

MINUTES OF MEETING
DEER RUN COMMUNITY DEVELOPMENT DISTRICT

The regular meeting of the Board of Supervisors of the Deer Run Community Development District was held Wednesday, March 25, 2026 at 6:30 p.m. at the Island Club, 501 Grand Reserve Drive, Bunnell, Florida.

Present and constituting a quorum were:

Gary Garner	Chairman
Barbara DeSantis	Supervisor
Melissa Tabares	Supervisor
Gary Masten	Supervisor

Also present were:

Matt Biagetti	District Manager
Katie Buchanan	District Counsel
Joey Duncan	District Engineer via Zoom
Rich Gray	RMS
Alison Mossing	RMS
Cheryl Palmes	RMS
Daniel Harvey	GMS
Hunter Hurley	Kutak Rock LLP
Kristen Bates	Bunnell City Clerk
Antonio Perez	Yellowstone
Samuel Ruiz	Yellowstone

FIRST ORDER OF BUSINESS

Roll Call

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

On MOTION by Mr. Masten seconded by Ms. DeSantis with all in favor Mr. Gates absence from the meeting was approved.

SECOND ORDER OF BUSINESS

Public Comments

There being none, the next item followed.

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The next item taken out of order

FOURTH ORDER OF BUSINESS

Plaque Presentation to “the Reserves” Band

Mr. Garner on behalf of the community presented a plaque of appreciation to The Reserves Band.

THIRD ORDER OF BUSINESS

Bunnell City Clerk, Kristen Bates

Ms. Bates gave an overview of her background, her duties and responsibilities as city clerk, municipal elections officer, public information officer, and representative of solid waste department.

The next item taken out of order.

Landscape Report

Mr. Perez gave an overview of the March landscape report, copy of which was included in the agenda package.

FIFTH ORDER OF BUSINESS

Discussion of FPL Streetlight Transfer to Freedom HOA

Mr. Biagetti stated vice chairman Gates on behalf of the CDD met with Alan representing Freedom HOA settled on \$5,500 that the Freedom HOA will pay the CDD for the CDD paying for the streetlights. The board had set the expectation that as long as it didn’t exceed \$5,616 they settled on that. We are looking for the board to accept that. If the board accepts the \$5,500 Alan will take it back to the Freedom HOA board. The only caveat is the Freedom HOA at this point would request that there be a settlement release that the payment has been satisfied and nothing further is due to the CDD.

On MOTION by Mr. Masten seconded by Ms. DeSantis with three in favor and Mr. Garner abstained due to a conflict of interest the proposed settlement of \$5,500 was accepted as full and final payment and district counsel was authorized to prepare a one page release for the settlement and staff will have it executed.

The next item taken out of order.

SEVENTH ORDER OF BUSINESS

Engineer’s Report

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Mr. Duncan stated I did the map for the completion of the Sand Wedge repair that we did. That completed the items needed for acceptance of Phase 1A.

Mr. Masten stated you are saying the repairs completed by Horton were satisfactory on Sand Wedge?

Mr. Duncan stated yes. I have a map to share with you and a photograph that shows it. We thought it was a storm sewer leak that caused it. The city came out and checked the storm sewer and found that it was an old soft drain line that Horton had used that had not been capped properly. Horton opened it up, dug down and capped the line, backfilled and they also did a sub-base, first lift and second lift of asphalt. They did it the proper way and it should hold up and Rich will continue to watch that and make sure if another issue comes up Horton will take care of it.

Mr. Masten stated my understanding was that as soon as that was completed we were in agreement that we would accept conveyance of Sand Wedge and Grand Par. Is that correct?

Mr. Duncan stated I have it as 1A and 1B, yes.

Mr. Masten asked what do we have to do?

Ms. Buchanan stated my recommendation is to have the developer execute a bill of sale and I prefer to have a certificate from your engineer saying he has reviewed it and it is in good condition.

Mr. Masten asked where are we on the conveyance of Phase 2, 4, and 5? I think we were hesitant to accept 4 and 5 because of potential damage to 2, which had the second lift and we were looking for some sort of agreement from Horton that if they caused damage to 2, they would fix that in conjunction with the final phaseout of 4 and 5.

