

**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, December 4, 2014 at 6:00 P.M. at City Hall, 1300 Ninth Street, St. Cloud, Florida.

Present and constituting a quorum were:

Rebecca Fernandez	Chair
Terrance Connors	Assistant Secretary
Gary Clegg	Assistant Secretary
Daryl Greenwood	Assistant Secretary
Larry Rabb	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 December 4, 2014 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**

**Administrative Matters**

- Mr. Moyer reported there were three seats in this election cycle and Ms. Fernandez was the only one who qualified for her seat and has been elected as no one ran against her.

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

- Ms. Fernandez has subscribed to the oath of office and it has been sent to the Division of Elections in Tallahassee.

**B. Consideration of Resolution 2015-01 Declaring a Vacancy in Seats 1 and 2**

- Mr. Moyer indicated there were no qualified electors for Seats 1 and 2 and the Board needs to formally declare the seats vacant.

On MOTION by Ms. Greenwood seconded by Mr. Clegg with all in favor Resolution 2015-01 Declaring a Vacancy in Seats 1 and 2 was adopted.

**C. Nominations for Seats 1 and 2**

- Mr. Moyer outlined the vacant seats noting they are four year terms.

Ms. Greenwood nominated Mr. Terrance Connors to Seat 1. With no further nominations, with all in favor, Mr. Connors was appointed to Seat 1.

Ms. Fernandez nominated Mr. Larry Rabb to Seat 2. With no further nominations, with all in favor, Mr. Rabb was appointed to Seat 2.

**D. Oath of Office of Newly Elected Supervisors**

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

**E. Election of Officers - Resolution 2015-2**

Mr. Clegg nominated Ms. Fernandez to serve as Chair and Ms. Greenwood seconded the nomination. With no further nomination, with all in favor, Rebecca Fernandez was elected Chair.

Ms. Greenwood nominated Mr. Rabb to serve as Vice Chairman and Mr. Clegg seconded the nomination. With no further nominations, with all in favor, Larry Rabb was elected Vice Chairman.

- Mr. Moyer outlined the remaining Officer structure.

On MOTION by Ms. Fernandez seconded Mr. Rabb, with all in favor, Resolution 2015-2 a resolution designating Officers of the Stevens Plantation Community Development District with Rebecca Fernandez as Chair, Larry Rabb as Vice Chairman, Gary Moyer as Secretary, Bob Koncar as Treasurer, Stephen Bloom as Assistant Treasurer and Gary Clegg, Daryl Greenwood and Terrance Connors as Assistant Secretaries was adopted.

**FOURTH ORDER OF BUSINESS**

**Audience Comments**

Ms. Lori Sutherland, Leland Management, requested an update for the shrubs at Verandah Lakes.

Mr. Smith stated I have proposals for the Board to review later in the meeting.

Ms. Sharon Lowe stated this is for the shrubbery around the new sign.

Mr. Smith responded yes. We have also ordered annuals as well.

Ms. Lowe asked is this in line with what they have done at the other signs.

Mr. Smith stated yes.

Ms. Lowe asked what makes us a CDD?

Mr. Moyer responded there is a general law in the State of Florida, Chapter 190 of the Florida Statutes that was adopted in 1980. Chapter 190 states if the project is under 1,000 acres the local government can establish and create a community development district. Its purpose is to construct infrastructure for new communities. In 2004 the City of St. Cloud adopted an ordinance creating the Stevens Plantation CDD and the CDD created the storm water management system, roads, and infrastructure that serve the community. Within Chapter 190 it spells out what the powers of the Board are. It is a government and what makes that a good thing is that we can put our assessments on the tax bill which means unlike an HOA, who has to try to collect delinquent assessments; we have the tax collector collect delinquent assessments. What all that means, given our budget, we are almost assured 100% of the time we are going to get all of our money that we levied which means we can go ahead and operate and maintain the District according to the budget without having to worry about chasing delinquent assessments. We primarily do maintenance of the ponds and landscaping within the boulevards. The other nice thing about being a government under the laws of the State of Florida is the Board is governed by the Sunshine Law; this means everything this District does we do at a meeting like this. We have a public records law which means anything we do is totally transparent to the community. We

have a website that is listed on the agenda. Every piece of paper the Board gets is on the website - minutes, budgets, competitive bids, and etcetera.

