to put those residents on formal notice of the encroachment and of the District's legal rights to access its easements. Mr. Rayl further discussed the potential problems with access to the easements being blocked and potential hazards.

Ms. Adams stated that, based on the Board's direction, field staff will evaluate areas where District easements are located to determine whether any encroachments exist, and for any properties where encroachments exists, staff will send a letter, substantially similar to the sample provided in the agenda, to the residents. The Board also directed District staff to contact the HOAs regarding the District's easements.

FIFTH ORDER OF BUSINESS

Review and Acceptance of Fiscal Year 2022 Financial Audit Report

Ms. Adams presented the financial audit report to the Board and discussed the requirements for an annual audit. She noted the auditor found the District to be in compliance, in all material respects, with statutory requirements and there were no negative findings.

On MOTION by Mr. Jones, seconded by Mr. Zimmerman, with all in favor, Acceptance of the Fiscal Year 2022 Financial Audit Report, was approved.

SIXTH ORDER OF BUSINESS

Staff Reports

A. Attorney

i. Presentation of Memo Regarding Ethics Training for Special District Supervisors

Ms. Hammock presented the memorandum and explained the new statutory requirements for Supervisors to take four hours of specific ethics training courses per calendar year that will go into effect January 2024.

Following this updated, Ms. Hammock and District staff discussed the status of roadway repairs and proposals. They requested direction from the Board to directly solicit proposals or, alternatively, initiate a more formal process. It was requested to have Board direction to prepare

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an RFP that would include the scope of work. Mr. Rayl noted the District Engineer and staff could itemize and quantify the necessary scope of work to develop an RFP package. The Board directed the District Engineer to prepare the scope of work in order to solicit proposals from potential vendors through the informal RFP process first.

B. Engineer**i. Review of District Engineer Annual Report**

Ms. Adams noted that the annual report from the District Engineer is included in the agenda package and is required to be submitted to the District's bond trustee by July 1st each year, in accordance with requirements of the trust indenture. Mr. Rayl updated the Board on the findings, noting that the District facilities are adequate, maintained, functioning as intended. He noted the report was submitted to the trustee, as required, before July 1st.

On MOTION by Mr. Jones, seconded by Mr. Runyon, with all in favor, the District Engineer Annual Report, was accepted.

C. Field Manager's Report

Mr. Bailey presented the Field Manager's report and provided an update on various action items that field staff had addressed since the last Board meeting, including but not limited to repairs at the Amenity centers, installation of towing signage, and general maintenance, and those action items that field staff are actively working to close out. The Board thanked the staff for their work.

D. District Manager's Report

Ms. Adams provided an update on the District's insurance claim for damages resulting from Hurricane Ian and noted that payment received from the District's insurance provider for covered damages has been deposited to the District's account and accounted for in District's general fund. The application to FEMA for damages not covered by insurance was sent back to provide additional information. This work is in progress.

There being no questions or further comments from the Board, Ms. Adams discussed the upcoming public hearings regarding the District's Fiscal Year 2024 budget and assessments. She stated that a mailed notice is going out to property owners regarding the Fiscal Year 2024 budget, in accordance with requirements of *Florida Statutes*.

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i. Approval of the Check Register

Ms. Adams reviewed the check register from May 27, 2023, through June 30, 2023, in the agenda package, in the total amount of \$100,558.62.

On MOTION by Ms. Sides, seconded by Mr. Jones, with all in favor, the Check Register for \$100,558.62, was approved.

ii. Balance Sheet and Income Statement

Ms. Adams reviewed the unaudited financial statements through the end of May 2023. She noted that there was no action required from the Board but stated that staff could answer any questions regarding the unaudited financial statements from the Board. There being none, the next item followed.

iii. Ratification of Exhibit C – Requisition 110

Ms. Adams stated this requisition 110 is related to work performed in accordance with and pursuant to the issuance of the District’s Series 2019 bond issuance and ratification by the Board of payment of \$11,346 was requested.

On MOTION by Mr. Jones, seconded by Ms. Sides, with all in favor, the Exhibit C Requisition No. 110, was ratified.

SEVENTH ORDER OF BUSINESS

Supervisors Requests and Audience Comments

There being no comments, the next item followed.

EIGHTH ORDER OF BUSINESS

Public Comments

Ms. Adams asked if anyone would like to make a statement to the Board of Supervisors. She noted there were no comments from Zoom attendees or members of the public who were present in person.

Ms. Adams noted the next Board meeting is scheduled for August 1, 2023, at 6:00 p.m. This meeting is for Fiscal Year 2024 budget public hearings and asked Supervisors to confirm ability to attend that August 1st meeting so that District staff could ensure there would be a quorum.

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NINTH ORDER OF BUSINESS

Adjournment

There being no further requests or discussion from the Supervisors, the meeting was adjourned.

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

DocuSigned by:
Tricia Adams
Secretary/Assistant Secretary

DocuSigned by:
Gregory Jones
Chairman/Vice Chairman