

**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, May 3, 2012 at 6:00 P.M. at City Hall, 1300 Ninth Street, St. Cloud, Florida.

Present and constituting a quorum were:

Rebecca Borders	Chair
Tom Griffin	Assistant Secretary
Larry Rabb	Assistant Secretary
Terence Connors	Assistant Secretary

Also present were:

Gary L. Moyer	Moyer Management Group, Inc.
Daniel Mantzaris	De Beaubien, Knight, Simmons Mantzaris
Brian Smith	Field Manager
Representative from Landscape Specialists	

*The following is a summary of the minutes and actions taken at the May 3, 2012 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 and stated that there was a quorum for this meeting.

**THIRD ORDER OF BUSINESS**

**Organizational Matters**

**A. Appointment of Supervisor for Seat 5**

- Mr. Moyer reported a vacancy was created by the resignation of Mr. Fertic at the last meeting.
- His seat expires in November of 2012 and is supposed to be filled by a resident.
- Under Chapter 190, the Board can make an appointment to fill the unexpired term until the General Election.

- Ms. Fernandez sent an email to Mr. Moyer with the name of an interested resident, Mr. Terence Connors who was in the audience.

Mr. Griffin to appoint Mr. Terence Connors to fill the unexpired term of Mr. Fertic. With no further nominations, with all in favor, Mr. Connors was appointed to Seat 5.

**B. Oath of Office for Newly Elected Supervisor**

Mr. Moyer being a Notary Public of the State of Florida, administered the oath of office to Mr. Connors and a copy of the signed oath will be made a part of the public record.

- Mr. Moyer congratulated Mr. Connors and welcomed him to the Board. He explained that the District was governed under the Florida Sunshine Law and the Florida Commission on Ethics and provided the following documents:
  - *Form 1 – Statement of Financial Interests*, which is the financial disclosure form asking for a source of income. This form needs to be sent to the Supervisor of Elections within 30 days.
  - *Guide to the Sunshine Amendment and Code of Ethics for Public Officers and Employees*. According Chapter 286 of the Florida Statutes, no two elected officials serving on the same Board can meet outside of a publicly noticed meeting. There is also Chapter 119, which is the Public Records Law where any member of the public can view documentation in the form of agenda materials and documents. He suggested Mr. Connors keep these materials separate from other files. However, there was no requirement to retain them.
- Mr. Mantzaris introduced himself to Mr. Connors and requested he contact him if he had any questions.

**C. Election of Officers – Resolution 2012-01**

- Mr. Moyer noted According to Chapter 190 of the Florida Statutes, the Board had the option to re-organize the Board when there was an appointment.
- The Board has typically kept the same organizational structure and elected the new Supervisor an Assistant Secretary.

- The Mayor of the City of St. Cloud has always served as Chairman. This will continue until 2014, at which time the Mayor’s term will expire and the entire Board will be elected by residents of Stevens Plantation.

Mr. Griffin moved to appoint Terence Connors to serve as Assistant Secretary. With no further nominations, with all in favor, Terence Connors was elected Assistant Secretary.

**FOURTH ORDER OF BUSINESS**

**Approval of the Minutes of the February 2, 2012 Meeting**

Mr. Moyer stated that each Board member received a copy of the minutes of the February 2, 2012 meeting and requested any additions, corrections or deletions.

There not being any,

On MOTION by Mr. Griffin seconded by Ms. Borders with all in favor the minutes of the February 2, 2012 meeting were approved.

**FIFTH ORDER OF BUSINESS**

**Resident Owner Association Report**

- Mr. Moyer reported receiving an email from Ms. Fernandez with a list of normal maintenance type items she wanted the Board to discuss.
- Mr. Smith pointed out these were minor issues. Some brick pavers were loose and will be repaired. There were also some landscape issues, which were taken care of.
- Mr. Rabb reported a flag missing on a light pole.
- Mr. Griffin questioned whether there was an update on the unusual smell addressed at the last meeting.
- Mr. Smith indicated there was a smell of sulfur from the groundwater flowing out of a storm drain.