Ms. Lowe asked is there anything required to be provided by the CDD or just the governance and maintenance of the infrastructure required?

Mr. Moyer responded that is it. The mistake people make when we say we are government they think all governments are the same but we are limited to what is in Chapter 190. We are not a general purpose government like the city or county. We can only do what our particular law tells us we can do, which is basically provide infrastructure and maintain it.

Ms. Lowe asked is there anything in line to be added to Stevens Plantation in the future through the CDD?

Mr. Moyer responded not that I am aware of.

Ms. Lowe stated I keep hearing there were things promised when the city set up the CDD but have not yet been accomplished.

Mr. Moyer stated as a government we take care of public property - the ponds, the roads. The HOA/ROA takes care of all the things related to private property. If you have a private lot and the house is not maintained there is nothing we can do about that; it is up to the ROA.

Ms. Lowe asked where does the parking on the streets fall?

Mr. Moyer responded the city.

Ms. Fernandez stated ask the police chief to look at the on-street parking. The thing you have to understand is the docs and covenants for Stevens Plantation were written by non-residents.

Mr. Moyer stated I encourage you to go to the website because you will find a lot of useful information.

**FIFTH ORDER OF BUSINESS**

**Approval of the Minutes of the October 2, 2014 Meeting**

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

Ms. Greenwood stated I have a couple of questions on things it states Mr. Mantzaris said. He addressed the discussion on the B Bonds and whether the CDD Board was going to pursue collections - I would like to know if he has gotten anything back from the attorney for the Trustee. I would also like to know if the statement he made "*He does think it is in the best*

*interest of the CDD, as a whole, to aggressively try to pursue those individual property owners”* is correct or if it was misspoken in the minutes. I cannot believe he said that.

Mr. Moyer stated I think the context in which we had that discussion was about pursuing the investors and builders and not individual property owners.

Ms. Greenwood stated so this is incorrect.

Mr. Moyer stated he may have said that but I do not think that was his intent.

Ms. Greenwood stated I would agree we pursue the investors and commercial people.

Ms. Fernandez stated if I remember correctly the statement was made as far as if it got to the point to where the bondholders wanted to collect he would recommend we aggressively pursue for those who had not paid. I believe he said it is mostly the investors who are pending.

Mr. Moyer stated from the October meeting to now there has not been any other communications that I am aware. It is just sitting out there as it has in the past.

Ms. Greenwood stated I do want him to come down to our meeting when he is finished with the City meeting at some point to answer the questions on the update on the north property - when it is closing and what is happening with the charter school land acquisition because the charter school is not doing well. Also a comment about what he said here about the guidelines written for the commercial property. The buyer can make their own guidelines and I am surprised he said it has to come before the CDD because that is not my understanding that they have any intent to bring it before the CDD. We have no control over that whatsoever. I think these minutes need to be reflective of that as well.

Mr. Moyer stated we will reflect that in this set of minutes at our next meeting. If we are not able to get Mr. Mantzaris down here we will at least have something.

Ms. Greenwood stated we have heard it is possibly a Walmart neighborhood store.

Ms. Fernandez stated they said it is not confirmed.

Ms. Lowe asked are you talking about the north property?

Ms. Fernandez responded no, what you are talking about is under contract as well.

Ms. Lowe stated we had heard the CDD was looking to try to buy it from the city.

Ms. Fernandez stated no. The commercial property is not owned by the CDD it is owned by the DSD.

Ms. Greenwood stated currently it is under the direction of the DSD but it is part of the CDD.

Mr. Moyer stated it is within the CDD but it is probably part of the DSD which is controlled by the city. It is confusing. This is one of the more unique districts in the state of Florida.

There is no urgency to approve these minutes so if you would like to carry the minutes over to the next meeting we can.

Mr. Clegg stated my read of Mr. Mantzaris' comments are he had talked about KB Homes settling up but had not received the check yet and four people had filed lawsuits. Is there an updated list of who is still outstanding?

Mr. Moyer responded I can get that for you.

Ms. Greenwood outlined a conversation with a resident from The Estates regarding a loophole.

Mr. Moyer stated that is a claim that has been made by most of the attorney's who have contacted us. The good news, from our perspective, is when we did this bond issue we had a very good Bond Counsel firm that has done this many times so all of the things which needed to be filed on behalf of the District to validate those bonds was done.

