



Rizzetta & Company

Lake Padgett Estates Independent Special District

Board of Supervisors Meeting October 14, 2021

District Office:
5844 Old Pasco Road, Suite 100
Wesley Chapel, FL 33544
813-994-1001

www.lakepadgettisd.org

**LAKE PADGETT ESTATES
INDEPENDENT SPECIAL DISTRICT**

Rizzetta & Company, Inc., 5844 Old Pasco Road, Suite 100, Wesley Chapel, FL 33544

| | | |
|-----------------------------|--|--|
| Board of Supervisors | Steve Yarbrough Pam Carr David Hipps Justin Andrews Larry Dunleavy | Chair Vice Chair Assistant Secretary Assistant Secretary Assistant Secretary |
| District Manager | Lynn Hayes | Rizzetta & Company, Inc. |
| District Attorney | Tim Hayes | Law Offices of Timothy G. Hayes, |
| District Engineer | John Mueller | Landis Evans & Partners |

All cellular phones and pagers must be turned off during the meeting.

The Audience Comment portion of the agenda is where individuals may make comments on matters that concern the District. Individuals are limited to a total of three (3) minutes to make comments during this time.

Pursuant to provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting/hearing/workshop is asked to advise the District Office at least forty-eight (48) hours before the meeting/hearing/workshop by contacting the District Manager at (813) 994-1001. If you are hearing or speech impaired, please contact the Florida Relay Service by dialing 7-1-1, or 1-800-955-8771 (TTY) 1-800-955-8770 (Voice), who can aid you in contacting the District Office.

A person who decides to appeal any decision made at the meeting/hearing/workshop with respect to any matter considered at the meeting/hearing/workshop is advised that person will need a record of the proceedings and that accordingly, the person may need to ensure that a verbatim record of the proceedings is made including the testimony and evidence upon which the appeal is to be based.

LAKE PADGETT ESTATES INDEPENDENT SPECIAL DISTRICT

District Office - Wesley Chapel, Florida (813) 944-1001

Mailing Address - 3434 Colwell Avenue, Suite 200, Tampa, Florida 33614

WWW.LAKEPADGETTISD.ORG

October 11, 2021

**Board of Supervisors
Lake Padgett Estates
Independent Special District**

REVISED FINAL AGENDA

Dear Board Members:

The regular meeting of the Board of Supervisors of Lake Padgett Estates Independent Special District will be held on **Thursday, October 14, 2021 at 6:30 p.m.** at the Lake Padgett Estates Stables Meeting Room, located at 3614 Stable Ridge Lane, Land O' Lakes, FL 34639. The following is the agenda for this meeting:

- 1. CALL TO ORDER/ROLL CALL**
- 2. PLEDGE OF ALLEGIANCE**
- 3. AUDIENCE COMMENTS**
- 4. STAFF REPORTS**
 - A. District Engineer Report..... Tab 1
 - B. Maintenance Supervisor..... Tab 2
 - C. District Counsel
 - 1. Update on Sunshine Law Tab 3
 - 2. LPE Civic Association Fall Festival Tab 4
 - D. District Manager Report..... Tab 5
- 5. BUSINESS ITEMS**
 - A. Discussion of Property Encroachments
- 6. BUSINESS ADMINISTRATION**
 - A. Consideration of Minutes of the Board of Supervisors Meeting held on September 16, 2021 Tab 6
 - B. Consideration of Operation and Expenditures for September 2021.....Tab 7
- 7. SUPERVISOR REQUESTS**
- 8. ADJOURNMENT**

We look forward to seeing you at the meeting. In the meantime, if you have any questions please do not hesitate to contact us at (407) 472-2471.

Sincerely,

Lynn Hayes

Lynn Hayes
District Manager

Tab 1



LANDIS EVANS
+ PARTNERS
formerly **Sprinkle Consulting**

October 8, 2021

Lynn Hayes
Lake Padgett Estates Independent Special District
C/O Rizzetta & Company, Inc.
5844 Old Pasco Road, Suite 100
Wesley Chapel, Florida 33544
Via email: psweeney@rizzetta.com

RE: District Engineer Report – October 2021

Dear Mr. Hayes:

- 1) Pasco County Department of Health (DOH) Freshwater Bathing Places Monitoring

Pasco County has provided freshwater bathing water quality results for the month of August.

| <u>Location</u> | <u>Organisms¹</u> |
|--------------------|------------------------------|
| East Lake Park | 61 |
| Lake Padgett Beach | 155 |

¹Number of organisms per 100 ml of water, 0-199 Good, Greater than 200 Poor

The beaches have generally good quality. There does seem to be an elevated level of organisms which is likely due to the summer season and the associated higher water temperatures.

