

1                   **MINUTES OF CONTINUED MEETING & BUDGET PUBLIC HEARING**  
2                                   **BOBCAT TRAIL**  
3                                   **COMMUNITY DEVELOPMENT DISTRICT**  
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6                   The regular meeting & Budget Public Hearing of the Board of Supervisors of the Bobcat  
7 Trail Community Development District, held Thursday, August 17, 2023, was recessed and  
8 reconvened Tuesday, September 5, 2023 at 3:00 p.m. at the Bobcat Trail Community Center,  
9 located at 1352 Bobcat Trail Boulevard, North Port, Florida 34288.

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12                   Present and constituting a quorum were:

13                   Robert Etherton	Chairperson
14                   Janet Guyer	Vice Chairperson
15                   Jeffrey Brall	Assistant Secretary
16                   Richard Burke	Assistant Secretary
17                   Paul Fisher	Assistant Secretary

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20                   Also present were:

21                   Justin Faircloth	District Manager
22                   David Jackson	District Counsel
23                   Jacob Whitlock	Field Manager
24                   Dave Filler	Bobcat Trail
25                   Members of the Public	

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29                   *Following is a summary of the discussions and actions taken.*

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32                   **FIRST ORDER OF BUSINESS**

**Call to Order and Roll Call**

33                   Mr. Faircloth called the meeting to order, and called the roll. A quorum was established.

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35                   **SECOND ORDER OF BUSINESS**

**Approval of Agenda**

36                   The agenda was previously approved at the August 17, 2023 Meeting.

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38                   **THIRD ORDER OF BUSINESS**

**Public Comment (3) Minute Time Limit**

39                   Hearing no comments from the public, the next order of business followed.

40                   **FOURTH ORDER OF BUSINESS**

**Approval of the Consent Agenda**

41                   The Consent Agenda was previously approved at the August 17, 2023 Meeting.

42 **FIFTH ORDER OF BUSINESS** **Public Hearing for Adoption of the Fiscal**  
 43 **Year 2024 Budget**

44 **A. Fiscal Year 2024 Budget Discussion**

- 45 • A corrected assessment increase letter was sent to residents.

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On MOTION by Mr. Fisher, seconded by Mr. Etherton, with all in 48 favor, the Public Hearing to consider Adoption of the Fiscal Year 49 2024 Budget and Levy of Assessments was opened. (5-0)
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- 51 • Allocation of funds for vehicles was discussed.
- 52 • Pools & Maintenance was discussed.
- 53 • The overall assessment decreased slightly.
- 54 • Mr. Faircloth assured the Board all appropriate adjustments were made to the  
 55 budget.
- 56 • Insurance was discussed. The amount will affect the budget.
- 57 • Exhibit A will be corrected.

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On MOTION by Mr. Etherton, seconded by Mr. Burke, with all in 60 favor, the Public Hearing to consider Adoption of the Fiscal Year 61 2024 Budget and Levy of Assessments was closed. (5-0)
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 64 **SIXTH ORDER OF BUSINESS** **Old Business**

65 **A. Insurance Update**

- 66 • Mr. Filler noted new numbers are needed for the spreadsheet.
- 67 • There may be a \$9,000 or higher increase.
- 68 • Cyberattack exposure is not needed.
- 69 • There was a recommendation to cover the wells.
- 70 • Mr. Faircloth reviewed the coverage amounts.
- 71 • Mr. Filler not he was unsure the coverage was correct until a property schedule is  
 72 provided by the insurer.
- 73 • Mr. Faircloth recommended the Board approve coverage today, and in the  
 74 meantime, the Board update any coverages as needed.
- 75 • The Board agreed to remove Crime and Cyber Liability coverages.

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Mr. Brall MOVED to approve the insurance policy proposal from Brown & Brown with blanket coverage to be included, and Crime and Cyber Liability to be removed, and Mr. Fisher seconded the motion.

- The policy is to include inland marine, general liability, public officials, automobile coverage and physical damage.

There being no further discussion,

On VOICE vote, with all in favor, the prior motion was approved, as discussed. (5-0)

- There was a \$889 increase for auto coverage.
- Workers' Compensation should be included in the coverage.
- Discussion ensued regarding the condition of the work truck, and whether coverage is worthwhile.

Mr. Brall MOVED to amend the prior motion, for the insurance policy to include Workers' Compensation, and removal of automobile physical damage.

- Discussion ensued.
- Mr. Faircloth noted the Board could consider obtaining a proposal from Travelers for Workers' Compensation next year.

Mr. Fisher SECONDED the prior motion.

