

**VILLAGE OF LAZY LAKE**  
MEETING MINUTES  
2201 WILTON DRIVE, WILTON MANORS, FLORIDA  
TUESDAY, APRIL 16, 2019  
6:30 P.M.

**Village Council**

**Present**

Mayor Evan Anthony  
Council Member John Boisseau  
Council Member Sally Boisseau  
Council Member Ray Nyhuis  
Council Member Patrick Kaufman

**Absent**

Council Member Carlton Kirby

**Also in Attendance**

Donald Lunny, Esquire  
Lisa Tayar/Prototype  
Richard Willard, Resident

1. Roll Call

The meeting was called to order by Mayor Evan Anthony at 6:37 p.m. It was determined a quorum was present.

Mr. Lunny addressed the Council regarding several issues of importance, specifically OIG inquiries into the appointments of Council members, as well as the OIG asking for certain information concerning Village procedures.

With regard to the appointments issues, Mr. Lunny noted that the material the Mayor Meeting Minutes the Mayor supplied to the OIG indicated that John and Sally Boisseau's appointment in May of 2018 was effective to the next general election in November of 2018; whereas, subsequent appointments in 2018 were made to the "next general election" without specifying a Month. This created a need to review the State Constitutional provisions, the law before and after the Municipal Home Rule Act, the Village Charter and State Archival Indices concerning whether same was reflected as being amended; Special Acts of the Florida Legislature that apply to municipal elections in Broward, and a review of the Village records concerning its Ordinance enactments. While this investigation is not complete, it would appear that the provisions in the Village's Original Charter for elections every other year for all of the Village's elected officials remain in effect and have not been changed. Moreover, it would appear that none of the persons serving as elected officials in the election qualifying time frame of January 2018 completed all of the necessary qualification papers to run for Office for the term commencing in March 2018 and ending in March 2020. As the review of this matter has not been completed, Mr. Lunny stated that he was unable to conclude whether the persons serving in office had the authority to continue serving in this regard. He further advised that he had spoken with John Way of the Broward SOE who indicated it was unlikely that his office could conduct a special election this year given the workload they have to finish for the 2020 election cycle.

The Council may: 1) conduct no further business until the issues are resolved, or 2) continue to try to comply with current rules and regulations pending the outcome of Mr. Lunny's investigation and determination and recommendations regarding the continuing authority of the current elected officials. It may be necessary to request an Opinion of the Florida Attorney General.

Mayor Anthony and the Council Members concurred that continue the day-to-day business of the Village, withholding decisions on other items, be continued pending further information from Mr. Lunny.

2. Approval of Meeting Minutes
  - March 19, 2019 Regular Meeting

Mr. Lunny suggested two changes to the minutes to better accurately reflect his comments made at the meeting.

**Motion** made by Council Member Nyhuis, seconded by Council Member J. Boisseau, to approve the minutes of the March 19, 2019 meeting as amended. In a voice vote, the motion passed unanimously.

3. Consent Agenda – ratification of payments made for the following invoices:
  - Prototype invoice #19-0157 dated 4/12/19 in the amount of \$501.25

**Motion** made by Council Member Nyhuis, seconded by Council Member J. Boisseau, to approve the consent agenda. In a voice vote, the motion passed unanimously.

4. New Business

- 4.1 Payment of Broward County Environmental Protection and Growth Management (Inspections and Permitting) Invoice #EL10000564 in the amount of \$1,846.52

Mayor Anthony reported that this invoice is for calls made to Code Enforcement involving issues regarding two residents, indicating that he would like to further look into the charges on the invoice before it is paid.

**Motion** made by Council Member S. Boisseau, seconded by Council Member Kaufman, to defer this item to the next meeting. In a voice vote, the motion passed unanimously.

- 4.2 Guardrail for Lazy Lane

Three bids have been received for this project; no section has yet been made. The guardrail will begin on Lazy Lane and continue 150 feet on both sides, with driveway breakaways. Split rail was suggested for easy removal when necessary.

**Motion** made by Council Member Nyhuis, seconded by Council Member Kaufman, to defer this item to the next meeting. In a voice vote, the motion passed unanimously.

5. Old Business

Mayor Anthony indicated he agreed with the proposal to have the workshop as discussed at the previous meeting, although Council Member Nyhuis expressed concern over taking such a big step.

In response, Mr. Lunny stated the workshop would be an opportunity for public input allowing the community to express their opinions with regard to possible annexation to Wilton Manors.

