

**MINUTES OF MEETING
SARASOTA NATIONAL
COMMUNITY DEVELOPMENT DISTRICT**

The Board of Supervisors of the Sarasota National Community Development District held a Regular Meeting on January 10, 2023 at 2:00 p.m., at the Sarasota National Clubhouse, 25500 National Boulevard, Venice, Florida 34293.

Present were:

Gerald Bergmoser	Chair
Carlton (Cary) Leuschner	Vice Chair
John Istwan (via telephone)	Assistant Secretary
Richard (Dick) Smith	Assistant Secretary
Douglas Kasl	Assistant Secretary

Also present were:

Chuck Adams	District Manager
Cleo Adams	District Manager
Shane Willis	Operations Manager
Lindsey Whelan (via telephone)	District Counsel
Patrick Healy (via telephone)	District Engineer
Mason Maher (via telephone)	SOLitude Lake Management
Judy Stewart	Resident
Carl Hanover	Resident

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Mrs. Adams called the meeting to order at 2:00 p.m. The Oath of Office was administered to Mr. Bergmoser and Mr. Leuschner prior to the meeting.

Supervisors Bergmoser, Leuschner and Smith were present. Supervisor Istwan was attending via telephone. One seat was vacant at roll call.

SECOND ORDER OF BUSINESS

Public Comments: Agenda Items [3-Minute Time Limit]

No members of the public spoke.

Administration of Oath of Office to Newly Elected Supervisors, Carlton (Cary) Leuschner [SEAT 1] and Gerald Bergmoser [SEAT 5] (*the following to be provided in separate package*)

The Oath of Office was administered to Mr. Bergmoser and Mr. Leuschner prior to the meeting. Mr. Bergmoser and Mr. Leuschner are already familiar with the following:

- A. Guide to Sunshine Amendment and Code of Ethics for Public Officers and Employees**
- B. Membership, Obligations and Responsibilities**
- C. Financial Disclosure Forms**
 - I. Form 1: Statement of Financial Interests**
 - II. Form 1X: Amendment to Form 1, Statement of Financial Interests**
 - III. Form 1F: Final Statement of Financial Interests**
- D. Form 8B: Memorandum of Voting Conflict**

FOURTH ORDER OF BUSINESS

Consider Appointment of Qualified Elector to Fill Unexpired Term of Seat 4; *Term Expires November 2026*

- **Candidates**
 - A. Douglas Kasl**
 - B. Judy Stewart**

Mr. Kasl and Ms. Stewart discussed their qualifications and responded to questions.

Mr. Bergmoser nominated Mr. Douglas Kasl to fill Seat 4.

No other nominations were made.

On MOTION by Mr. Bergmoser and seconded by Mr. Leuschner, with Mr. Bergmoser, Mr. Leuschner and Mr. Smith in favor and Mr. Istwan dissenting, the appointment of Mr. Douglas Kasl to Seat 4, was approved. [Motion passed 3-1]

- **Administration of Oath of Office to Newly Appointed Supervisor**

Mrs. Adams, a Notary of the State of Florida and duly authorized, administered the Oath of Office to Mr. Douglas Kasl. Mrs. Adams reviewed guidelines for interactions among Supervisors and recordkeeping and explained the items in the package provided to the new

Supervisor, as listed in the Third Order of Business. Mr. Kasl chose to receive the allowable \$200 per meeting compensation.

FIFTH ORDER OF BUSINESS

Consideration of Resolution 2023-01, Designating Certain Officers of the District, and Providing for an Effective Date

Mr. Bergmoser presented Resolution 2023-01. Mr. Smith nominated the following slate of officers:

Chair	Gerald Bergmoser
Vice Chair	Carlton Leuschner
Secretary	Chuck E. Adams, Jr.
Assistant Secretary	John Istwan
Assistant Secretary	Douglas Kasl
Assistant Secretary	Richard Smith
Assistant Secretary	Craig Wrathell

No other nominations were made. Prior appointments by the Board for Treasurer and Assistant Treasurer remain unaffected by this Resolution.

