

MINUTES OF MEETING
BAY LAUREL CENTER
COMMUNITY DEVELOPMENT DISTRICT

The regular meeting of the Board of Supervisors of the Bay Laurel Center Community Development District was held on Tuesday, June 17, 2025 at 10:00 a.m. at Circle Square Commons, Cultural Center, 8395 S.W. 80th Street, Ocala, Florida.

Present and constituting a quorum were:

Kenneth D. Colen <i>by phone</i>	Chairman
Paul Brunner	Vice Chairman
John Gysen	Assistant Secretary
Robert "Bo" Stepp	Assistant Secretary
William D. McLeod	Assistant Secretary

Also present were:

George Flint	District Manager
Robert Szozda	GMS
Gerald Colen	District Counsel
Bryan Schmalz	BLCCDD
Crystal House	BLCCDD
Pam Peckham	Resident

FIRST ORDER OF BUSINESS

Roll Call

Mr. Brunner called the meeting to order at 10:00 a.m. and Mr. Flint called the roll. Mr. Brunner, Mr. Gysen, Mr. Stepp and Mr. McLeod were present in person and Mr. Kenneth Colen was present via phone.

SECOND ORDER OF BUSINESS

Public Comment Period

Mr. Brunner: We're going to open the floor for public comment.

Ms. Pam Peckham (Stone Creek): I live in Stone Creek. I have two houses, one in Longleaf and one in Bridlewood. I would like to make a request to Mr. Kenneth Colen or Mr. Brunner. I'm concerned about the 2022 implementation of irrigation requirements in Stone Creek. I would like to ask Mr. Kenneth Colen or Mr. Brunner if you would send a letter to our HOA President, Mr. Brady LaFear, asking that Mr. Bryan Schmalz give a presentation of the

implementation issues and why our Board needs to support Bay Laurel's implementation of the irrigation requirements.

Mr. Brunner: Very good. Thank you.

Mr. Flint: We can discuss that under Other Business, Mr. Vice Chairman, if you'd like.

Mr. Brunner: That would be fine.

THIRD ORDER OF BUSINESS

Notice of Meeting

Mr. Brunner: The meeting was duly noticed in the Ocala Gazette on September 27, 2024.

FOURTH ORDER OF BUSINESS

New Business Items

A. Consideration of Master the Possibilities Winter 2026 Sponsorship

Mr. Brunner: We have a letter from Master the Possibilities (MTP) requesting a \$2,500 donation to help them with some of their expenses and some of their ongoing programs. It's the first time ever that they have asked for money, but they've always been a good partner for us, and they've supported advertising classes and implementing the water tours. They're a big part of our public education. But to jump from \$0 to \$2,500, is something that really should be discussed here. Before doing anything with it, I'd like to get my fellow Board Members opinion of what they think about this. Mr. Stepp?

Mr. Stepp: Thank you, Mr. Vice Chairman. I would concur with what you said. As you know, MTP has done a lot to reach into the community and help. They are not only a platform, but also an advocate for the implementation of the District's very important requirements and education throughout the community. They have really been a great partner for us I feel as a District. I think \$2,500 is a small price to ask for what we get in return from the MTP folks.

Mr. Brunner: I concur.

Mr. Gysen: I do too.

Mr. McLeod: Absolutely.

Mr. Brunner: It sounds like it's unanimous.

Mr. Kenneth Colen: I have a conflict on this, as I'm Chairman of that Board. So, I'll just abstain from voting. Thank you for your comments.

Mr. Flint: Mr. Kenneth Colen has provided Form 8B, which we'll keep on file.

Mr. Brunner: Could I hear a motion to accept this particular request and act on it?

On MOTION by Mr. Stepp seconded by Mr. Gysen with Mr. Brunner, Mr. McLeod, Mr. Stepp and Mr. Gysen in favor and Mr. Kenneth Colen abstaining, contributing \$2,500 to Master the Possibilities to help with their expenses and ongoing programs. was approved. (Motion Passed 4-1)

B. Review and Acceptance of Fiscal Year 2024 Audit Report

Mr. Brunner: The next item on the agenda is review and acceptance of the Fiscal Year 2024 audit report. I'm not sure there's anything we have to do on this. Is there, Mr. Flint?

