

MINUTES OF MEETING
INDIGO
COMMUNITY DEVELOPMENT DISTRICT

The regular meeting of the Board of Supervisors of the Indigo Community Development District was held Wednesday, November 17, 2022 at 1:00 p.m. in the Fairfield by Marriott Daytona Beach, 1820 Checkered Flag Boulevard, Daytona Beach, Florida.

Present and constituting a quorum were:

John McCarthy	Chairman
Mark McCommon	Vice Chairman
Kevin Kilian	Assistant Secretary
Ron Brown	Assistant Secretary

Also Present were:

James Perry	District Manager
Katie Buchanan	District Counsel by telephone
Kurt von der Osten	Field Operations Manager
Jamie Rountree	Team Rountree

FIRST ORDER OF BUSINESS

Roll Call

Mr. Perry called the meeting to order and called the roll.

SECOND ORDER OF BUSINESS

Public Comments

There being none, the next item followed.

THIRD ORDER OF BUSINESS

Approval of the Minutes of the October 19, 2022 Meeting

On MOTION by Mr. Killian seconded by Mr. McCarthy with all in favor the minutes of the October 19, 2022 meeting were approved as presented.

FOURTH ORDER OF BUSINESS

Consideration of Resolution 2023-02 Amending the District's Record Retention Policy

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Ms. Buchanan stated this resolution is administrative in nature. Several years ago, the district adopted a records retention policy that indicated that it was going to keep all of its records, mostly because the district doesn't have the staffing capacity to go through and discard records in accordance with the state's records. This accomplishes two things, the first is it allows us to throw away or delete immediately email messages that are things such as confirming quorum or a yes or no or things that are not substantive in nature and of a long-term value. The second thing the resolution does is allows the district to keep its records in electronic format compared to having to maintain paper files. Just administrative things to help staff move forward with your requirements on records retention.

Mr. McCommon asked do they do automatic backups if this is electronic?

Mr. Perry stated all the emails that GMS receives through staff and supervisors, all those are backed up. We do have a lot of paper records, but because they are so voluminous as an example this district is almost 23 years old, we are not going to go back and determine which ones we should keep or not but going forward it just makes it a little easier for staff if we get a public records request. There might be 100 emails and 20 of them are yes, no, I will be there. We have to include all those in the public records request and you have to review them, so you know what you are giving up. This will make it a little more streamlined.

On MOTION by Mr. McCommon seconded by Mr. McCarthy with all in favor Resolution 2023-02 was approved.

FIFTH ORDER OF BUSINESS

Consideration of Resolution 2023-03 Declaring Vacancies in Seats 1, 3, and 5 as of November 22, 2022

Mr. Perry stated Resolution 2023-03 declares vacancies in seats 1, 3, and 5 as of today's date. Those seats are held by Mr. McCarthy, Mr. Brown and Mr. McCommon. The resolution itself declares those vacancies. The current board members would stay in those seats for up to 90-days, which is the statutory provision. You have the option of declaring the vacancies with this resolution and filling them today, which is what we had talked about before. If that is the direction the board would like to go then you need to approve Resolution 2023-03.

On MOTION by Mr. Killian seconded by Mr. McCommon with three in favor Resolution 2023-03 was approved.

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Mr. Perry stated if you wanted to nominate and vote on supervisors for each of those seats you could do that now.

On MOTION by Mr. Killian seconded by Mr. McCommon with three in favor Ronald Brown was appointed to fill seat 3.

On MOTION by Mr. McCommon seconded by Mr. Killian with three in favor John McCarthy was appointed to fill seat no. 1.

Mr. Perry stated just prior to item 5 Supervisor Brown stepped out of the meeting and he is not voting on these right now.

On MOTION by Mr. Killian seconded by Mr. McCarthy with three in favor Mark McCommon was appointed to fill seat no. 5.

SIXTH ORDER OF BUSINESS

Staff Reports

A. District Counsel

There being none, the next item followed.

B. District Engineer

There being none, the next item followed.

C. District Manager

There being none, the next item followed.

D. Field Operational Manager

Mr. von der Osten stated the entry signs off of Champions are all going to be the blue placards scheduled to be replaced this week. When this goes up it will be fresh blue colors and paint, which will not match the other blue paint on the other side. We repainted them about six years ago. He is going to look at that and give us a quote to repaint. I asked him to go around the Tournament entrance, that is the one that really fades from the western sun.

