

**MINUTES OF MEETING  
STEVENS PLANTATION  
COMMUNITY DEVELOPMENT DISTRICT**

The regular meeting of the Board of Supervisors of the Stevens Plantation Community Development District was held on Thursday, February 5, 2015 at 6:00 P.M. at City Hall, 1300 Ninth Street, St. Cloud, Florida.

Present and constituting a quorum were:

Rebecca Fernandez	Chair
Larry Rabb	Vice Chairman
Terence Connors	Assistant Secretary
Gary Clegg	Assistant Secretary
Daryl Greenwood	Assistant Secretary

Also present were:

Gary L. Moyer	Moyer Management Group, Inc.
Daniel Mantzaris	De Beaubien, Knight, Simmons, Mantzaris
Brian Smith	Field Management
Jim Endicott	Landcare Specialists
Lori Sutherland	Leland Management - Property Manager
Residents	

*The following is a summary of the minutes and actions taken at the February 5, 2015 Stevens Plantation Board of Supervisors meeting.*

**FIRST ORDER OF BUSINESS**

**Call to Order**

Mr. Moyer called the meeting to order at 6:00 P.M.

**SECOND ORDER OF BUSINESS**

**Roll Call**

Mr. Moyer called the roll.

**THIRD ORDER OF BUSINESS**

**Audience Comments**

There being none, the next item followed.

**FOURTH ORDER OF BUSINESS**

**Approval of the Minutes of the October 2, 2014 and December 4, 2014 Meetings**

Mr. Moyer stated each Board member received a copy of the minutes of the October 2, 2014 and December 4, 2014 meetings and requested any additions, corrections or deletions.

Mr. Connors stated my name is spelled wrong it should be Terrance.

On MOTION by Mr. Rabb seconded by Mr. Clegg with all in favor the minutes of the October 2, 2014 and December 4, 2014 meetings were approved as amended.

**FIFTH ORDER OF BUSINESS**

**Resident Owner Association Report**

- Ms. Sutherland reported a fountain keeps going on and off.
  - Mr. Smith noted there are relays in it that are old and going bad. New relays have been ordered.
  - Discussion continued on the fountain.

**SEVENTH ORDER OF BUSINESS**

**Staff Reports**

- A. **Field Manager**
  - i. **Field Maintenance Report**
  - ii. **Action Items**
  - iii. **Resident Call Log**
  - iv. **Landscape Report**
  - v. **Applied Aquatic Report**

Mr. Smith reported the Field Management Report was emailed to the Board.

Mr. Rabb addressed ruts where the mower keeps going on the same track every time.

Mr. Endicott stated when we took over the project there were deep ruts and this time of the year it will show more because the grass is not growing.

Ms. Fernandez stated you took over the property almost four years ago and any situation like that should have been resolved if you have been changing the pattern continually over the three years.

Ms. Greenwood reported she has been approached by several people not happy with the planting beds. As you know I was not happy with the poinsettias when they went in because I stopped and we had a conversation about them. She noted the poinsettias were planted late.

Ms. Fernandez noted we need an annual bed at The Estates and my recommendation is to cut away the grass from where the lights are on both sides of the sign and run them along there. It will still have the roses but will get color from the annuals.

Mr. Endicott reported on work at the west fountain where they just took out some jasmine. There was a small offset annual bed and we built it up, centered it and filled in the border with some sod.

Discussion followed on planting beds.

Mr. Connors addressed Christmas decorations

Discussion followed on decorations with it being noted they will have a plan for next season.

Mr. Connors reported he had a homeowner tell me there is a deflection in a common walk of an inch or so. The last time that happened I emailed you some addresses and you contacted the city. Is there a department we can contact?

Mr. Mantzaris responded it is the Public Works department. I believe I talked to Chris Faschnaught at the city the last time you gave me that information.

Ms. Greenwood inquired about the streets.

Mr. Mantzaris responded I have not.

Mr. Smith reported they are pressure washing the sidewalks on New Nolte. He is also going to pressure wash the benches and trash cans.