- 2) Sargent Sea Wall Replacement

No current tasks or updates.

Sincerely,



John J. Mueller, PE
Landis Evans and Partners, Inc.

Tab 2

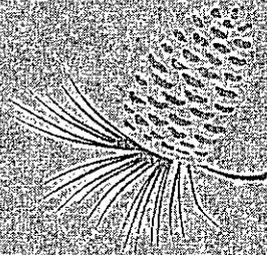
LAKE PADGETT ESTATES INDEPENDENT SPECIAL DISTRICT

DISTRICT OFFICE · WESLEY CHAPEL, FLORIDA 33544

MAILING ADDRESS · 3434 COLWELL AVENUE · SUITE 200 · TAMPA, FLORIDA 33614

- As well as general lawn and weed maintenance janitorial duties clerical work, and meeting with residents for new decals gate keys the following maintenance repairs have been completed from 9/27/21 to date.
- Contacted frontier for static ip address change over.
- Installed final pole pads at Saxon play area as needed.
- Installed new Lake Padgett logos to John Deere gator.
- Installed new Lake Padgett logos to work truck.
- Contacted Tree Company to evaluate tree at Laird Park.
- Contacted electrical company for non-working timer switches at stables.
- Treated around stable pond bank for excessive weeds.
- Treated drainage canal between weeks and Saxon for duck weed.
- Treated play areas at Lake Joyce and Laird for weeds.
- Repaired leaking tires on lawn mower.
- Collected kicker motor from Land O Lakes Marine.
- Called in street light outage outside Laird Park.

Tab 3



LEWIS
LONGMAN
& WALKER | P.A.

ATTORNEYS AT LAW

FLORIDA'S GOVERNMENT IN THE SUNSHINE ACT

By: Terry E. Lewis

"Helping Shape Florida's Future"®

I. The Scope of the Sunshine Act.

- A. Meetings of all public boards or commissions must be open to the public;
- B. Reasonable notice of such meetings must be given; and
- C. Minutes of the meetings must be taken. (See Section 286.011, et seq., Florida Statutes and The Government in the Sunshine Manual, 2010 edition, page 5.

II. Agencies Governed by the Sunshine Act.

A. The Sunshine Act applies to “any board or commission of any State agency or authority or any authority of any county, municipal corporation, or political subdivision.” The term “political subdivision” includes fire rescue districts and all other special districts created pursuant to State law. Turner v. Wainwright, 379 So.2d 148,155 (Fla. 1st DCA, 1980).

II. Agencies Governed by the Sunshine Act (Cont'd).

B. Advisory boards which make recommendations to decision making boards are subject to the Sunshine Act. Lyon v. Lake County, 765 So.2d 785 (Fla. 5th DCA, 2000).

C. Fact finding committees are exempt from the Act if they take no part in the decision-making process.

II. Agencies Governed by the Sunshine Act (Cont'd).

D. Private entities that have been delegated the authority to administer a public agency program may be subject to the Act e.g., a downtown redevelopment task force that determines how the city commission should redevelop downtown, AGO 83-95.

E. Homeowner's associations are not subject to the Act.

II. Agencies Governed by the Sunshine Act (Cont'd).

F. Federal agencies are not subject to the Act.

G. The Governor and Cabinet are subject to the Act when sitting as a collegial board created by the Legislature (Trustees of the Internal Improvement Trust Fund). They are not subject to the Act when discharging a constitutionally mandated duty (acting as a pardon or clemency board).

II. Agencies Governed by the Sunshine Act (Cont'd).

H. The Legislature is not directly subject to the Act. Article III, Section 4(e) of the Florida Constitution requires that "prearranged meetings between more than two members of the legislature or between the governor, the president of the Senate, or the speaker of the house of representatives the purpose of which is to agree upon formal legislative action that will be taken at a subsequent time...shall be reasonably be open to the public." Reasonable "openness is defined exclusively by House and Senate rules.

II. Agencies Governed by the Sunshine Act (Cont'd).

- I. Agency staff meetings are not normally subject to the Act unless the staff member or members have been given authority over some portion of the decision-making process. Wood v. Marston, 442 So.2d 934 (Fla. 1983). Examples include staff authority to short-list bidders or job applicants.

III. Meetings or Communications Subject to the Sunshine Act.

- A. Any gathering, whether formal or casual, of two or more members of the same board to discuss matters on which foreseeable action of the board will be taken is subject to the Act and must be noticed. Hough v. Stembridge, 278 So.2d 288 (Fla. 3d DCA 1973).

- B. Committee meetings when the committee has been delegated authority to act on behalf of a board. Leach-Wells v. City of Bradenton, 734 So.2d 1168 (Fla. 2nd DCA 1999). (Committee short-listed applicants to be considered by city council).