5.1 Resolution to Schedule Workshop Meeting Outside of Village. The title of the Resolution was read into the record by Mr. Lunny:

A RESOLUTION PERTAINING TO THE SUBJECT OF VILLAGE OF A SPECIAL LAZY LAKE COUNCIL MEETING; AUTHORIZING SUCH SPECIAL VILLAGE COUNCIL MEETING BEING HELD OUTSIDE OF THE VILLAGE'S TERRITORIAL LIMITS; PROVIDING FINDINGS; PROVIDING FOR THE PURPOSE OF THE SPECIAL MEETING; PROVIDING A SAVINGS CLAUSE; AND PROVIDING AN EFFECTIVE DATE THEREFOR.

**Motion** made by Council Member Kaufman, seconded by Council Member J. Boisseau, to adopt the Resolution to schedule workshop meeting outside of Village. In a voice vote, the motion passed unanimously.

The workshop was then scheduled for April 23, 2019 at 6:30 at Hagen Park, 2020 Wilton Drive, Wilton Manors, Florida.

5.2 2019 Broward County Emergency Management Hurricane Exercise 5/19/19

**Motion** made by Council Member J. Boisseau, seconded by Council Member Nyhuis, to defer item 5.2. In a voice vote, the motion passed unanimously.

5.3 Village Website status

Website cost information was provided for the Village to create and maintain a Website. After discussion, it was determined that at this time, the Village will endeavor to meet the 2018 new County Charter requirement for website positing by coordinating with the County the uploading of Meeting information on the Broward County website.

**Motion** made by Council Member Nyhuis, seconded by Council Member Kaufman, to defer item 5.3. In a voice vote, the motion passed unanimously.

6. Village Council Comments

Mr. Lunny reported on the status of the following matters:

- Mr. Lunny had been authorized to prepare an easement authorizing the Village to go onto the land for the purpose of repairing streetlights. The process recommended, in order to avoid significant cost, will include: 1) production of a survey by each resident including the legal description; 2) a legal opinion after examination of title to each property to determine authorized parties for document execution; 3) sign-off by Mr. Lunny as council for the Village; and 4) recording of the easement. It will be necessary in the future for a Resolution to be adopted in this regard. All documents are ready for further consideration when appropriate.

After examination of the plat by Mr. Lunny, he was unable to conclude that the property is in the public right-of-way versus private property.

Upon questioning by Council Member Nyhuis whether this entire procedure is necessary, Mr. Lunny explained there are other considerations such as 1) the lights being public or private; 2) once the light is installed it will be a public asset, but would be able to be removed by a subsequent owner; and 3) there may be liability issues.

- The OIG continues to look for processes and procedures to include public noticing of meetings and the agenda, pertinent language on the agendas, and Mr. Lunny recommended adopting of a resolution specifically stating the meeting schedule and location, and other procedures so that the Village can show the OIG that procedures have been adopted as requested. Compliance further includes meeting signage and updating resident emails. .

Mr. Lunny then read the title of the Resolution into the record:

A RESOLUTION PERTAINING TO THE SUBJECT OF VILLAGE OF LAZY LAKE COUNCIL MEETINGS; PROVIDING FINDINGS; AUTHORIZING REGULAR VILLAGE COUNCIL MEETINGS BEING HELD OUTSIDE OF THE VILLAGE'S TERRITORIAL LIMITS; PROVIDING BASIC MINIMUM PROCEDURES FOR PUBLIC NOTICE OF VILLAGE COUNCIL MEETINGS; PROVIDING A SAVINGS CLAUSE; AND PROVIDING AN EFFECTIVE DATE THEREFOR.

**Motion** made by Council Member Nyhuis, seconded by Council Member Kaufman, to adopt the Resolution pertaining to the subject of Village of Lazy Lake Council meetings. In a voice vote, the motion passed unanimously.

#### 7. Council Member Comments

Council Member Kaufman noted the sea grapes are overgrown on the easement leading to the lake. Mayor Anthony will obtain landscape bids for trimming.

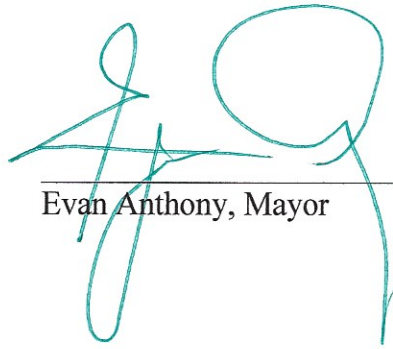
#### 8. Public Comments

- Richard Willard, 2240 Lazy Lane, expressed his concerns regarding the Village's ability to continue to function as an independent municipality, further discussing retaining privacy of the easement leading to the lake.

9. Adjournment

With no further business to discuss, and upon motion duly made and seconded, the meeting concluded at 8:10 p.m.

  
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Village Administrative Assistant

  
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Evan Anthony, Mayor

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