Ms. Fernandez reported on the north side heading on West New Nolte there is a light pole with a flag missing. The only other thing I know of is there is still a lot of debris in the ponds and the homeowners are still complaining about the lawn guys mowing the debris in the ponds into their yards.

Mr. Endicott stated I caught my guy on Tuesday and he was reprimanded. We have a lawnmower shoot that is to be closed.

Mr. Smith reported the ponds are looking good.

Discussion followed on trees in The Grove and Verandah that have not been straightened.

Discussion returned to the annual beds with it being noted the spacing can be tighter.

Discussion followed on city trees and sidewalks.

A resident inquired about a Wal-Mart.

Mr. Mantzaris stated the Wal-Mart is on that piece of property and the property is zoned properly for a Wal-Mart Neighborhood Store. The item that came before the Planning Commission was not the Wal-Mart. The developer is proposing a Wal-Mart Neighborhood Store and a Murphy Oil Station. The gas station is what went before the Planning Commission and

was voted down. It is going before the City Council on February 12<sup>th</sup> for consideration of that same item. The Wal-Mart has been approved.

Ms. Greenwood stated we would probably welcome a neighborhood store there but the problem is the gas pumps and the fact that they could not tell us the hours of operation and they have not done a traffic study yet. That corner has had multiple fatalities, including one about three weeks ago, and the fact that the cutout for the gas station is directly across from The Sanctuary driveway.

The resident questioned the Wal-Mart being approved.

Ms. Greenwood stated it is a neighborhood store.

Discussion continued on the neighborhood store, the parcels and neighborhood values.

Ms. Greenwood addressed a neighborhood park and read a letter from the Stevens Plantation ROA regarding mini-parks, a copy of which is attached hereto and made a part of the public record.

Discussion followed on parks with the Steven Plantation neighborhoods with the ROA Board requesting permission to send this to the CDD because this might be a way for the ROA and CDD to work together. The CDD would have to be involved with the insurance for the property because it comes under the CDD as opposed to the ROA. We would make sure they are working with people who know how to design safe playgrounds.

Ms. Fernandez stated his original step was to see if the CDD would approve going to the design stage and allow the land considered to be common area to be used for the parks. There are also certain areas where he is talking about going on top of the water. He wanted the CDD Boards approval to utilize the areas maintained or owned by the CDD.

Mr. Moyer stated it would be preferred, in terms of getting an architect or park planner, that it be done through the HOA. If the District does it - it is a very complex undertaking.

Discussion followed on the HOA and CDD partnering on the parks and CDD responsibility for the parks.

Mr. Moyer stated as I understand it, what they are looking for from the Board is do we mind if they design park facilities on our land with the understanding that at some point those park facilities will be on our property. We can talk more about funding when we know more about the costs.

Ms. Fernandez stated it would be a partnership from what was discussed. It would have to be a partnership because the land is owned by the CDD and the maintenance would have to be done by the CDD.

Mr. Mantzaris stated the piece of property that we talked about where the Wal-mart is going to go is only a portion of the retail piece. It is only a portion of 16.5 acres that makes up what we call the retail piece and it is not all under contract.

Ms. Greenwood stated that is what Mr. Joyce said the other night. He said he would be overseeing the building of all 16 acres.

Mr. Mantzaris stated the pending contract between Mr. Joyce, Joyce Development and the DSD is that he is going to plat and subdivide all 16 acres. At the end of the day his entity is only going to require about 10 acres of the 16 acres. There will be about six acres that will still be owned by the DSD.

Ms. Fernandez stated at the last meeting we requested he at least meet with the homeowners' board to let us know what was going on and you said you were going to contact him and he would contact us. We have not had anything.

Ms. Greenwood stated we talked to him after the Planning Commission meeting. He said Mr. Mantzaris had contacted him before Christmas. He said he would be happy to come if this goes through next Thursday night. Everything is putting the horse before the cart. They want approval of all of this but they have not done the traffic studies, they have not shown any designs because they say they are not going to spend any money until they know they can put their gas pumps in. So not until he knows if he can put his gas pumps in will he come before the HOA.