III. Meetings or Communications Subject to the Sunshine Act (Cont'd).

C. Use of non-board members to act as liaison between board members and determine their views on matters to come before the board will violate the Act unless noticed. Blackford v. School Board of Orange County, 375 So.2d 578 (Fla. 5th DCA 1979). (School superintendent held meetings outside the Act with all board members to discuss and communicate concerns regarding redistricting and poll members.)

III. Meetings or Communications Subject to the Sunshine Act (Cont'd).

D. Any formal, informal (workshop), investigative or other meeting of two or more members of a board must comply with the Act unless a specific statutory exemption applies. Such meetings include personnel committee meetings, complaint review board meetings, disciplinary and grievance proceedings, applicant interviews and selection and screening committee or board meetings.

IV. Exemptions, Partial Exemptions.

- A. When an agency has been sued, Section 286.011(8) Florida Statutes allows an agency governing board, its attorney and chief executive or administrator to hold a closed door meeting to discuss litigation strategy, settlement negotiations and expenditures. These meetings require published notice and must commence once a regular meeting of the board has convened. A court reporter must attend and produce a verbatim transcript of the meeting which becomes a public record once the litigation has concluded.

IV. Exemptions, Partial Exemptions (Cont'd).

- B. Section 768.28(16)(c), Florida Statutes exempts portions of meetings from the Act to evaluate claims, consider offers of settlement, or offers compromise of tort claims filed with a risk management agency until termination of the litigation or settlement of claims. AGO 2004-35.
- C. Section 447.605(1), Florida Statutes exempts meetings between the chief executive officer (or a labor negotiating committee) and the agency governing body to discuss collective bargaining issues. Notably, the negotiating bargaining sessions between the agency representatives and the union are subject to the Act. City of Fort Myers v. News-Press Publishing Company, Inc., 514 So.2d 408 (Fla. 2nd DCA 1987).

V. **Consequences of Sunshine Act Violations.**

- A. **Section 286.011(1)(a), Florida Statutes provides that any public officer who violates the Act is subject to a noncriminal fine not to exceed \$500.**
- B. **Section 286.011(1)(b) & (c), Florida Statutes provide for second degree misdemeanor penalties for knowing violations of the Act.**

V. Consequences of Sunshine Act Violations (Cont'd).

C. Section 286.011(4), Florida Statutes provides that when a court has determined that an individual or board has violated the Act, the court shall assess reasonable legal fees against the agency and may assess them against individual members of the board. However, if the board acted on advice of legal counsel and followed that advice, no attorney's fees may be assessed against individual members.

V. Consequences of Sunshine Act Violations (Cont'd).

D. The court may also assess legal fees against a complainant if the court finds the complaint was filed in bad faith and was frivolous.

E. A board member charged with a violation of the Act must bear their own attorney's fees until acquitted. Once acquitted, the board may reimburse any or all the member's attorney's fees.

VI. True or False Quiz

| | True | False |
|--|-----------------------|-----------------------|
| A. Members-elect of boards that have not been seated are subject to the Act. | <input type="radio"/> | <input type="radio"/> |
| B. Candidates for office who meet with current board members are subject to the Act. | <input type="radio"/> | <input type="radio"/> |
| C. Meetings between a member of one fire rescue board and a member of another fire rescue board are subject to the Act. | <input type="radio"/> | <input type="radio"/> |
| D. Meetings between a mayor and members of her city council are subject to the Act. | <input type="radio"/> | <input type="radio"/> |
| E. Meetings between a board member and his alternate are subject to the Act. | <input type="radio"/> | <input type="radio"/> |
| F. Community forums sponsored by private organizations at which candidates for reelection to office on the same board express their views on the city and matters that need to be decided by the board are subject to the Act. | <input type="radio"/> | <input type="radio"/> |
| G. Two members of the same board are not subject to the Act by attending the same social event or educational seminar as long as they don't discuss board business. | <input type="radio"/> | <input type="radio"/> |
| H. A husband and wife may serve on the same board without violating the Act. | <input type="radio"/> | <input type="radio"/> |

VII. True or False Quiz - Answers.

- A. Members-elect of boards that have not been seated are subject to the Act. (true)
- B. Candidates for office who meet with current board members are subject to the Act. (false)
- C. Meetings between a member of one fire rescue board and a member of another fire rescue board are subject to the Act. (false)

VII. True or False Quiz – Answers (Cont'd).

- D. Meetings between a mayor and members of her city council are subject to the Act. (Generally true unless the Mayor has no authority to vote)
- E. Meetings between a board member and his alternate are subject to the Act. (false – they will never vote on an issue together)

