

**MINUTES OF MEETING
VERANDAH EAST
COMMUNITY DEVELOPMENT DISTRICT**

The Board of Supervisors of the Verandah East Community Development District held a Regular Meeting on January 11, 2023 at 1:00 p.m., at 11390 Palm Beach Blvd., First Floor, Fort Myers, Florida 33905.

Present were:

David Moore	Chair
Richard (Denny) Shields, Jr.	Vice Chair
Christine Jaross	Assistant Secretary

Also present were:

Chuck Adams (via telephone)	District Manager
Cleo Adams	District Manager
Shane Willis	Operations Manager
Alyssa Willson (via telephone)	District Counsel
Brent Burford	District Engineer
Susan Shields	Resident/VCA Board Member
Stuart Axelrod	Resident
John Sample	Resident
Mike Lapinski	Resident

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Mrs. Adams called the meeting to order at 1:00 p.m.

Supervisors Moore, Jaross and Shields were present. Supervisor Voiles was not present. One seat was vacant.

SECOND ORDER OF BUSINESS

Public Comments (3 minutes per person)

In response to a question, Mrs. Adams stated records and record-keeping will be addressed during the Seventh Order of Business.

THIRD ORDER OF BUSINESS

Administration of Oath of Office to Newly Elected Supervisor, Richard Denis Shields, Jr [SEAT 1] (*the following will be provided in a separate package*)

Mrs. Adams stated that, for quorum purposes, the Oath of Office was administered to Mr. Shields prior to the meeting. She provided and briefly described 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 Seat 2 Vacancy; *Term Expires November 2026*

- A. Candidates**
 - I. Stuart Axelrod**
 - II. John Sample**

Mr. Moore requested the candidates state their voter registration status and share their reasons for wanting to serve on the CDD Board.

Mr. Axelrod confirmed that he is registered to vote in Lee County. He discussed his professional background and interest in the CDD and stated, if the Board thinks he has the experience, wherewithal and motivation to make a valuable contribution, he would like to be appointed to the Board.

Mr. Moore noted that because of the Sunshine Law, Board Members cannot meet or discuss CDD business with other Board Members outside of a public meeting. He asked if Mr. Axelrod and Mr. Sample are comfortable with that. Ms. Willson stated that Board Members can

ask questions and address issues with Staff but cannot discuss CDD business amongst fellow Board Members.

Mr. Sample confirmed that he is a registered voter. He discussed his professional background and expressed his reasons for wanting to serve on the CDD Board, including regard for following CDD rules and regulations and making business decisions in the best interest of residents.

Mr. Axelrod and Mr. Sample exited the meeting room.

Discussion ensued about which candidate would best fill the vacancy, their resumes, meeting attendance and future elections.

Mr. Shields nominated John Sample to fill Seat 2. No other nominations were made.

On MOTION by Mr. Shields and seconded by Ms. Jaross, with all in favor, appointing Mr. John Sample to fill Seat 2, was approved.

Mr. Sample was informed that the Board appointed him to Seat 2.

Mr. Axelrod was informed that there will be opportunities to serve on the CDD and Verandah Community Association (VCA) Boards over the next few months and he can run for a Seat at the 2024 General Election. He was urged to qualify as a candidate during the candidate qualifying period.

- **Administration of Oath of Office to Newly Appointed Supervisor, John Sample [SEAT 2]**
This item was an addition to the agenda.

Mrs. Adams, a Notary of the State of Florida and duly authorized, administered the Oath of Office to Mr. Sample. She provided and explained the contents of the new Supervisor packet.

FIFTH ORDER OF BUSINESS

Consideration of Resolution 2023-02, Designating Certain Officers of the District, and Providing for an Effective Date

Mrs. Adams presented Resolution 2023-02. Mr. Moore nominated the following slate:

- | | |
|------------------------------|------------|
| David Moore | Chair |
| Richard (Denny) Shields, Jr. | Vice Chair |

Chuck Adams	Secretary
Christine Jaross	Assistant Secretary
John Sample	Assistant Secretary
Jacqueline Voiles	Assistant Secretary
Craig Wrathell	Assistant Secretary
Cleo Adams	Assistant Secretary

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

On MOTION by Mr. Moore and seconded by Mr. Shields, with all in favor, Resolution 2023-02, Designating Certain Officers of the District, as nominated, and Providing for an Effective Date, was adopted.