Mr. Flint: The Board is aware that the CDD as a government entity, is required to have an annual independent audit performed. The Board had previously gone through a Request for Qualification (RFQ) process and selected Grau & Associates as your independent auditor. The audit is to be completed by June 30th of each year and transmitted to the State of Florida. On the last page of the audit, the Report to Management, would include any findings or recommendations. You can see that there are no current or prior year findings and recommendations. They've determined we've complied with the provisions of the Auditor General that they are required to review. So, it is a clean audit. If there are any questions from the Board, I'll try to address those. If not, a motion to accept it and authorize it to be transmitted to the State of Florida would be in order.

On MOTION by Mr. Brunner seconded by Mr. Gysen with all in favor accepting the Fiscal Year 2024 Audit Report and directing staff to transmit it to the State of Florida was approved.

FIFTH ORDER OF BUSINESS

Ratification Items

A. Series 2022B Requisitions #84 - #85

Mr. Brunner: The next item is ratification of a requisition from Wharton-Smith, #84 in the amount of \$2,130,511.88. This is just the ongoing payout on the Water Treatment Plant and the next step.

Mr. Flint: You also have Requisition #85.

Mr. Brunner: I missed #85. That's my mistake. I'm sorry. Requisition #85 would be an additional \$847,614.56.

Mr. Flint: These have both been executed by the District Engineer and signed by the District as required by the Trust Indenture. They've been transmitted to the Trustee and funded.

We bring them back to the Board for information and ratification. So, the motion would be to ratify these.

On MOTION by Mr. Brunner seconded by Mr. Stepp with all in favor the approval of Requisitions #84 - #85 for Series 2022B were ratified.

B. Amendment No. 2 to Cooperative Funding Agreement with SWFWMD

Mr. Brunner: The next item is Amendment No. 2 to the Cooperative Funding Agreement between the Southwest Florida Water Management District (SWFWMD) and the Bay Laurel Center Community Development District. Is this something that Mr. Schmalz would go over with us? Mr. Schmalz, would you like to take us through this, please?

Mr. Schmalz: Yes sir. Mr. Bryan Schmalz, Utility Director for Bay Laurel Center. The purpose of the amendment is simply to extend the expiration date of the agreement from December 31, 2027 to December 31, 2028, and then the related reporting timelines.

Mr. Brunner: No problems that you can see?

Mr. Schmalz: No, sir. It's just an extension of the existing cooperative funding initiative programs that include the irrigation audit programs, toilet rebate programs, irrigation controller upgrade program and the irrigation rain sensor replacement program, that's partially funded by SWFWMD.

Mr. Brunner: Very good, sir. Thank you.

Mr. Schmalz: Thank you.

Mr. Brunner: Based on that, do we have a motion to accept Amendment No. 2?

On MOTION by Mr. Gysen seconded by Mr. McLeod with all in favor the approval of Amendment No. 2 to the Cooperative Funding Agreement with SWFWMD was ratified.

C. Agreement with Kimley Horn to Prepare Funding Proposal for WTP No. 4

Mr. Brunner: The next item is the Agreement with Kimley Horn dated May 21, 2025. Mr. Schmalz?

Mr. Schmalz: Mr. Bryan Schmalz, Utility Director for Bay Laurel Center. As you are aware, the District is preparing to construct Water Treatment Plant No. 4. Currently there are some grant funding opportunities available to the District. So, the agreement that you have

before you, is to support the capital infrastructure project involving the design and construction of Phase 1. Currently, Federal funds have been allocated to the State of Florida through EPA and HUD, which can be used to support the design and construction of this project. The agreement includes conducting research and related funding opportunity, preparing and submitting preliminary funding application and one full application and then the related coordination with the agencies.

Mr. Brunner: No issues that you see?

Mr. Schmalz: No, sir. The timeline for submission of the application is by June 30th of this month. So, we're in the process of preparing the applications currently.

Mr. Brunner: Then our motion would be to accept as written or as explained.

On MOTION by Mr. Gysen seconded by Mr. McLeod with all in favor the approval of Agreement with Kimley Horn to Prepare Funding Proposal for WTP No. 4 was ratified.

SIXTH ORDER OF BUSINESS

Other Business

Mr. Brunner: Counsel, is there anything that you want to say?

Mr. Gerald Colen: No.

Mr. Brunner: Are there any Supervisor's Requests? Not hearing any,

Mr. Flint: Did you want to have any discussion on their resident request?

Mr. Kenneth Colen: You skipped over Other Business.

Mr. Brunner: Well, the Other Business would be Pam's request.