Mr. Mantzaris stated I will reach out to him again between now and next meeting.

Ms. Fernandez stated let me find out from my neighbors if they want to meet since it will greatly affect Verandah Lakes. If so, I will reach out to you.

Ms. Greenwood stated we asked him to do that and he said he wanted to see if this goes through because it is a moot point if it does not go through.

Mr. Moyer asked on the park issue is it the consensus of the Board that it is permissible?

Ms. Fernandez asked do you have questions or concerns?

Mr. Connors responded no, it was just with the HOA and CDD collaborating. The study you say needs to happen on the HOA side, I am okay with that going forward but just being cautious how we approach the whole thing.

Mr. Clegg stated I concur. I do not have any objections if we will be able to ask questions along the way.

Ms. Fernandez stated I agree the study and design before anything else is implemented. We can put it to a vote but I believe it is approved to at least get the study done.

Mr. Moyer stated when the numbers come in you may say no.

**SIXTH ORDER OF BUSINESS**

**District Manager's Report**

**A. Approval of Financials**

Mr. Moyer reported I have the financial statements for the Board. We are 58% collected on our non-ad valorem assessments through December 31<sup>st</sup>.

On the expenditure side we are just about right on budget at this point.

**B. Check Registers and Invoices**

Mr. Moyer noted the invoices for the period the November 1, 2014 to December 31, 2014, were included in the agenda package and available for public review.

On MOTION by Ms. Fernandez seconded by Ms. Greenwood with all in favor the invoices for the period November 1, 2014 to December 31, 2014 in the amount of \$255,039.37 were approved.
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**C. District Counsel Proposal**

Mr. Moyer stated as a follow-up to our December meeting I asked two attorneys I work with locally to give a proposal to provide legal services. The reason for that was we were under the impression that Mr. Mantzaris, since there are no City Commissioners on the Board, may not want to represent the District. He clarified that for us but I did receive one response from Scott Clark. The other lady I asked who does similar work unfortunately had a conflict of interest. I indicated my feeling when we were discussing this in December that Mr. Mantzaris brings a wealth of history that is almost irreplaceable. We can get an attorney that knows a lot about CDD law but you are not going to get an attorney that knows the history we have gone through here with Stevens Plantation. I think he is a real resource and that is just my personal opinion.

**\*\* Acceptance of the Fiscal Year 2014 Audit**

Mr. Moyer highlighted the following regarding the Audit, which was prepared by Carr, Riggs & Ingram:

- On Page 2, under the Independent Auditor's Report, the Auditor provided a clean audit opinion as the financial records the STS Accounting Department turned over to the Auditor as of September 30, 2014, fairly represented the financial position of the District.
- Page 24, it shows what the Board did in fiscal year 2014, we added to fund balance. In other words, our expenses were less than our revenues by \$40,641. You are to be commended for continuing to operate and maintain the District and to bring that in under budget.
- Letters to the Board from the Auditor were included at the end of the report. Page 25, under Internal Control Over Financial Reporting, the Auditor did not identify any deficiencies in internal control they consider to be material weaknesses, as defined in the Audit. This means there were sufficient checks and balances in place.
- Under Compliance and Other Matters, the Auditor points out the difficulties we are having with the B Bonds and technically we are not in compliance with the Trust Indenture. Our response to it is provided to describe the problems with the B Bonds and also describes why we are not in compliance with the A Bonds which was a decision of the bondholders and Trustee.
- Discussion followed on the bonds.
- Mr. Moyer stated I would ask that the Board authorize me to file the audit in accordance with Florida law by the end of March. The audit was reviewed by Mr. Mantzaris and Bond Counsel because we are concerned about those representations dealing with the bonds.

On MOTION by Ms. Greenwood seconded by Mr. Rabb with all in favor, for the Fiscal Year 2014 Audit prepared by Carr, Riggs & Ingram, LLC staff was authorized to file said Audit with the appropriate State agencies.

