

**MINUTES OF MEETING
ARLINGTON RIDGE COMMUNITY DEVELOPMENT DISTRICT**

The regular meeting of the Board of Supervisors of the Arlington Ridge Community Development District was held Thursday, March 17, 2022, at 2:00 p.m. at Fairfax Hall, 4475 Arlington Ridge Boulevard, Leesburg, Florida 34748.

Present and constituting a quorum were the following:

Bill Middlemiss	Chairman
Claire Murphy	Vice Chairman
Steven Braun	Assistant Secretary
Robert Hoover	Assistant Secretary
James Piersall	Assistant Secretary

Also present, either in person or via Zoom Video Communications, were the following:

Angel Montagna	Manager: Inframark, Management Services
Lindsay Whelan	Attorney: Kutak Rock
Brenda Burgess	Inframark, Management Services
Justin Fox	General Manager: Golf, Food & Beverage
David Hamstra	Pegasus Engineering
Brett Perez	Inframark, Management Services
Robert Sardinas	Inframark, Management Services
Donise Streit	Community Association Manager
Julie Yevich	Inframark, Management Services
Residents and Members of the Public	

This is not a certified or verbatim transcript but rather represents the context and summary of the meeting. The full meeting is available in audio format upon request. Contact the District Office for any related costs for an audio copy.

FIRST ORDER OF BUSINESS

Call to Order and Roll Call

Mr. Middlemiss called the meeting to order at 2:00 p.m.

Ms. Montagna called the roll and indicated a quorum was present for the meeting.

SECOND ORDER OF BUSINESS

Pledge of Allegiance

Mr. Middlemiss led the *Pledge of Allegiance*.

THIRD ORDER OF BUSINESS

Audience Comments

A Resident (lot 796) discussed the Zumba class, room too small, distributed photographs, injuries and safety, waning membership, and requested use of Fairfax Hall.

A Resident expressed appreciation for having audience comments, and requested adherence to the policy.

A Resident (lot 604) discussed a veteran's group and its purpose.

FOURTH ORDER OF BUSINESS **Business Administration**
A. Acceptance of Regular Meeting Minutes from January 20, 2022, and February 17, 2022

The minutes were included in the agenda package, which is available for review in the local records office and the District Office during normal business hours.

Ms. Murphy requested the correction of Ms. Grimes to Ms. Streit.

Ms. Murphy made a MOTION to accept the regular meeting minutes from January 20, 2022, and February 17, 2022, as amended.

Mr. Piersall seconded the motion.

Upon VOICE VOTE, with all in favor, unanimous approval was given to accept the regular meeting minutes from January 20, 2022, and February 17, 2022, as amended.

B. Acceptance of Financial Statements for December 2021 and January 2022

The financial statements were included in the agenda package, which is available for review in the local records office and the District Office during normal business hours.

Discussion ensued regarding capital outlay, security camera, Supervisor access to avid, bank reconciliations, check for an insurance settlement, budget workshop, insurance matters, transition to Inframark, and requests for further information.

Ms. Murphy made a MOTION to accept the financial statements for December 2021 and January 2022.

Mr. Piersall seconded the motion.

Discussion ensued regarding management fees and services provided by Sekulow services paid directly to the home office.

Upon VOICE VOTE, with all in favor, unanimous approval was given to accept the financial statements for December 2021 and January 2022.

C. Consideration of Resolution 2022-17, General Election Qualifying Period
Mr. Middlemiss read Resolution 2022-17 into the record by title.

Mr. Braun made a MOTION to approve Resolution 2022-17, general election qualifying period.

Mr. Hoover seconded the motion.

Upon VOICE VOTE, with all in favor, unanimous approval was given to Resolution 2022-17, general election qualifying period.

D. Consideration of Resolution 2022-18, Designating Ms. Montagna as Assistant Treasurer

Mr. Middlemiss read Resolution 2022-18 into the record by title.

Ms. Montagna reviewed the clauses of the Resolution.