VII. True or False Quiz – Answers (Cont'd).

- F. Community forums sponsored by private organizations at which candidates for reelection to office on the same board express their views on the city and matters that need to be decided by the board are subject to the Act. (false as long as they don't discuss matters among themselves)
- G. Two members of the same board are not subject to the Act by attending the same social event or educational seminar as long as they don't discuss board business. (true)
- H. A husband and wife may serve on the same board without violating the Act. (true)

Re: Application of "Sunshine Law" and the term "Executive Session"

From: "Tim Hayes" <tghayes@mindspring.com>
To: <Seat1@lakepadgettisd.org>, <Seat2@lakepadgettisd.org>, <seat3@lakepadgettisd.org>, <seat4@lakepadgettisd.org>, <Seat5@lakepadgettisd.org>
Subject: Re: Application of "Sunshine Law" and the term "Executive Session"
Date: Oct 7, 2021 4:54 PM
Attachments: Florida's Sunshine Law Summary.pdf

LPEISD Board Members:

PLEASE DO NOT RESPOND TO THIS EMAIL or discuss its contents outside of the monthly board meeting. Contents of this email will be discussed publicly at the October 21st Board Meeting. I am submitting them to you now to follow-up and clarify discussions that occurred at the September 16th Board meeting. Back in 2019 I handed out the attachment to this email to LPEISD Board members. This summary of Florida's Government in the Sunshine Act by Attorney Terry Lewis of the law firm Lewis, Longman & Walker, P.A. is one of the best I've run across on the Internet, simple, concise and clear.

As follow-up to the discussion regarding "executive session" at the September Board meeting here is my clarification:

The LPEISD Board of Supervisors MAY NOT meet in private to discuss the information that any committee of LPEISD has collected. The LPEISD Board of Supervisors can have a public meeting to discuss such matters and run the meeting themselves but they cannot exclude either the general public or Rizzetta from attending such a meeting.

In the strictly parliamentary definition of "executive session" this means a meeting of a board of directors in private without access by the public. This is a practice commonly done by business corporations and non-profits; however, this definition does not apply to Florida government agencies and elected officials that are subject to government in the sunshine laws and regulations. Elected officials may not meet as a group in private and exclude the general public. I think of the term "executive session" as it applies to LPEISD (a governmental entity) as the LPEISD Board meeting in public, as required by law, but with the meeting being run by the LPEISD Board and not their property management company, Rizzetta. This does not exclude Rizzetta from attending the meeting; it just means that they won't be running the meeting. There is no way to exclude Rizzetta, or any member of the general public, from any meeting of the LPEISD Board of Supervisors. I tried to explain this distinction at the September 16th meeting but apparently I was not clear enough in my explanation and confused matters further by referring to both such meetings (private agencies and public agencies) as "executive sessions".

I spoke briefly with Matt Huber after the meeting and clarified with him that my point was that the LPEISD Board of Supervisors could meet and agree to run the meeting themselves rather than have Rizzetta run the meeting. Such meeting would still be open to the public and Rizzetta could not be barred from such meeting.

Please also understand that any and all documents of any governmental agency are accessible to the general public through a document request. That would include any and all documents or reports prepared by LPEISD and any of its committees.

Tim Hayes
LPEISD District Counsel

Law Offices of Timothy G. Hayes, P.A.
8875 Hidden River Parkway, Ste 300
Tampa, Florida 33637

Re: Need Insurance Rider Verbiage for LPE Civic Association Event Insurance 11/6/2021

From: Tim Hayes <tghayes@mindspring.com>
To: <info@lpeca.org>, Lynn Hayes <lhayes@rizzetta.com>
Subject: Re: Need Insurance Rider Verbiage for LPE Civic Association Event Insurance 11/6/2021
Date: Oct 7, 2021 1:03 PM
Attachments: CERTIFICATE OF INSURANCE July 2019.pdf AGREEMENT OF INDEMNIFICATION LPEISD LD Signed (2).docx

LPE Civic Association Board,

I apologize for the delay in responding to your request. I needed to do a little research on the matter and prepare the attached document.

By way of history back in 2019 the LPEISD Board of Supervisors approved it's policy for the type of event you now propose. In 2019 LPE resident Larry Dunleavy (now a member of the LPEISD Board of Supervisors) proposed to LPEISD putting on a ski clinic event for LPE children interested in learning to ski. The LPEISD Board approved the event and required that Larry through the organization sponsoring the event, USA Water Ski & Wake Sports, Inc., and Tampa Bay Water Ski Show Team, provide LPEISD insurance coverage for the event in the amount of \$2,000,000.00 General Aggregate and \$1,000,000.00 Each Occurrence (see attached copy of Certificate of Insurance). The LPEISD Board also required that the Certificate of Insurance list LPEISD as the certificate holder. In addition, the LPEISD Board also required that both Larry and the sponsoring organization, Tampa Bay Water Ski Show Team, sign an Agreement of Indemnification, indemnifying LPEISD, its Board of Supervisors and its property management company, Rizzetta.