SIXTH ORDER OF BUSINESS

Consideration of M.R.I. Inspection LLC Proposal/Estimate #3674, Inspect & ROV Six Structures with Regard to the Drainage Easement Agreement with Development, LLC

Mrs. Adams presented MRI Inspection LLC Proposal/Estimate #3674. In response to Mr. Moore’s question, Mrs. Adams stated, when Mr. Burford provides an updated map showing the outfall structures, Staff will obtain pricing and discuss with the Board to include it in the Fiscal Year 2024 budget.

Discussion ensued regarding drainage line inspections, the budget, outfall/control structures, lakes, wetland management, previous hurricanes, flooding, inter-connecting pipes with Verandah West CDD, ongoing preventive maintenance plan and costs.

Mr. Moore requested a list of all interconnecting pipes and outfalls owned by the Veranda East and West CDDs and their maintenance schedules. He wants Staff to devise a phased inspection and maintenance plan and ask the Verandah West CDD Board to request a similar list.

Mr. Burford will prepare a simplified map, showing the outfall structures.

This item will be on the next agenda for continued discussion.

On MOTION by Mr. Moore and seconded by Mr. Shields, with all in favor, M.R.I. Inspection LLC Proposal/Estimate #3674, in the amount of \$1,500, to Inspect and ROV six structures for blockage, was approved.

SEVENTH ORDER OF BUSINESS

Discussion: Memorandum Regarding Public Records Retention

A. Consideration of Resolution 2023-03, Providing for the Appointment of a Records Management Liaison Officer; Providing the Duties of the Records Management Liaison Officer; Adopting a Records Retention Policy; Determining the Electronic Record to be the Official Record; and Providing for Severability and an Effective Date

Ms. Willson stated it is advisable to keep the records updated to reflect any nuances that come out of any case law. She discussed the following:

- It is appropriate to delete transitory messages, such as meeting invites, that have no value. The Resolution will allow for the deletion of such messages.
- Since the electronic record is the official record, redundant copies to be destroyed.
- Staff is aligning the CDD’s records retention policy to reflect those items with specificity.

Asked who will maintain and manage the CDD’s records, Mrs. Adams stated Wrathell, Hunt and Associates, LLC. Asked if that is sufficient, Ms. Willson replied affirmatively.

Discussion ensued regarding Staff’s difficulty locating a document from 2016.

On MOTION by Mr. Moore and seconded by Ms. Jaross, with all in favor, Resolution 2023-03, Providing for the Appointment of a Records Management Liaison Officer; Providing the Duties of the Records Management Liaison Officer; Adopting a Records Retention Policy; Determining the Electronic Record to be the Official Record; and Providing for Severability and an Effective Date, was adopted.

EIGHTH 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.

The financials were accepted.

NINTH ORDER OF BUSINESS

Approval of October 12, 2022 Regular Meeting Minutes

Mrs. Adams presented the October 12, 2022 Regular Meeting Minutes.

On MOTION by Mr. Shields and seconded by Mr. Moore, with all in favor, the October 12, 2022 Regular Meeting Minutes, as presented, were approved.

TENTH ORDER OF BUSINESS

Staff Reports

A. District Counsel: *Kutak Rock LLP*

Ms. Willson stated she followed up with Developer’s Counsel regarding execution and finalizing of the Drainage Easement, with the comment that the CDD is not responsible for any third-party contractors previously engaged by the Developer.

B. District Engineer: *Johnson Engineering, Inc.*

There was no report.

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

- **NEXT MEETING DATE: May 10, 2023 at 1:00 PM**
 - **QUORUM CHECK**

Mrs. Adams noted possible quorum issues for the May meeting.

Mr. Adams stated the Federal Emergency Management Agency (FEMA) would not reimburse the CDD for the costs to replace sections of the wall and fence damaged during Hurricane Ian.

Mrs. Adams stated the lake and wetland contract expires at the end of August and it is necessary to go through the Request for Proposals (RFP) process. Staff will publicize the RFP and include it in the May agenda.

ELEVENTH ORDER OF BUSINESS

Supervisors’ Requests

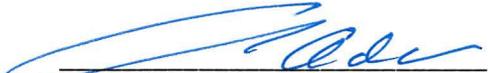
Mr. Moore asked if the list of outflow structures can be distributed to the Board before the next meeting.

TWELFTH ORDER OF BUSINESS

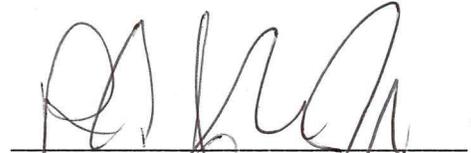
Adjournment

On MOTION by Mr. Shields and seconded by Ms. Jaross, with all in favor, the meeting adjourned at 2:05 p.m.

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]



Secretary/Assistant Secretary



Chair/Vice Chair