Mr. Piersall made a MOTION to approve Resolution 2022-18, designating Ms. Montagna as Assistant Treasurer. Ms. Murphy seconded the motion.

Upon VOICE VOTE, with all in favor, unanimous approval was given to Resolution 2022-18, designating Ms. Montagna as Assistant Treasurer.

E. Acceptance of Letter Regarding District Counsel

Mr. Middlemiss read the letter from Kutak Rock into the record.

Discussion ensued regarding termination date, transition, thanks and appreciation for Ms. Whelan's service to the District, and starting date for new law firm.

Ms. Murphy made a MOTION to accept the letter from Kutak Rock.

Mr. Piersall seconded the motion.

Discussion ensued related to rescinding the motion to determine start date of new firm first and then a termination date for Kutak Rock.

Ms. Murphy RESCINDED the motion to accept the letter from Kutak Rock.

Mr. Piersall seconded the rescinded motion.

Upon VOICE VOTE, with all in favor, unanimous approval was given to rescind the above motion regarding acceptance of the letter from Kutak Rock.

F. Consideration of District Legal Counsel Requests for Qualifications

1. Clark & Albaugh, LLP

Mr. Scott Clark discussed the proposal submitted, desire to increase special district and community development district clients, history and experience in providing legal services, and ability to start immediately.

Discussion ensued regarding billing for attorneys and paralegals on a project, meeting preparation, reference contact information not included and why, and settlements with developers and contractors.

2. KE Law

Ms. Jennifer Kilinski discussed the proposal submitted, previous experience with Arlington Ridge, qualifications of the firm, and ability to start immediately.

Discussion ensued regarding the proposed fee schedule, range of fees, the attorneys who will represent the District, how billing works if more than one attorney attends a Board meeting, and the firm's potential for hiring more attorneys.

3. Young Qualls, PA

Mr. Tim Qualls discussed the proposal submitted, experience with special districts and municipalities, history of the firm and its partners, history, and ability to start immediately.

Discussion ensued regarding qualification of each firm responding, experience of the firms, desire for local counsel not located in Tallahassee, and size of the firms.

Further discussion ensued regarding preference for KE Law, suggestion for new legal counsel to attend the upcoming budget workshop as part of the transition, and discussion of start dates.

Mr. Piersall made a MOTION to accept resignation from Kutak Rock and award the agreement to KE Law for legal counsel services.

There being no second, the motion failed.

Mr. Braun made a MOTION to award agreement to KE Law for legal counsel services.
Mr. Hoover seconded the motion

Discussion ensued regarding workability with KE Law staff, transition to new legal counsel, start date, and transfer of records.

Mr. Braun AMENDED the motion to award an agreement to KE Law for legal counsel services, effective March 21, 2022, at 8:00 a.m.

Mr. Hoover seconded the amendment.

Mr. Braun made a MOTION to accept the letter from Kutak Rock effective March 21, 2022, at 8:00 a.m.
Mr. Hoover seconded the motion.

Upon VOICE VOTE, with all in favor, unanimous approval was given to accept the letter from Kutak Rock effective March 21, 2022, at 8:00 a.m.

The Board expressed its thanks for Ms. Whelan and her firm's service to the Board.

G. Consideration of Pegasus Engineering Agreement

Discussion ensued regarding terms in the agreement, lump-sum billing, not-to-exceed amounts for a specific project, reasons for lump-sum billing, ability for Mr. Hamstra to attend the budget workshop, larger projects, capital project process, drawings for reuse and certain proprietary rights to drawings, and the Board's access to drawings.

Ms. Murphy made a MOTION to award the engineering services agreement to Pegasus Engineering.
Mr. Piersall seconded the motion.

Upon VOICE VOTE, with all in favor, unanimous approval was given to award the engineering services agreement to Pegasus Engineering.