I have prepared the attached Agreement of Indemnification for your review and signature. This will need to be signed by Sonia as president of LPE Civic Association.

My assumption would be that the "bounce house" provider you are intending to hire for this event would already have in place insurance to cover the provider for such events. All he or she needs to do is obtain from their insurance provider the necessary Certificate of Insurance in the proper amount with LPEISD listed as a co-insured for this event. I would also suggest that your organization also be listed as a co-insured on the Certificate of Insurance.

Should you have any further questions please don't hesitate to contact me.

Tim Hayes
LPEISD District Counsel

Tim Hayes, Attorney at Law
Law Offices of Timothy G. Hayes, P.A.
8875 Hidden River Parkway, Ste 300
Tampa, Florida 33637
Telephone: 813-949-6525

Privileged and Confidential: Unless otherwise indicated or obvious from the nature of the transmittal, the information contained in this message is privileged and/or confidential information intended solely for the use of the addressee. If the reader of this message is not the intended recipient, or the employee or agent responsible to deliver it to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication or any of the information in it is strictly prohibited. If you are not the intended recipient, please notify Law Offices of Timothy G. Hayes, P.A., immediately by replying to this message or by sending an e-mail to tghayes@hayeslawpa.com and destroy all copies of this message and any attachments.

-----Original Message-----

From:
Sent: Sep 30, 2021 12:13 PM
To: Lynn Hayes ,
Subject: Need Insurance Rider Verbiage for LPE Civic Association Event Insurance 11/6/2021

Tab 4

AGREEMENT OF INDEMNIFICATION

THIS AGREEMENT OF INDEMNIFICATION is made by Sonia Carr, president of Lake Padgett Estates Civic Association residing at 22262 Stillwood Dr., Land O' Lakes, FL 34639, its successors, assigns, subsidiaries and/or affiliates (hereinafter referred to as "Indemnitor") for the benefit and protection of Lake Padgett Estates Independent Special District, its directors, both individually and in their capacity as board members, officers, and employees, its property management company, Rizzetta & Company, Inc., its directors, officers and employees, and its insurer (hereinafter collectively referred to as "LPEISD");

WHEREAS, The Indemnitor has requested the use of LPEISD's _____ park ("Property") for a Fall festival for residents of LPEISD; and

WHEREAS, Indemnitor has signed a Park Reservation Request Form on October __, 2021, requesting use of the Property for approximately _____ people; and

WHEREAS, Indemnitor has provided proof of insurance through _____ (Agency) through _____ (Underwriter) (a copy of the coverage highlights attached hereto as Exhibit "A") with a signed rider listed LPEISD as a co-insured; and

WHEREAS, LPEISD's Board of Supervisors on September 16, 2021, approved the request of the Indemnitor to utilize the Property on the date requested, November 6, 2021, and for the purpose requested, it is

NOW, THEREFORE, THE INDEMNITOR AGREES in consideration of the use of LPEISD Property under the conditions herein expressed, to hold harmless, protect and indemnify LPEISD from and against any and all liabilities, losses, damages, expenses and charges, including but not limited to attorneys' fees and expenses of litigation, which may be sustained or incurred by LPEISD as a direct or indirect result of Indemnitor's use of LPEISD Property for the purposes herein described.

AND THE INDEMNITOR FURTHER AGREES Indemnitor will diligently provide for the defense of any action based upon any of the above listed matters; counsel to be selected and/or approved by LPEISD at its sole discretion. If Indemnitor shall fail so to do then The Purchaser may do the same, and may pay, compromise or settle any such items or any claim or demand based thereon if LPEISD deems such actions necessary for the protection of any of its insureds under any policy or of itself; and Indemnitor shall

promptly reimburse LPEISD for any payment, expense or expenditure made or incurred in so doing.

AND THE INDEMNITOR FURTHER AGREES for the purpose of carrying out the provisions of the last-mentioned paragraph, Indemnitor does hereby name, constitute and appoint LPEISD its attorney-in-fact to do all things necessary and convenient.

AND THE INDEMNITOR FURTHER AGREES in the event any judgment shall be or shall have been rendered or any process shall be or shall have been issued, based upon any of the Items or any other items growing out of any of the same, under which a sale could be held affecting or purporting to affect said land or any portion thereof, Indemnitor promises and agrees it will satisfy the same and cause the same to be satisfied and discharged of record prior to the occurrence of any such sale.

AND THE INDEMNITOR FURTHER AGREES any litigation between the Parties shall be exclusively venued in the state or federal courts located in Pasco County, Florida, which shall have exclusive jurisdiction over the subject matter of the action and of the Parties.