There being no further discussion,

On VOICE vote with all in favor, the Insurance Policy with Brown & Brown was approved as amended to include the addition of Workers' Compensation and removal of auto physical damage. (5-0)

113 **FIFTH ORDER OF BUSINESS**

**Public Hearing for Adoption of the Fiscal  
Year 2024 Budget (Continued)**

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- 115 **B. Consideration of Resolution 2023-09, Adopting the Fiscal Year 2024 Budget**
- 116 • A total of \$31,748 was budgeted for insurance. Discussion ensued. An increase in
- 117 the line item will be necessary.
- 118 • The total for the policy was \$37,404.
- 119 • Unassigned cash may be used.
- 120 • \$4,000 may be transferred from Pool Reserves.

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122 On MOTION by Mr. Brall, seconded by Mr. Burke, with all in favor,

123 Resolution 2023-09, the Annual Appropriation Resolution of the

124 District Relating to the Annual Appropriations of the District and

125 Adopting the Budget for the Fiscal Year Beginning October 1, 2023,

126 and Ending September 30, 2024; Providing for the Maintenance and

127 Benefit Special Assessments to be Levied by the District for Said

128 Fiscal Year; Authorizing Budget Amendments; and Providing for

129 an Effective Date, was adopted as amended to include changes to

130 Exhibit A, notating the increase for the insurance to be taken from

131 Reserve Pool Funds which are to be transferred to the applicable

132 insurance line items within the budget as needed. (5-0)

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- 134 **C. Consideration of Resolution 2023-10, Levying Assessments for Fiscal Year**
- 135 **2024**
- 136 • This Resolution represents the method in which assessments are collected through
- 137 the County Tax Collector.

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139 On MOTION by Mr. Fisher, seconded by Mr. Brall, with all in

140 favor, Resolution 2023-10, a Resolution of the District Making a

141 Determination of Benefit and Imposing Special Assessments for

142 Fiscal Year 2023/2024; Providing for the Collection and

143 Enforcement of Special Assessments, Including But Not Limited to

144 Penalties and Interest Thereon; Certifying an Assessment Roll;

145 Providing for Amendments to the Assessment Roll; Providing a

146 Severability Clause; and Providing an Effective Date, was adopted.

147 (5-0)

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151 **SEVENTH ORDER OF BUSINESS** **New Business**

152 **B. Envera Update**

- 153 • There are questions regarding the old equipment. All items, including cameras, and
- 154 other items purchased from Envera are to be covered under their Maintenance &
- 155 Service Program.
- 156 • Anything broken will be repaired or replaced by Envera and charged back to the
- 157 District.
- 158 • The contract was discussed.
- 159 • The new contract is almost identical to the old contract, with a decrease in price.
- 160 • The E-Verify Requirement was not part of the previous contract, but will be part of
- 161 the new contract.
- 162 • Cameras will now be checked on a daily basis.

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 164 On MOTION by Mr. Etherton, seconded by Ms. Guyer, with all in  
 165 favor, the updated Contract from Envera for the gates was approved,  
 166 subject to review by District Counsel. (5-0)

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169 **EIGHTH ORDER OF BUSINESS** **Manager’s Report**

170 **A. Consideration of the Fiscal Year 2024 Meeting Schedule**

- 171 • The Board indicated they will be present for the December meeting.

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173 On MOTION by Mr. Fisher, seconded by Mr. Brall, with all in  
 174 favor, the Fiscal Year 2024 Meeting Schedule was approved as  
 175 presented. (5-0)

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177 **B. Discussion of Field Manager’s Report**

178 Mr. Whitlock discussed his report.

- 179 • Mr. Whitlock sent a proposal to the Board shortly before this meeting regarding
- 180 MRI. Mr. Etherton discussed the issue. The stormwater pipe from the road to the
- 181 lake collapsed between the two homes, which caused the depression. The pipe is
- 182 made of fiberglass. Another sinkhole on Bobcat Trail Boulevard was discussed.
- 183 MRI looked at the pipe and determined it leads to the lake. Two holes were found
- 184 in the concrete pipe. MRI may be able to repair from inside the pipe. The Board
- 185 will make a decision at the next meeting.

- 186 ➤ The pipe on Bobcat Trail Boulevard is on golf course property.
- 187 ➤ The MRI cost was \$4,850. The Board believes the ROV submersible camera
- 188 cost should be disputed, as it could not be used.
- 189 ➤ The invoice should not be approved at this meeting. The issue will be
- 190 discussed in more detail at the next meeting.
- 191 ➤ Discussion ensued on using LMP to repair the pipe. Mr. Faircloth is not
- 192 certain whether LMP can repair the pipe. The company should be certified
- 193 for this type of work.
- 194 ➤ Mr. Faircloth commented on his experience working with MRI.
- 195 ➤ Mr. Burke is in favor of tabling this item to the September 17, 2023 meeting.
- 196 In the meantime, Ms. Guyer will seek more proposals.