H. Consideration of Inframark Invoice #73777

Discussion ensued regarding more details for field activities, description of the amount billed and what budget line items are affected, invoice amounts to correspond to the budget line items, requested change for wording in the description, which personnel are included in each description, and administrative fees include management and accounting and administration.

Mr. Braun made a MOTION to approve the Inframark invoice #37333 for February, in the amount of \$21,279.16.
Ms. Murphy seconded the motion.

Upon VOICE VOTE, with all in favor, unanimous approval was given to the Inframark invoice #37333 for February, in the amount of \$21,279.16.

I. Ratification of Floralawn #1790 Spring Annuals Project

Mr. Hoover made a MOTION to ratify proposal #1790 from Floralawn for spring annuals in the amount of \$2,100. Ms. Murphy seconded the motion.

Discussion ensued regarding garden club, projects, and first responders.

Upon VOICE VOTE, with all in favor, unanimous approval was given to ratify proposal #1790 from Floralawn for spring annuals in the amount of \$2,100.

The meeting was recessed at 3:30 p.m.

The meeting resumed at 3:42 p.m.

Mr. Braun AMENDED the motion to award an agreement to KE Law for legal counsel services, effective March 21, 2022, at 8:00 a.m., authorizing the Chairman to execute the agreement.

Mr. Hoover seconded the amendment.

Upon VOICE VOTE, with all in favor, unanimous approval was given to award an agreement to KE Law for legal counsel services, effective March 21, 2022, at 8:00 a.m., authorizing the Chairman to execute the agreement.

FIFTH ORDER OF BUSINESS

Business Items

A. Consideration of HVAC Preventive Maintenance Proposals

1. HVAC Comparison Summary

Discussion ensued regarding quantities being different, how mini splits are included, invitations to firms to provide a proposal on a consistent scope, actual number of splits is 26 and not 24 as verified, pool heaters not included in the scope but included in the Kalos proposal, Kalos not completely responsive to the request, separate contract with another firm for pool heaters but merely included by Kalos, Sunkool did not provide belt pricing, services expired February 28, 2022, and going month-to-month with the current vendor, and number of split systems.

2. Del-Air

3. Kalos

4. SunKool

Mr. Hoover made a MOTION to approve the proposal from Del-Air for HVAC preventive maintenance, in the annual amount of \$12,220.

Mr. Piersall seconded the motion.

Discussion ensued regarding \$12,200 versus \$9,425, responsiveness of Sunkool, and number of inspections.

Upon VOICE VOTE, with all in favor except Ms. Murphy, approval was given to the proposal from Del-Air for HVAC preventive maintenance, in the annual amount of \$12,220.

Discussion ensued regarding contract start date, and current Sunkool projects they will complete before the transition to Del-Air.

Mr. Hoover made a MOTION to direct legal counsel to prepare a maintenance agreement with Del-Air for HVAC preventive maintenance services.

Mr. Piersall seconded the motion.

Upon VOICE VOTE, with all in favor, unanimous approval was given to direct legal counsel to prepare a maintenance agreement with Del-Air for HVAC preventive maintenance services.

B. Consideration of Mold Remediation Proposals

Discussion ensued regarding history of discovering mold, the need for remediation, and locations of mold spores.

1. Servpro

Discussion ensued regarding no inclusion of restoration plan documents requested, proposal to do only remediation but not extensive, \$7,572.59 total cost, and no costs for rebuild which would be a separate proposal and contract.

2. Signal Restoration

Discussion ensued regarding \$13,898 for restoration and \$15,908 for installation.

Further discussion ensued regarding differences in proposals, suggestion that Signal Restoration meets the scope requirements, Signal Restoration affiliated with the company that did work in the kitchen, insurance adjuster's preference for Signal Restoration, need for the remediation to be done, need to coordinate with Mr. Fox to avoid events and

regular activities, amount of drywall to be removed, other work elements such as painting, and status of insurance claim.

Ms. Murphy made a MOTION to approve the proposal from Signal Restoration for mold remediation in the amount of \$13,898.69.

Mr. Piersall seconded the motion.