**SIXTH ORDER OF BUSINESS**

**Presentation of Fiscal Year 2013 Proposed Budget**

**A. Discussion of Fiscal Year 2013 Proposed Budget**

Mr. Moyer presented the proposed budget for the General Fund and Debt Service Fund and discussed the following:

- Under Chapter 190, the Manager was required to prepare and submit a budget to the Board for approval by June for the purpose of setting a public hearing for at least 60 days thereafter so the City can review the budget.
- There were two operative words in Chapter 190. The first was to “approve” a budget and set a public hearing. After the public hearing, the Board would “adopt” the budget.
- This budget does not anticipate raising the assessments. It was the current work program the District was operating under for operations and maintenance and debt service.
- Internet service increased slightly and staff will make adjustments on other line items to keep assessments the same. Internet service was based on the number of users. When the budget was prepared, it was hard to determine the number of units sold or occupied. Embarq was now known as Century Link.
- Mr. Moyer offered to make a more detailed presentation at the public hearing scheduled for August 2, 2012 at 6:00 p.m. at this location. This was evidenced by Resolution 2012-02. The public hearing will be noticed.

**B. Consideration of Resolution 2012-02 Approving the FY 2013 Proposed Budget and Setting a Public Hearing**

Mr. Moyer read Resolution 2012-02 into the record as follows:

*“A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE STEVENS PLANTATION COMMUNITY DEVELOPMENT DISTRICT APPROVING THE BUDGET FOR FISCAL YEAR 2013 AND SETTING A PUBLIC HEARING THEREON PURSUANT TO FLORIDA LAW”*

There being no further discussion,

On MOTION by Mr. Griffin seconded by Mr. Rabb with all in favor Resolution 2012-02 Approving the FY 2013 Proposed Budget and Setting a Public Hearing for August 2, 2012 at 6:00 p.m. at City Hall, 1300 Ninth Street, St. Cloud, Florida was adopted.

**SEVENTH ORDER OF BUSINESS**

**Consideration of Qualifications for Auditing Services**

**A. Ranking of Audit Firm Proposals**

Mr. Moyer addressed the following:

- There is a process to select Auditors.
- A newspaper advertisement was placed to solicit Auditors to provide their qualifications.
- Proposals were received from *Berger, Toombs; Carr, Riggs & Ingram; Grau & Associates* and *Keith McCullough*, which were provided to the Board.
- A ranking form with scoring criteria was also provided to the Board in order to rank the firms based on the ability of their personnel, experience, understanding of the scope and ability to provide the required services.
- All firms were well qualified and have experience working with CDD's.
- The lowest priced Auditor was *Carr, Riggs & Ingram*. They were currently performing the Audit for the Celebration CDD.

On MOTION by Mr. Griffin seconded by Mr. Rabb with all in favor, Carr, Riggs & Ingram was awarded the contract for Auditing Services.

- Mr. Moyer requested a motion authorizing staff to negotiate a three year contract with Carr, Riggs & Ingram.

On MOTION by Mr. Griffin seconded by Ms. Borders with all in favor, staff was authorized to negotiate a three year contract with Carr, Riggs & Ingram.

**EIGHTH ORDER OF BUSINESS**

**District Manager's Report**

**A. Approval of Financials**

Mr. Moyer reviewed the financials through March 31, 2012, which were included in the agenda package and available for public review.

The following was discussed:

- As of this date, the District collected \$422,000 out of a levy of \$458,000 or 92%. Last year, the District collected 88% of their assessments. It is anticipated the CDD will collect more revenues in April.
- To the degree those assessments are not paid, because they are on the tax bill, in early June the Tax Collector will start selling tax certificates. Historically, this has been a good vehicle for the District.
- On the expenditure side, the District was under by \$17,000. Mr. Smith was to be commended for allocating the District's funds and resources.

**B. Check Registers and Invoices**

Mr. Moyer reviewed the invoices for the period January 1, 2012 to March 31, 2012, which were included in the agenda package and available for public review. These were routine items. The following was discussed:

- Mr. Griffin recalled discussion about phone lines.
- Mr. Moyer explained there were items on the phone bill, which appeared to be for individual use. Mr. Borg contacted Century Link and told them the District would only pay the \$30 per month charge per unit. The individual use charges would not be billed to the District.
- Mr. Griffin questioned whether the Accountant inadvertently paid some bills. Mr. Moyer admitted some bills may have been paid and offered to look into this matter further.

On MOTION by Mr. Griffin seconded by Mr. Rabb with all in favor the March 31, 2012 financials and January 1, 2012 to March 31, 2012 invoices in the amount of \$410,615.84 were approved.

**C. Discussion of General Election and Consideration of Resolution 2012-03 Confirming the District's Use of the Osceola County Supervisor of Elections to Conduct the District's Election of Supervisors in Conjunction with the General Election**

Mr. Moyer addressed the following:

- This is an informational item to put the Supervisor of Elections on notice that the CDD wishes to utilize their services to conduct the General Election scheduled for

November 6, 2012 and lists the Supervisors and terms of offices. Seats 4 and 5 were up for election.