AND THE INDEMNITOR FURTHER AGREES, if suit shall be brought to enforce this Agreement, Indemnitor will pay the attorneys' fees and costs of LPEISD.

AND THE INDEMNITOR FURTHER AGREES all of the obligations of Indemnitor hereunder shall be several as well as joint. All of the provisions of this Agreement shall inure to the benefit of and bind the parties hereto and their legal representatives and successors in interest.

IN WITNESS WHEREOF, the Indemnitor has executed this Agreement of Indemnification this ____ day of October, 2021.

INDEMNITOR:

By: _____

SONIA CARR

Lake Padgett Estates Civic Association, Inc.

Date signed: *October __, 2021*

Tab 5



Rizzetta & Company

UPCOMING DATES TO REMEMBER

- **Next Meeting:** November 18, 2021 @ 6:30 PM
- **FY 2020-2021 Audit Completion Deadline:** June 30, 2022

October 14

**District
Manager's
Report**

2021

L
A
K
E

P
A
D
G
E
T
T

E
S
T
A
T
E
S

I
S
D

| <u>FINANCIAL SUMMARY</u> | <u>8/31/2021</u> |
|--|---------------------|
| General Fund Cash & Investment Balance: | \$360,203 |
| Reserve Fund Cash & Investment Balance: | \$305,031 |
| Debt Service Fund Investment Balance: | \$0 |
| Total Cash and Investment Balances: | \$665,234 |
| General Fund Expense Variance: \$50,237 | Under Budget |

Tab 6

MINUTES OF MEETING

Each person who decides to appeal any decision made by the Board with respect to any matter considered at the meeting is advised that person may need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence upon which such appeal is to be based.

LAKE PADGETT INDEPENDENT SPECIAL DISTRICT

The regular meeting of the Board of Supervisors of Lake Padgett Estates Independent Special District was held on **Thursday, September 16, 2021 at 6:31 p.m.** at the Lake Padgett Estates Stables Meeting Room, located at 3614 Stable Ridge Lane, Land O' Lakes, FL 34639.

Present and constituting a quorum:

| | |
|-----------------|--|
| Steve Yarbrough | Board Supervisor, Chair |
| Pam Carr | Board Supervisor, Vice Chair |
| David Hipps | Board Supervisor, Assistant Secretary |
| Justin Andrews | Board Supervisor, Assistant Secretary |
| Larry Dunleavy | Board Supervisor, Assistant Secretary |

Also present were:

| | |
|---------------|--|
| Jayna Cooper | District Manager, Rizzetta & Company, Inc. |
| Matt Huber | Regional District Manager, Rizzetta & Company, Inc. |
| Timothy Hayes | District Counsel, Law Offices of Tim G. Hayes |
| John Mueller | District Engineer, Sprinkle Consulting |

Audience

FIRST ORDER OF BUSINESS

Roll Call

Mr. Huber performed roll call and confirmed that a quorum was met.

SECOND ORDER OF BUSINESS

Pledge of Allegiance

The Pledge of Allegiance was recited.

THIRD ORDER OF BUSINESS

Audience Comments

Audience comments were entertained concerning use of the parks and clubhouse for the annual trunk or treat event and civic appreciation day. One of the audience members requested to have District Management provide insurance for the annual Christmas party at the clubhouse.

51 **FOURTH ORDER OF BUSINESS** **Consideration of the Minutes from Board**
52 **of Supervisors Meeting Held on August**
53 **19, 2021**
54

55 Chair Yarbrough presented the Board of Supervisors meeting minutes from the August
56 19, 2021 meeting and asked if there were any changes or corrections. District Counsel
57 suggested some amendments under the audience comments. It was also requested to add
58 more detailed notes concerning the mini horse incident with the dog.
59

On a Motion by Chair Yarbrough, seconded by Assistant Secretary Dunleavy, with all in favor, the Board of Supervisors approved the Board of Supervisors meeting minutes, as amended, from August 19, 2021, for the Lake Padgett Estates Independent Special District.

60 **FIFTH ORDER OF BUSINESS** **Consideration of the Operation and**
61 **Maintenance Expenditures for August 2021**
62
63

64 Chair Yarbrough presented the Operation and Maintenance Expenditures for August
65 2021. Roofing and the John Deer Gator expenses were discussed. Mr. Huber explained that
66 the legal advertisements are slightly more expensive than the normal ads due to notification of
67 public hearing and the budget.
68

69 On a Motion by Vice Chair Carr, seconded by Chair Yarbrough, with all in favor, the Board of
70 Supervisors ratified the Operation and Maintenance Expenditures for August 2021
71 (\$58,922.19), for the Lake Padgett Estates Independent Special District.