On MOTION by Mr. Smith and seconded by Mr. Bergmoser, with all in favor, Resolution 2023-01, Designating Certain Officers of the District, as nominated, and Providing for an Effective Date, was adopted.

SIXTH ORDER OF BUSINESS

Update: SOLitude Lake Management Waterway Inspection Report - November 2022

Mason Maher, of SOLitude, presented the Waterway Inspection Report and noted the following:

- Aquatic weeds and algae are well controlled; colder weather assists in this regard.
- Trouble areas of shoreline weeds were treated by littoral crews addressing invasives and non-natives.
- The next inspection is scheduled for February 1, 2023.

Mr. Smith asked how the newly implemented three-person crew approach is working. Mr. Maher stated it is helpful; while compiling numbers takes longer, more detailed work is being performed than one technician could accomplish, especially on larger littoral areas.

Mr. Willis stated a resident had a complaint about bulrush; the bulrush in the area was treated. Mrs. Adams noted that bulrush is a beneficial littoral plant material; however, in some settings it is not used adjacent to residences due to its height.

Discussion ensued regarding Mr. Smith's request to inspect the lakes with a representative from SOLitude and the need for Supervisors to schedule individual lake and wetland inspections in order to be in compliance with the Sunshine Law. Mr. Willis will schedule individual tours with Supervisors Smith and Istwan. Ms. Whelan discussed the importance of the Sunshine Law and avoiding situations that might give the appearance of noncompliance.

A Board Member asked if the hurricane impacted the stormwater system. Mr. Maher stated there was no significant hurricane debris in lakes or the stormwater system; some littoral plants were damaged by flooding.

SEVENTH ORDER OF BUSINESS**Discussion: Wetland 46 Disturbance**

Mr. Smith stated several neighbors observed activity on October 29, 2022.

Resident Carl Hanover, who lives directly across from Wetlands 46, described concerns about damage to the area behind the boundary stakes behind Hole #16 during hurricane cleanup. Another resident intervened and stopped the worker, who was very polite and advised that he was an out-of-state worker sent by the Golf Course Superintendent.

Mrs. Adams stated the Golf Course will be held responsible and will reimburse the CDD for any resulting damages. A survey will be completed and an ecologist will inspect and provide the cost for the required restoration. Mr. Healy provided contact information. Mr. Willis will obtain quotes for the survey, as well as the ecologist and the restoration requirements.

Mr. Healy asked if the Golf Course indicated what was being removed from the wetlands. Mr. Hanover believed Carolina willows and Brazilian peppers were removed. Mrs. Adams stated Carolina willows are native plants.

Mr. Hanover described his correspondence with Ms. Grabowski and Mr. Erhardt regarding the intent to selectively remove debris and replace plantings in the wetlands. He noted that environmentally sensitive signs are present in the area.

Discussion ensued regarding the correspondence and the possibility that there was a misunderstanding resulting in too much debris being removed.

Asked if the trees removed affects play of Hole #16, Mr. Hanover stated it does not and stated some trees were processed for mulch and soil for new plantings.

Mr. Hanover stated, when the golf course reopened, residents observed similar debris removal being performed in Wetlands 43 and 49. He noted that Ms. Grabowski and Mr. Ernhardt did not refer to wetlands in their correspondence.

Discussion ensued regarding the golf holes and paths in the areas in question.

A resident stated a drainage structure 30' into the wetlands might have been cleared.

Mr. Hanover discussed his correspondence with Mr. Healy, Mrs. Adams and Mr. Willis and the subsequent tour of the area. He felt that Mr. Healy should have responded sooner and that he should have provided a cost estimate for the survey crew and wetland specialists.

Mr. Healy believed he stated that, while he was not certain of the cost because he would not be the one doing the work, he believed it is likely less than the \$35,000 threshold.

Mr. Leuschner expressed concern about Mr. Healy's responsiveness.

Discussion ensued regarding Kimley-Horn's specializations.

Mr. Healy apologized for not responding to the email sooner.

Mrs. Adams stated surveys will be performed and cost estimates obtained. The Golf Club has been advised to cease and desist removing vegetative materials. She described a similar situation in another CDD's conservation area and noted restoration will take some time.

Mr. Adams noted that replanting will likely be postponed until the rainy season.