Mr. Schmalz: Mr. Bryan Schmalz, Utility Director for Bay Laurel Center. I have no objection to working with the Stone Creek/Pulte Group, in order to express the needs for our requirements. The concern that Pam is bringing up, is one that we've been experiencing where in the Stone Creek communities, the HOA is not controlling the installation and replacement of grass in the backyard. So, at the time the home was constructed, Bay Laurel does an inspection and confirms that it was installed and constructed with what you see is typically as non- irrigated Bahia backyards. We accept that. Within our policy, it states that there should be no changes to that. They have to meet our standards of the 6,000 gallon per month requirements. If they want to change their backyard or their landscaping, they have to submit to the District, landscape and irrigation plans by a landscape architect, demonstrating that the home will not exceed 6,000 gallons per month. What's happening, is that is not occurring in Stone Creek. At this time, per

our policy, the District has the authority to disconnect water service to those properties that are not in compliance. We will need to discuss how the District would like to proceed with that, because obviously that would be a very difficult discussion. My understanding is this happened to a lot of homes. Currently, Bay Laurel does not have the manpower in order to police backyards and confirm that residents are not changing the irrigation and landscaping packages. So that's something we're going to have to work through. Mr. Flint and I have discussed this, of notifying all of the HOAs within our service area, which includes Calesa, On Top of the World and Stone Creek, to remind them of the needs for those standards and helping to enforce those. At this time, I know at On Top of the World, we do not have any problems that I'm aware of, but we have experienced some issues in the Calesa community. Part of the problem is the new rule that was passed, prohibits the HOA from enforcing rules or regulations for something that they cannot see in the backyard, is my understanding. Now the District in our policy does have the right to inspect to ensure compliance, but again, that's something that we're going to have to evaluate and discuss.

Mr. Brunner: Gotcha. Okay.

Mr. Kenneth Colen: Does the District have authority to take action against the Homeowners Association for non-compliance?

Mr. Schmalz: Not that I'm aware of, the way that the policy is currently written, we have the right to disconnect water service for not meeting the requirements of the uniform service policies.

Mr. Stepp: Bryan, how are these violations coming to you? How are you becoming aware?

Mr. Schmalz: We're seeing posts on Facebook. Some residents with different groups have been emailing us, because they're seeing the residents do this. They're sending us pictures of the modifications of the landscape and irrigation that are now going to exceed that 6,000-gallon requirement. The District has been struggling to meet our per capita requirements for decades and we have now met those requirements. So, seeing this now, could definitely set us back on continuing to meet the requirements of our water use permits. So that's where the District will have to determine at what point, whether we will enforce the current policy that we have in place for disconnection of water service. The way it currently reads, once we've notified them, they have five days to resolve the issue before disconnection of service occurs. We should probably

give them a little bit of extra time, because it would take a lot more than five days to modify their irrigation and landscaping package. I would imagine that we were going to have some pushback from the community during these notifications as well.

Mr. Brunner: Right. So, who contacts the Stone Creek HOA?

Mr. Schmalz: I will provide formal notification to them of the requirements. What we see at On Top of the World, any modification that's done, comes into On Top of the World as a modification request. Anytime On Top of the World has a modification request specifically for irrigating backyards or changing the landscape and irrigation, they contact us or they tell the resident that they have to get a letter from Bay Laurel authorizing the work to be performed. In order for that to happen, they would have to demonstrate the 6,000-gallon water budget for their outdoor irrigation system. At this time, nobody has done that. So, On Top of the World does not approve that modification request. My understanding with Stone Creek, is that request comes into the HOA. The HOA then pushes that to the Architectural Review Committee and they approve replacement of sod in backyards, regardless of whether its Bahia. They'll put it to St. Augustine, Centipede and they'll irrigate it as well. We've been notified by numerous residents as well as our water conservation groups in the area.

Mr. Brunner: Okay. Thank you.

Mr. Schmalz: You're welcome.

Mr. Brunner: So, there's no additional action required on that?

Mr. Flint: It sounds like we already are in process of notifying the Stone Creek HOA. So, we'll continue to move forward with that.

Mr. Brunner: Very good. Any Other Business, Mr. Flint, other than next meeting scheduled is July 15th of this year?

Mr. Flint: Yeah, that's all the business we had. We'll monitor the agenda items for the 15th and let them let the Board know in advance.

SEVENTH ORDER OF BUSINESS

Supervisor's Requests

There being no comments, this item followed.

EIGHTH ORDER OF BUSINESS

Next Meeting Date – June 17, 2025


This item was discussed.

NINTH ORDER OF BUSINESS

Adjournment

On MOTION by Mr. Brunner seconded by Mr. Gysen with all in favor the meeting was adjourned.


Secretary/Assistant Secretary


Chairman/Vice Chairman