Mr. Duncan stated I understand Katie is working with Horton's lawyer to get that agreement.

Ms. Buchanan stated I do have initial thoughts from Horton's lawyer on that concept. I'm happy to let Joey finish his report or we can do it now.

Mr. Duncan stated I'm just here for questions.

Ms. Buchanan stated a high-level overview is essentially the district would agree to accept Phases 2, 4 and 5 of the roads, subject to the developer providing a guarantee as to the maintenance of the roadway improvements and promise to repair. They would agree to repair the defects, which are defined as faulty materials or workmanship or what I think is more

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significant to our concern, material excessive use of construction vehicles accessing the roads resulting in a degradation of the roadway improvements. They are trying to address your concerns as to construction traffic, but they do want to clarify that a defect will not include cosmetic damage or general wear and tear. They did have a video documentation on the condition of the roads recorded on February 3rd at their cost so we would have that to go back and refer to. I would expect there may be situations where the district and Horton would disagree as to whether something is a material defect and in those instances, we would initially have our respective engineers try to work it out and if we can't have a mutual third party who the district and Horton agree on, to make a recommendation. We give them notice and they have 60 days to make the repairs. If they don't make the repairs, we would then be able to do that and bill them. If they still don't pay us back, then we have the ability to sue them and would get attorney's fees for those lawsuits. The term of this agreement continues until the transfer of title to a third-party purchaser for the last remaining lot owned by Horton in Phase 5. I think that covers it, but I want to get your thoughts on if that is the right direction.

Mr. Masten stated I think that is what we talked about doing. That was our concern.

Mr. Biagetti stated that was the board's ask and at first glance I think it is covering any concerns that we were going to look at.

Mr. Masten stated I'm good with it. What do you need from us to move in that direction?

Ms. Buchanan stated you have two options. You can choose to consider this full agreement in print at your next meeting or you can designate authority to an individual to negotiate. Either one is fine with me, whatever you are comfortable with.

On MOTION by Ms. Tabares seconded by Ms. DeSantis with all in favor Mr. Masten was authorized to work with district counsel to finalize the agreement.

Ms. Buchanan stated if they provide changes that are materially different than what we talked about we will just bring it back to the next meeting.

You did have some legislative changes to be aware of. Your sovereign immunity limits increased so they used to be \$200,000 per person \$300,000 per incident and now it is \$300,000 and \$500,000. Your premiums might go up a little. There is a bill that passed that allows for a

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community to unseat a qualified board member. There is a petition process, they have to work with the supervisor of elections office, it is a long process.

I know that there has been a request for me to attend meetings in person and I am happy to do that. Sometimes I feel it may be more cost effective for me to phone in. What is your opinion.

Mr. Garner stated I met with Katie tonight before the meeting and I suggested to her that when the final agenda package comes out for her to get with Matt to go over it and let Matt get with the chairman and discuss whether we need you or not. When you come here it costs about \$1,000.

Ms. Buchanan stated \$500 to \$1,000. I travel from Tallahassee, but I usually try to cluster about 7 meetings so I can split the time but if I only have 3 meetings it is going to cost a little more.

Mr. Garner stated get with Matt and he can give me a call and we will bless it.

SIXTH ORDER OF BUSINESS

Consideration of Proposal for Irrigation Pumps Preventative Maintenance Program with M and M Sales - Service

Mr. Gray gave an overview of the preventive maintenance program and stated since we have installed the weather sensor I have approval from Tim and it is confirmed that this amount will include him coming out to restart the system should it be shut down due to the rain. By approving this we should incur no additional charges outside of maintenance to the system that is not covered under warranty. Pump 2 is under a five-year warranty and Pump 1 is under the original warranty.

On MOTION by Mr. Masten seconded by Ms. DeSantis with all in favor the proposal from M and M Sales and Service in the amount of \$3,830 was approved.

EIGHTH ORDER OF BUSINESS

Staff Reports

A. Attorney

This report made earlier in the meeting.

B. District Manger – Budget Workshop

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Mr. Biagetti stated after discussion with the chair to keep things in line with our regular meetings, I'm looking at Wednesday, April 29th.