- Qualifying information was also provided to the Board.
- Since Mr. Connors was filling a seat coming up for election this year, this information may be meaningful if he decides to continue serving in this seat.
- There are two ways to qualify. One was by petition where the candidate needs to collect 25 signatures from qualified voters residing within the District and submit those to the Supervisor of Elections on or before May 7, 2012. A form of the petition was provided to the Board.
- The second way was to go down to the Supervisor of Elections office and pay a filing fee of \$25 and subscribe to a candidate's Oath of Office in order to appear on the ballot. The qualifying period was between Noon on June 4, 2012 and Noon on June 8, 2012. If no one qualifies, there would not be an election. However, if another candidate runs for the same seat as a qualifying Supervisor, there would be an election.
- Mr. Griffin questioned if a fee was charged by the Supervisor of Elections to run the election. Mr. Moyer indicated the District was never charged. Mr. Mantzaris believed there may be a ballot charge in the event there was an election.

On MOTION by Mr. Griffin seconded by Ms. Borders with all in favor Resolution 2012-03 Confirming the District's Use of the Osceola County Supervisor of Elections to Conduct the District's Election of Supervisors in Conjunction with the General Election was adopted.
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**D. Consideration of Engagement Letter with AMTEC to Perform the Arbitrage Rebate Calculations for the Series 2003 Bonds**

Mr. Moyer highlighted the following regarding the Engagement Letter from AMTEC:

- After the 1986 Tax Reform Act, to the degree an issuer earns more on investments than they are paying on the bond rate [making positive arbitrage], it needs to be tracked every five years. Any surplus goes to the Federal Treasury.

- AMTEC charges \$600 per year for arbitrage rebate calculation services, which was reasonable. They will look at every investment and compare the yield against what was paid on the bonds.

On MOTION by Mr. Griffin seconded by Mr. Rabb with all in favor the Engagement Letter from American Municipal Tax-Exempt Compliance Corporation [AMTEC] to Provide Arbitrage Rebate Services for Series 2003 Bonds was approved.

**NINTH ORDER OF BUSINESS**

**Staff Reports**

**A. Attorney**

- Mr. Mantzaris provided a letter to the Board dated February 3, 2012, which was addressed to Mr. Mike Turner from Ms. Laura Radcliff an Investment Banker in St. Louis with Stifel, Nicolaus & Company.
- Ms. Radcliff was associated with the Stevens Plantation bonds, which were coming due in 2013 and was working with the bondholders to extend the term of the due dates.
- Several months ago, this Board and the Dependent Special District Board entered into a joint agreement with Alexandra MacLennan, Legal Counsel to split the cost of the legal services to re-negotiate the bonds.
- Ms. MacLennan was now in the position to start the restructuring of the bonds and would approach this Board and the DSD Board for a decision. In order to do this, she needs the services of an Investment Banker to work out the structure of the bonds.
- An agreement was provided to the Board, which was similar to the agreement entered into with Ms. MacLennan, whereby the DSD Board and this District Board would hire Ms. Radcliff to provide Investment Banking services.
- After approval by this Board, this agreement would be provided to the DSD Board for their approval.

On MOTION by Mr. Griffin seconded by Ms. Borders with all in favor the agreement with Laura Radcliff to provide Investment

Banking services to the District and the DSD in regards to the restructuring of the bonds, the cost of which will be split between the CDD and the DSD was approved.

**B. Engineer**

There not being any, the next item followed.

**C. Field Manager**

- i. Field Maintenance Report**
- ii. Landscape Report**
- iii. Aquatic Weed Control Report**

Mr. Smith provided the Monthly Highlight Report for April, which was included in the agenda package and available in the District Office for public review during normal business hours.

- Mr. Moyer indicated the Board would consider the renewal of the landscape maintenance contract at the August meeting.
- Mr. Smith pointed out the Board could either renew or rebid the contract.
- Mr. Griffin requested a breakdown of the prices.

**TENTH ORDER OF BUSINESS**

**Other Business**

There not being any, the next item followed.

**ELEVENTH ORDER OF BUSINESS**

**Supervisor Requests**

There not being any, the next item followed.

**TWELFTH ORDER OF BUSINESS**

**Audience Comments**

There not being any, the next item followed.

**THIRTEENTH ORDER OF BUSINESS**

**Adjournment**

There being no further business,

On MOTION by Ms. Borders 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 Borders  
Chair