Upon VOICE VOTE, with all in favor, unanimous approval was given to the proposal from Signal Restoration for mold remediation in the amount of \$13,898.69.

C. Consideration of Sidewalk Grinding and Panel Replacement Proposal

Discussion ensued regarding history of sidewalk grinding and panel replacement, table further replacements until a decision is made about trees, jurisdiction of a tree on a resident's property and related liability, need for root removal, location of problem trees, staff review of the sidewalks, and prioritizing the most severe panels.

Mr. Hoover made a MOTION to approve the proposal from Inframark for sidewalk griding, in the amount of \$8,331.25.

Mr. Braun seconded the motion.

Upon VOICE VOTE, with all in favor, unanimous approval was given to the proposal from Inframark for sidewalk griding, in the amount of \$8,331.25.

D. Consideration of Floralawn #1542 Landscape Proposal

Discussion ensued regarding history of the request, irrigation not included, description of plant material included, remove all pine straw, and warranty.

Mr. Hoover made a MOTION to approve proposal #1542 from Floralawn, modified for 95 three-gallon viburnum and 10 seven-gallon viburnum at the unit prices, and not to exceed \$3,500 for irrigation repairs.

Ms. Murphy seconded the motion.

Discussion ensued regarding suitability of not-to-exceed amount for requested sizes of plant material, how the proposal was prepared and provided, unfairness to limit irrigation amount to \$3,500, potential for higher irrigation costs, original request was to

provide a proposal for everything, and additional plants can be added if \$3,500 not used for irrigation repairs.

Upon VOICE VOTE, with all in favor, unanimous approval was given to proposal #1542 from Floralawn, modified for 95 three-gallon viburnum and 10 seven-gallon viburnum at the unit prices, and not to exceed \$3,500 for irrigation repairs.

E. Consideration of Tennis Court Lighting Shields

Discussion ensued regarding history of the work that was started, reason for the shields for the benefit of residents near the courts, questions asked of Inframark that were responded to by Mr. Perez, details of the work activities and light specifications, number of total lights, no need for permits as confirmed by the engineer, construction will take two weeks to fabricate the shields and then they will be installed, include pickleball courts, and lighting for pickleball courts also used by bocce courts.

Mr. Braun made a MOTION to approve the proposal from Inframark for tennis court lighting shields, in the amount of \$3,294.17.

Mr. Piersall made a MOTION to table the proposal from Inframark for tennis court lighting shields.

Upon VOICE VOTE, with all in favor, unanimous approval was given to table the proposal from Inframark for tennis court lighting shields.

Discussion ensued regarding looking at the area at night to see impact of the bocce and pickleball courts, reasons for tabling consideration of the proposal, potential issues with storms, and history of discussions regarding lighting.

Mr. Braun made a MOTION to approve the proposal from Inframark for tennis court lighting shields, in the amount of \$3,294.17.

Ms. Murphy seconded the motion.

Discussion ensued regarding safety concerns.

Mr. Braun AMENDED the motion to approve the proposal from Inframark for tennis court lighting shields, in the amount of \$3,294.17, subject to assurance that materials used will withstand wind conditions.

Mr. Hoover seconded the amendment.

Upon VOICE VOTE, with all in favor, unanimous approval was given to approve the proposal from Inframark for tennis court lighting shields, in the amount of \$3,294.17, subject to assurance that materials used will withstand wind conditions.

F. Consideration of Volunteer Waiver

Ms. Montagna reviewed the volunteer waiver form as suggested by legal counsel for an added layer of protection.

Mr. Braun made a MOTION to approve the waiver and release of liability for volunteer services.

Mr. Piersall seconded the motion.

Discussion ensued regarding the waiver being an added layer of protection, who is included, and who is considered a volunteer.

Upon VOICE VOTE, with all in favor, unanimous approval was given to the waiver and release of liability for volunteer services.

SIXTH ORDER OF BUSINESS

Staff Reports

A. District Counsel

There being nothing to report, the next item followed.