197 **C. Follow Up Items**

- 198 • Mr. Faircloth noted he was successful in setting up a meeting with Mr. Fisher, Mr.
- 199 Jackson and Mr. Smith, with regards to the Easement Agreement across the golf
- 200 course property for the District to make repairs. The Golf Course noted they would
- 201 have edits to the group by the end of the week, likely by Thursday.
- 202 ➤ Mr. Jackson reported on the agreement with Fairway Commons. He revised
- 203 for maintenance and repairs only. The electric will remain with the CDD,
- 204 but the electric on the pumphouse will remain with Fairway Commons.
- 205 Maintenance and repairs will be divided between the CDD and Fairway
- 206 Commons. The agreement may be terminated if there is a change in golf
- 207 course ownership. Mr. Jackson is awaiting approval from Fairway
- 208 Commons to proceed with this agreement.
- 209 • The invoice from the City regarding a violation of the lake parcel was discussed.
- 210 ➤ Mr. Faircloth commented on progress regarding the invoice received from
- 211 the City.
- 212 ➤ Mr. Etherton is working with the City in this regard as well.
- 213 ➤ Mr. Jackson noted the City could not file a lien on CDD property.
- 214 ➤ Mr. Faircloth discussed whether the invoice should be paid.

215           ➤     Mr. Etherton spoke to Code Enforcement, who agreed to meet at the  
216                     location. However, this was before the hurricane, and Mr. Etherton has not  
217                     heard from him.

218           ➤     Mr. Jackson believes the code enforcement official should meet on the  
219                     property in question. He recommended the Board continue to pursue this  
220                     issue.

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222 **NINTH ORDER OF BUSINESS**

**Engineer’s Report**

223           There being no report, the next order of business followed.

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225 **TENTH ORDER OF BUSINESS**

**Attorney’s Report**

226     **A.     Follow Up Items**

227           **iii.     LMP Contract Amendment for Monument Maintenance**

228           **iv.     LMP Contract Extension Amendment Update**

229     •     The contract is not being changed and Mr. Jackson indicated it may be signed.

230     •     Mr. Jackson reviewed the existing agreement, which is good for three years, and  
231           does not specify renewal.

232     •     The Board would like there to be a one-year extension.

233     •     Mr. Jackson recommended the Board approve a separate agreement for one year.

234     •     Mr. Jackson advised the Board to review the scope of work to ensure all areas are  
235           covered.

236     •     Mr. Faircloth indicated Mr. Jackson will prepare the amendment, which will be  
237           reviewed by the Board and sent to LMP for their signature, after which it will be  
238           presented to the Board for final approval.

239     •     This item will be on the next meeting agenda.

240     **i.     District Maps Update**

241     •     There is more clarification at the northern boundary that the CDD owns most of the  
242           property in this area. The area is crossed by the golf course and Villas HOA.

243     •     Mr. Jackson will prepare a Boundary Line Agreement, which requires signatures  
244           by the golf course and the Villas HOA.

245     **ii.     Stormwater Guidelines Update**

246     There being no report, the next order of business followed.

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249 **ELEVENTH ORDER OF BUSINESS** **Other Reports**

250 **A. Infrastructure/Asset Management Committee (Board Workshop)**

251 **B. Landscape Committee**

252 **C. Newsletter Supervisor**

253 **D. Finance Supervisor**

254 There being no reports, the next item followed.

255 **E. Lakes and Roads Supervisor**

256 Ms. Guyer discussed the sidewalks.

- 257 • The former bridge area was refurbished with sod.
- 258 • Irrigation was removed after the bridge was taken down. LMP reset the irrigation.
- 259 • The area was re-done with new sod.
- 260 • Ms. Guyer noted 17 areas are going to be re-poured due to issues regarding rain.
- 261 • Expansion joints will be cut.
- 262 • There are sidewalk discoloration issues.
- 263 • The contractor will not be paid until the work is done properly.

264 **i. SOLitude Report**

265 **ii. Construction Management Services, LLC Change Order – Estimate**  
266 **1076**

267 There being no reports, the next item followed.

268 **F. Maintenance Supervisor**

269 **G. Facilities Supervisor**

270 **H. HOA Updates**

271 **I. Commercial Properties**

272 **J. Emergency Preparedness**

273 There being no reports, the next order of business followed.

274 **TWELFTH ORDER OF BUSINESS** **Public Comment (3) Minute Time Limit**

- 276 • A resident inquired about the timeline for the sidewalk repairs. Ms. Guyer does not  
277 know at this time.
- 278 • Mr. Faircloth suggested Mr. Jackson review the sidewalk repair contract, as a  
279 resident is concerned with timing of the repairs.
- 280 • A resident suggested soliciting bids for a new insurance company. Mr. Jackson  
281 indicated the District is already in contract with the current insurance company.

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284 **THIRTEENTH ORDER OF BUSINESS** **Adjournment**

285 There being no further business,

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On MOTION by Mr. Brall, seconded by Mr. Etherton, with all in 288 favor, the meeting was adjourned at 4:29 p.m. (5-0)
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Robert Etherton  
Chairperson