It was the consensus of the board to meet April 29th for a budget workshop.

Mr. Biagetti stated just a reminder that we have the general election coming up in November. Seat 1 and seat 2 are up for election. The qualifying period is from noon June 8th to noon June 12th.

C. Operations Manager

1. Report

Mr. Gray stated the building enclosure is complete. The rain station is scheduled to go online Thursday. There has to be 2" of rain within one single event or within 7 days. We can adjust that if we find out that 2" is not enough.

I requested a mosquito treatment for the pond at the amenity center in May. We recently repainted the grill area.

Mr. Masten asked can we get Tim to put a light in the irrigation shed?

Mr. Gray stated I will speak with him. It shouldn't be a problem.

Mr. Masten stated on the subject of the weather sensor, I think everyone is aware Bunnell is in a phase 1 water alert. This is potable water not reclaimed water and they are asking people to limit washing vehicles, install low flow shower heads, be careful with the water. On the subject of the rain sensor, this is one more attempt to try to extend the pump life by not running irrigation when we don't need it. People still run their sprinklers during a downpour.

2. Landscape Report – Yellowstone

This item taken earlier in the meeting.

D. Amenity Manager

Ms. Mossing stated we are going to continue to monitor the weekend usage of the amenity center. We did budget this year to start staffing in May for the weekends if needed. We will come to the budget meeting in April and discuss whether we need to start staffing weekends early.

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NINTH ORDER OF BUSINESS

Supervisor’s Requests

Additional comments: Town Hall meeting, forward complaints to the responsible party, email complaints to the staff and copy the board, chemicals in pool being checked Monday, Wednesday, Friday by the vendor and Tuesday and Thursday by staff, recommendation that amenity center staff wear khaki shorts or pants and uniform shirt with name tag, would like a variety of offerings at amenity center, website needs to be kept updated, request that a school representative to attend the May meeting to talk about moving the location of the school bus stop, presentation on how to prevent cyber fraud next Monday at the City Chambers and one here in the fall, pickleball waivers, install solar lighting on mailboxes.

On MOTION by Mr. Masten seconded by Ms. Tabares with all in favor staff was authorized to install one solar light at Freedom and Links mailboxes to be taken out of the capital reserve.

Request to counsel to bill on a flat fee basis to include meetings, calls, etc. will invite the chief of police to be guest speaker.

TENTH ORDER OF BUSINESS

Public Comments

Additional comments: request for stormwater inspection and repairs prior to hurricane season, peeping tom, an occupied tent between a homeowner’s fence and U.S. 1, have chairman execute letter to the police authorizing them to trespass anyone on our property and give staff authority to post no trespassing signs, concern about a dumpster being out front, pot luck participants should take their trash home with them, will take out curbing and construct dumpster area and lock the dumpster inside it, purpose of the bond and payoff date, additional amenities, path to Bunnell Park.

ELEVENTH ORDER OF BUSINESS

Approval of Consent Agenda

A. Approval of the Minutes of the January 28, 2026 Meeting

On MOTION by Ms. DeSantis seconded by Mr. Masten with all in favor the minutes of the January 28, 2026 meeting were approved as presented.

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B. Balance Sheet as of February 28, 2026 and Statement of Revenues and Expenses for the Period Ending February 26, 2026

On MOTION by Mr. Masten seconded by Ms. DeSantis with all in favor the financials were accepted.

C. Approval of Check Register

On MOTION by Mr. Masten seconded by Ms. DeSantis with all in favor the consent agenda items were approved.

TWELFTH ORDER OF BUSINESS

Next Scheduled Meeting – May 27, 2026 at 6:30 p.m. at the Island Club

Mr. Garner stated the next regular meeting is scheduled for May 27, 2026 and a budget workshop will be held April 29, 2026 at 6:30 p.m..

On MOTION by Mr. Masten seconded by Ms. DeSantis with all in favor the meeting adjourned at 8:08 p.m.

Signed by:

Matt Bugette

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Secretary/Assistant Secretary

Signed by:

Gary Garner

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Chairman/Vice Chairman