**SEVENTH ORDER OF BUSINESS**

**Staff Reports**

**B. Attorney**

Mr. Mantzaris reported he was asked by the City Manager to discuss with the CDD trying to find an alternative space to meet in the future. They are not going to change any upcoming meetings but they will work towards doing that. The city would provide the space so this building would not have to remain open for night's like this where there is nothing else going on.

Ms. Greenwood stated the city would pay for the space.

Mr. Mantzaris stated give you the space; it would be a city facility. We are looking at the old Senior Center building. It may necessitate a changing of the night depending on what is available. This Board meets on Thursday nights because the original five members were City Council members and that is when the City Council had its meetings. This Board can pick any night it wants to meet. I asked the Parks and Recreation Director for the city to scout some available locations.

Ms. Greenwood stated I would like an update on the north property.

Mr. Mantzaris stated it was under contract with Surrey Homes but the contract is terminated. They did not close on it and the DSD is still marketing it for a single-family homes development. The DSD received one offer but it was at a considerably lower amount than the original contract.

Ms. Greenwood stated and the retail property is coming before the City Council next Thursday night. If the City Council turns down the gas pumps and follows through with what the Planning Commission had done is it your opinion the Wal-Mart Neighborhood Store will not go in without the gas pumps or that we could get the store but no gas pumps?

Mr. Mantzaris responded I do not have a feel of it. The developer has expended a significant amount of money and the DSD has committed a certain amount of dollars, there is a fairly large amount of deposit dollars on that deal already. They are approved to move forward with the Wal-Mart and if the gas pumps go away I do not know if they are simply going to walk away from what they have already put into the project.

Ms. Greenwood stated I asked Mr. Joyce the same question and he said he had no idea whether they would proceed.

**C. Engineer**

There not being any, the next item followed.



- D. Field Manager**
  - i. Field Maintenance Report**
  - ii. Action Items**
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  - iv. Landscape Report**
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Previously addressed.

**EIGHTH ORDER OF BUSINESS**

**Other Business**

There not being any, the next item followed.

**NINTH ORDER OF BUSINESS**

**Supervisor Requests**

Ms. Greenwood asked if they wanted to explore looking at different services for landscaping.

Mr. Smith responded if you like we could do that as part of our budget process.

Ms. Fernandez stated we all know where I stand. I am still not pleased when you drive up West New Nolte - there are bushes dying, there are still weeds growing within the shrubbery, he still has not leveled out everything he said he would. There are a lot of things he says in the meetings but does not follow through in the field.

Mr. Moyer stated we can tee that up around budget time, which is coming pretty quick.

Mr. Clegg stated it is always good to take a look at options.

Mr. Moyer stated Mr. Smith has a good spec so we will be getting pricing on apples-to-apples.

Ms. Fernandez stated he knows our issues and concerns.

Ms. Greenwood stated the thing that bothers me is we go from meeting to meeting and it is always two weeks before the CDD meeting that you see all the action going on. The rest of the time there are weeds galore and it is left very unkempt.

Mr. Smith stated the previous Board accepted his proposal and it was fairly low, they wanted to go with a local St. Cloud contractor. By doing that you are getting a smaller contractor than some of the contractors out there who have the ability to weather storms.

Discussion continued with the direction being for proposals.

**TENTH ORDER OF BUSINESS**

**Audience Comments**


There being none, the next item followed.

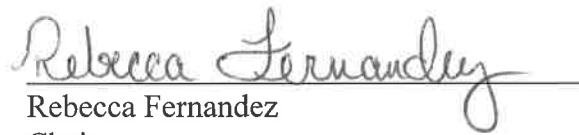
**ELEVENTH ORDER OF BUSINESS**

**Adjournment**

There being no further business,

On MOTION by Ms. Fernandez seconded by Mr. Rabb, with all in favor, the meeting was adjourned.

  
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Gary L. Moyer  
Secretary

  
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Rebecca Fernandez  
Chair