72 **SIXTH ORDER OF BUSINESS** **Staff Reports**
73

74 **A. District Engineer**

75 Mr. Mueller reviewed his July report. He indicated at this time he does not have an
76 update on the Sergeant Seawall.
77

78 **B. District Counsel**

79 No report.
80

81 **C. District Manager**

82 Mr. Huber informed the Board that the next scheduled meeting is October 14, 2021
83 at 6:30 p.m. at the Lake Padgett Estates Stables Meeting Room, located at 3614
84 Stable Ridge Lane, Land O' Lakes, FL 34639.
85

86 **SEVENTH ORDER OF BUSINESS** **Ratification of Egis Insurance Proposal**
87

88
89 Mr. Huber presented the Board with the Egis Insurance Proposal. He informed the
90 Board the premium was \$664 below the budgeted amount.
91

92 On a Motion by Assistant Secretary Hips, seconded by Vice Chair Carr, with all in favor, the
93 Board of Supervisors ratified the approval of the Egis Insurance Proposal of \$17,557, for the
94 Lake Padgett Estates Independent Special District.
95

EIGHTH ORDER OF BUSINESS

Update on District Property Management Options

Assistant Secretary Dunleavy indicated they had a meeting on September 14th and they are still gathering information to submit to the Board of Supervisors. It was requested to have a special executive session with District Counsel on October 14th. Mr. Huber objected to this request and asked District Counsel to investigate whether this violates Florida Sunshine Laws. A lengthy discussion ensued regarding Sunshine Laws and infractions. District Counsel suggested to have the regular meeting and at that time have the committee make their recommendations.

NINTH ORDER OF BUSINESS

Supervisor Requests

Assistant Secretary Dunleavy brought up whether it is necessary for the District Engineer to attend the monthly meetings. District Counsel indicated there is no statutory requirement that he attend the meetings.

On a Motion by Assistant Secretary Dunleavy, seconded by Assistant Secretary Hipps, with three in favor and two opposed (Chair Yarbrough and Vice Chair Carr), the Board of Supervisors agreed to allow the District Engineer to present his report immediately following audience comments, for the Lake Padgett Estates Independent Special District.

Vice Chair Carr questioned whether the padding on the poles at Eastlake was completed. She also asked about the condition of the trails. A lengthy discussion ensued concerning encroachments. The Board would like to have the encroachments added to the October 14, 2021 meeting agenda. Chair Yarbrough expressed concern about the coldstream gate malfunction.

TENTH ORDER OF BUSINESS

Adjournment

Mr. Huber adjourned the meeting at approximately 8:02 p.m.

Assistant Secretary/Secretary

Chairman/Vice Chairman

Tab 7

LAKE PADGETT ESTATES ISD

District Office · Wesley Chapel, Florida · (813) 994-1001
Mailing Address - 3434 Colwell Avenue, Suite 200, Tampa, Florida 33614
www.lakepadgettisd.org

Operations and Maintenance Expenditures September 2021 For Board Approval

Attached please find the check register listing the Operation and Maintenance expenditures paid from September 1, 2021 through September 30, 2021. This does not include expenditures previously approved by the Board.

The total items being presented: **\$51,486.20**

Approval of Expenditures:

_____ Chairperson

_____ Vice Chairperson

_____ Assistant Secretary

LAKE PADGETT ESTATES ISD

Paid Operation & Maintenance Expenditures

September 1, 2021 Through September 30, 2021

| <u>Vendor Name</u> | <u>Check Number</u> | <u>Invoice Number</u> | <u>Transaction Description</u> | <u>Check Amount</u> |
|--|---------------------|-----------------------|--|---------------------|
| A.R.C. Air Conditioning & Refrigeration Co., Inc | 4280 | 82521 | Service on Meeting Room A/C 08/20 | \$ 120.00 |
| ADP Payroll | CD766 | CD766 | PR PPE 08/29/21 PPD 09/03/21 | \$ 3,388.02 |
| ADP Payroll | CD767 | CD767 | PR FEES PPE 08/29/21 PD 09/10/21 | \$ 109.32 |
| ADP Payroll | CD768 | CD768 | PR PPE 009/12/21 PPD 09/17/21 | \$ 3,819.02 |
| ADP Payroll | CD770 | CD770 | PR FEES PPE 09/12/21 PD 09/24/21 | \$ 109.32 |
| David E. Hipps, Jr. | 4301 | DH091621 | Board of Supervisor Meeting 09/16/21 | \$ 50.00 |
| Duke Energy | 20210913-1 | 88667 82496 08/21 | Summary Bill 08/21 | \$ 756.87 |
| Duke Energy | 20210922-1 | 08804 35076 08/21 | 22140 Coldstream Rd 08/21 | \$ 165.11 |
| EGIS Insurance Advisors LLC | 4307 | 14759 | Workers Comp 100121630 10/01/21 - 10/01/22 | \$ 3,184.00 |
| EGIS Insurance Advisors LLC | 4307 | 14760 | Policy #100119630 10/01/2021-10/01/2022 | \$ 17,557.00 |
| Florida Blue | 4283 | 75326997 | Health Insurance 09/15/21-10/15/21 | \$ 2,547.32 |
| Florida Coast Equipment LLC | 4288 | 2002014489 | Supplies 08/21 | \$ 32.99 |
| Florida Department of Revenue | 4289 | 61-8018349567-4 08/21 | Sales & Use Tax 08/21 | \$ 21.26 |