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At the last meeting you approved a not to exceed number for oak trees. We have the exact number and size of trees and the price from Team Rountree is \$34,978. He came in \$22 less than the not to exceed amount.

Mr. Rountree stated it also includes the stump removal; we were able to complete both and get the size trees we wanted and the sump removal and still keep it under the \$35,000.

Mr. McCommon asked what is the timing of when they will be in?

Mr. Rountree responded the trees are supposed to be delivered the first of next week.

Mr. von der Osten stated these are actually 7 ½ caliper trees, not quite as big as what came down, but they are not something that came out of a pot. When this happens we will finish repairing the lighting because we are digging the holes where the lines and irrigation is.

A board member had asked about sidewalks being replaced along Champions. The city’s position is that they have replaced everything they are going to replace, they didn’t mean to go that far, the contractor just kept going up Champions. Right now, that is everything they have planned.

Mr. Rountree stated the annuals have just been rotated.

Mr. Killian stated on LPGA almost from 92 there are stakes right up against the road, basically up to our first entrance at International Golf. Is that related to them widening the road?

Mr. von de Osten stated I have not checked with DOT but assume it is something to do with their PDA study where they get the initial surveys and analysis of right of way.

SEVENTH ORDER OF BUSINESS

Supervisors Requests and Public Comments

Mr. Perry being a notary public of the State of Florida administered the oath of office to Mr. McCarthy and Mr. McCommon.

EIGHTH ORDER OF BUSINESS

Approval of Check Register

On MOTION by Mr. McCarthy seconded by Mr. Killian with three in favor the check register was approved.

Mr. Killian asked can you give us a thumbnail sketch of where we are with the bonds?

Mr. Perry stated I think there are just one or two defaults that we still have on the bonds related to foreclosure proceedings.

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Ms. Buchanan stated I think that is correct. I can bring that back to you at the next meeting. What we have to work on is truing up our records with the trustee’s records, the special assessments have been dealt for on all those parcels, but unfortunately, I doubt the trustee and the bondholders have done an executed write off yet.

Mr. Killian stated I guess the overall question is are we on good footing and moving in the right direction on them.

Ms. Buchanan stated I think we are moving in the right direction for sure. Our footing is stable so there should be no surprises to the bondholders about what has to happen, it is just getting the technical components done, which is not really beneficial to the holders or the trustee. We will just have to get their attention on it.

Mr. Perry stated one item of comfort for board members if you own a home there your bond is for that 30-year period when it was issued. We have detailed records on all the lots and so forth and the payments that have been made. The real issue that Katie is talking about is all the raw land and we have had these work out deals where we had assessments come in and we said okay so much of this is principal so much of it is interest and the trustee might apply all of it to interest and not to principal in the way they allocate their funds. Our records are actual and reflect what is outstanding on the bonds or should be outstanding. Their records might reflect a little more outstanding on the bonds and they haven’t taken that necessary write down. I want to assure you if there are any issues related to that, it doesn’t fall upon the individual lot owners like yourself who have made your payments year in and year out.

Mr. Brown returned to the meeting.

Mr. Perry being a notary public of the State of Florida administered the oath of office to Mr. Brown.

NINTH ORDER OF BUSINESS

Financial Statements as of October 31, 2022

A copy of the financials was included in the agenda package.

TENTH ORDER OF BUSINESS

Next Scheduled Meeting – Monday, December 19, 2022 at 1:00 p.m. at the Fairfield by Marriott Daytona Beach, 1820 Checkered Flag Boulevard, Daytona Beach, Florida

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Mr. Perry stated the next scheduled meeting is Monday, December 19, 2022 at 1:00 p.m. in the same location. Unless something comes up, we might cancel that meeting, which is typically what we do, but we will let everyone know at least a week prior.

On MOTION by Mr. Killian seconded by Mr. McCarthy with all in favor the meeting adjourned at 1:23 p.m.

DocuSigned by:
Jim Perry
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Secretary/Assistant Secretary

DocuSigned by:
John McCarthy
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Chairman/Vice Chairman