Mrs. Adams stated project delays are still common due to the hurricane.

Mr. Adams will send a letter to The Club and copies will be sent to the Board.

Discussion ensued regarding damage at Hole #17.

Mrs. Adams stated that was noted and it will be addressed. She advised that conservation area trees that fall during a hurricane are not removed and trees that fall on a homeowner's property are the homeowner's responsibility. Mr. Willis noted that the "Florida Tree Law" as it is commonly known, applies. Mr. Adams stated, if a homeowner's tree falls into a neighbor's yard, the homeowner is responsible, only up to their property line. While homeowners would like the CDD to pay for trees that fall from the conservation areas, the CDD is not liable to do so.

**SARASOTA NATIONAL CDD
EIGHTH ORDER OF BUSINESS**

January 10, 2023

**Consideration of Resolution 2023-02,
Adopting Certain Amendments to the
District's Record Retention Policy;
Addressing Conflicts and Severability; and
Providing for Severability and an Effective
Date**

Ms. Whelan presented Resolution 2023-02. She noted that Staff keeps records in electronic form and duplicate hard copies of documents may be expunged if an electronic copy exists. Transitory messages, such as unsent draft emails and meeting invitations are not subject to public records requests.

On MOTION by Mr. Leuschner and seconded by Mr. Smith, with all in favor, Resolution 2023-02, Adopting Certain Amendments to the District's Record Retention Policy; Addressing Conflicts and Severability; and Providing for Severability and an Effective Date, was adopted.

NINTH ORDER OF BUSINESS

**Consideration of Keefe McCullough 2022
Audit Engagement Letter**

Mr. Adams presented the Keefe McCullough 2022 Audit Engagement Letter.

On MOTION by Mr. Smith and seconded by Mr. Bergmoser, with all in favor, the Keefe McCullough 2022 Audit Engagement Letter, was approved.

TENTH ORDER OF BUSINESS

**Acceptance of Unaudited Financial
Statements as of November 30, 2022**

Mrs. Adams presented the Unaudited Financial Statements as of November 30, 2022 and the Financial Highlights Report.

Discussion ensued regarding meeting cancellations following the hurricane. Mr. Adams stated additional meetings can be scheduled, if necessary.

The financials were accepted.

ELEVENTH ORDER OF BUSINESS

**Approval of August 30, 2022 Public Hearing
and Regular Meeting Minutes**

Mr. Bergmoser presented the August 30, 2022 Public Hearing and Regular Meeting Minutes.

On MOTION by Mr. Bergmoser and seconded by Mr. Smith, with all in favor, the August 30, 2022 Public Hearing and Regular Meeting Minutes, as presented, were approved.

TWELFTH ORDER OF BUSINESS

Staff Reports

A. District Counsel: *Kutak Rock LLP*

Mr. Bergmoser asked if there is a basis for adjusting the assessments since half of his development, which has approximately 800 homes, is unable to use and enjoy the golf course.

Ms. Whelan stated there is not because assessments are based on property size and type and not necessarily on the location of the property.

B. District Engineer: *Kimley Horn and Associates, Inc.*

There was no report.

C. District Manager: *Wrathell, Hunt and Associates, LLC*

Mrs. Adams stated the lake maintenance contract expires on March 30, 2023. She discussed the need to publish a Request for Proposals (RFP) and noted that SOLitude’s contract will be extended for 30 days. This item will be included on the next agenda.

- **NEXT MEETING DATE: April 11, 2023 at 2:00 P.M.**
 - **QUORUM CHECK**

All Supervisors confirmed their in-person attendance at the April 11, 2023 meeting.

D. Operations Manager: *Wrathell, Hunt and Associates, LLC*

The January Field Operations Report was included for informational purposes.

THIRTEENTH ORDER OF BUSINESS

Supervisors’ Requests

There were no Supervisors’ requests.

FOURTEENTH ORDER OF BUSINESS

Adjournment

On MOTION by Mr. Leuschner and seconded by Mr. Smith, with all in favor, the meeting adjourned at 3:09 p.m.



Secretary/Assistant Secretary



Chair/Vice Chair