B. District Manager

i. Scheduling of Budget Workshop

Discussion ensued regarding holding a budget workshop on Thursday, April 14, 2022, at 2:00 p.m.

ii. Liaison Roles and Expectations

Discussion ensued regarding expectations for the liaisons, interaction with staff and liaisons, who directs activities, role of staff, liaisons to stay within their own roles related to directing staff or contractors, to what degree to include liaisons in communications with vendors or contractors versus staff performing tasks pursuant to the scope of services, limited decision-making authority of liaisons, and suggestion for staff to provide guidelines how staff works with liaisons.

iii. Communication with Staff

Discussion ensued regarding District-related questions go to Ms. Montagna, field issues go to Mr. Perez, and copies of everything to Ms. Yevich.

iv. Communication with Residents

Discussion ensued regarding emails to residents through the home owners association (“HOA”), limitations of the District coordinating communications, public records requirements, preference for the HOA to continue sending communications, availability to include information on the website, question if calendar would be ADA compliant, types of projects or news to share on the website, suggestion to send brief synopsis of the meeting in emails or post on the website, weekly emails probably unnecessary, emergencies emailed to residents, monthly calendar, go back to using Constant Contact, database needs to be rebuilt, partner with the HOA until database is populated, and continue to work with HOA.

C. Community Director

Discussion ensued regarding card readers at gates, gate issues to be forwarded to Ms. Yevich, and proposal from Daktronics for \$883.31 to repair the control unit.

D. Field Manager

Discussion ensued regarding process for staff’s inspection and vendor timeframe for responses, and follow-up for tasks assigned to Inframark or other vendors.

E. General Manager: Golf, and Food & Beverage

Discussion ensued regarding the restaurant’s activity and getting busier.

SEVENTH ORDER OF BUSINESS Other Business

A. Discussion of Classes in Fairfax Hall

Discussion ensued regarding groups that want to use Fairfax Hall which is currently Zumba who meets twice a week, and list of parameters including the following: three- to six-month renewal for Zumba once work is complete, only contracted area is included, use may be interrupted if a conflict with the room schedule, they do all setup and takedown, only floor space to be utilized, no activities using tables or chairs, tables and chairs are not to be moved, damage to be reported to the office, and the Board will review six months following resumption of classes.

Mr. Middlemiss made a MOTION to approve Zumba classes for 36 months after work is completed, with certain parameters as described at the meeting.

Mr. Braun seconded the motion.

Discussion ensued regarding details of the parameters listed.

Upon VOICE VOTE, with all in favor, unanimous approval was given to approve Zumba classes for three to six months after work is completed, with certain parameters as described at the meeting.

B. Other Business

Discussion ensued regarding facility reservation forms need to be streamlined, occasional reservation requests from non-residents, preference for District-owned facilities to be reserved by residents and not non-residents, further conversations of residents reserving various facilities, cleaning after an event should be professionally done, current adopted policy for the use of facilities, and reservations will continue in the meantime.

EIGHTH ORDER OF BUSINESS

Supervisors' Requests

Mr. Braun discussed a conversation with City Commissioner Jay Connell regarding Cow Park, which the District owns. Ms. Yevich will discuss further with Commissioner Connell.

Mr. Middlemiss discussed a veteran's event, and a public safety event on May 4.

NINTH ORDER OF BUSINESS

Audience Comments

Ms. Montagna reviewed a letter sent from the City of Leesburg, which was not received by Ms. Whelan. Mr. Braun described the letter regarding the board of appeals and the District being a landowner within 200 feet.

TENTH ORDER OF BUSINESS

Adjournment

- *The next meeting is scheduled for Thursday, April 21, 2022, at 2:00 p.m.*

On MOTION by Ms. Murphy, seconded by Mr. Piersall, with all in favor, the meeting was adjourned at 6:05 p.m.

Angel Montagna, Secretary

Bill Middlemiss, Chairman