LAKE PADGETT ESTATES ISD

Paid Operation & Maintenance Expenditures

September 1, 2021 Through September 30, 2021

| <u>Vendor Name</u> | <u>Check Number</u> | <u>Invoice Number</u> | <u>Transaction Description</u> | <u>Check Amount</u> |
|------------------------------------|---------------------|--------------------------------|---|---------------------|
| Frontier Communications of Florida | 4284 | 210-043-0055-021920-5 08/21 | 210-043-0055-021920-5 08/21 | \$ 754.60 |
| Frontier Communications of Florida | 4281 | 813-995-2205-041420-5 08/21 | 813-995-2205-041420-5 08/21 | \$ 81.68 |
| Frontier Communications of Florida | 4300 | 813-995-2205-041420-5 09/21 | 813-995-2205-041420-5 09/21 | \$ 81.68 |
| Justin Andrews | 4297 | JA091621 | Board of Supervisor Meeting 09/16/21 | \$ 50.00 |
| Lake Padgett ISD | CD769 | CD769 | Debit Card Replenishment 09/21 | \$ 1,083.00 |
| Land O Lakes Marine | 4302 | IN001289 | Yamaha F9.9SMHA Outboard 07/21 | \$ 2,500.00 |
| Landis, Evans and Partners, Inc | 4295 | 1537-17-57 | Engineering Services 08/21 | \$ 787.50 |
| Lawrence Dunleavy | 4299 | LD091621 | Board of Supervisor Meeting 09/16/21 | \$ 50.00 |
| Lowe's | 4291 | 99009294903 | Miscellaneous Supplies 08/21 | \$ 241.32 |
| Pam Carr | 4298 | PC091621 | Board of Supervisor Meeting 09/16/21 | \$ 50.00 |
| Pasco County Utilities | 4285 | 15424084 | #0361035 Civic Center Pkwy 08/21 | \$ 43.44 |
| Pasco Testing Lab and Sales, Inc. | 4292 | 17470 | Monthly Service 08/21 | \$ 85.00 |
| Republic Services #762 | 4303 | 0762-002930818 | Waste Management Services 10/21 | \$ 424.00 |

LAKE PADGETT ESTATES ISD

Paid Operation & Maintenance Expenditures

September 1, 2021 Through September 30, 2021

| <u>Vendor Name</u> | <u>Check Number</u> | <u>Invoice Number</u> | <u>Transaction Description</u> | <u>Check Amount</u> |
|--|---------------------|-----------------------|--|----------------------------|
| Rizzetta & Company | 4286 | INV0000061105 | District Management Fees 09/21 | \$ 4,362.50 |
| Rizzetta Technology Services | 4287 | INV0000007879 | E-Mail & Website Hosting Services 09/21 | \$ 190.00 |
| SiteOne Landscape Supply, LLC | 4293 | 112425245-001 | Non Selective Liquid Herbicide 08/21 | \$ 280.40 |
| SiteOne Landscape Supply, LLC | 4304 | 112678629-001 | Ornamental Fertilizer & Insecticide 09/21 | \$ 167.35 |
| Southern Automated Access Services, LLC | 4282 | 9987 | Gate Repair - Laird Park 08/21 | \$ 95.00 |
| Southern Automated Access Services, LLC | 4305 | 10086 | Gate Repair - Lake Padgett Park 09/21 | \$ 95.00 |
| Stealth Security Consultants LLC | 4294 | 1037RC | Monthly Security Officer 10/21 | \$ 6,480.00 |
| Steven Allen Yarbrough | 4306 | SY091621 | Board of Supervisor Meeting 09/16/21 | \$ 50.00 |
| Timothy G. Hayes & Associates | 4290 | 290 | Legal Services 08/21 | \$ 1,572.50 |
| Verizon Wireless | 4296 | 9887991776 | 842326036-00001 09/21 | <u>\$ 101.00</u> |
| Report Total | | | | <u>\$ 51,486.20</u> |