The minutes were tabled.

Ms. Lowe inquired about commercial property being under contract.

Ms. Greenwood responded 16-acres that abut Canoe Creek and Nolte.

Discussion continued on properties under contract.

#### **SIXTH ORDER OF BUSINESS**

#### **Resident Owner Association Report**

- Ms. Fernandez addressed obtaining bids to improve the holiday decorations for the signs as well as upgrading the decorations.
  - Mr. Smith noted they picked up the decorations from Lori today. He put up what he has however none of the signs have outlets so they cannot have lights with Verandah Lakes being the exception.
  - The Verandah Lakes decorations are new as they were old and falling apart.
  - Discussion followed on updating lights at the fountains and upgrading holiday decorations.
  - Mr. Clegg noted they will be addressing this issue at the next HOA meeting so they will be prepared for next year.

- Ms. Greenwood inquired why they raised the lights on The Grove.
  - Mr. Smith responded they were behind the bushes. We also raised The Verandahs lights as well.
  - Ms. Greenwood stated I do not like the way they look.
  - Mr. Smith noted once they are planted and the plants mature they will paint the lights green to blend them in.
- Discussion followed on an HOA committee for holiday decorations.
- Ms. Fernandez noted the landscaping still has not been improved with regard to the weeds.
  - Mr. Endicott reported those areas were sprayed the weekend prior to Thanksgiving. There was some result from it and they will be spraying again this week.
  - Mr. Smith noted they have gone through almost all of the beds.
- Ms. Fernandez inquired about balancing out the shrubs?
  - Mr. Endicott responded we are working on them and have done probably 70%.
- Discussion followed on the use of pine straw versus mulch around the cedars and crepe myrtles so it does not wash away.
  - Mr. Endicott reported they have approval to shrink the beds under the cedars down with sod. It was scheduled for the week of Thanksgiving but there were heavy rains and it was rescheduled for next week.
  - If they want to use pine straw rather than pine bark Mr. Endicott will need to know in January because they will be trimming back the grasses right after the first of the year.
  - The consensus of the Board is to use pine straw.

**SEVENTH ORDER OF BUSINESS**

**District Manager's Report**

**A. Approval of Financials**

Mr. Moyer reported there are two sets of financials. One through September 30, 2014; this is the end of the fiscal year and reflects all of the financial activity for 2014. The good news is we were able to bring the budget in a little under budget. Revenues were a little more than

anticipated because of discounts that were not taken. Each year we budget as if everyone is going to pay as early as possible. In total we were able to add about \$40,000 to fund balance.

The October financials are included but as you are aware that is the first month of our fiscal year and we do not receive assessment revenues until this month so there is no revenue and the O&M expenses are pretty much in line.

**B. Check Registers and Invoices**

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

Ms. Fernandez stated I still have issues with the Century Link invoicing; I cannot read it.

Mr. Moyer suggested they scan and email the Century Link invoices rather than copy them to those who want to look at them.

Discussion continued on the Century Link invoices.

Ms. Fernandez asked on landscaping are we paying you exactly what you are charged to mow the lawn or are we being charged an upcharge?

Mr. Smith responded you are paying what they charge me.

Ms. Fernandez asked is it possible to see if we can go direct to see if we can get a discounted rate?

Mr. Smith responded you can talk to them but I am reasonably confident you will not get it any lower than it is right now.

Ms. Fernandez stated we talked before about Mr. Mantzaris representing us now that the Mayor is no longer on the Board and whether it makes sense to have him representing us. I do not know whether we need to have some discussion about that. I do not know if we can use the attorney we use for the HOA as the attorney for the CDD as well; she seems to be very good.

Mr. Moyer stated she may be very good in terms of HOA items but the question would be if she knows a lot about CDD's.

Ms. Fernandez asked who represents Celebration?

Mr. Moyer responded Jan Carpenter, who is an attorney out of Orlando. Her niche' is CDD's and she does a lot of them. There is another gentleman out of Winter Park by the name of Scott Clark. He is very knowledgeable and does a lot of CDD's.

Ms. Greenwood stated I think Mr. Mantzaris would like to relinquish his role.



Mr. Moyer stated there is no requirement in Florida Law that this be a bid process. I can contact the people I know who do this type of work to send you a resume and the Board can consider it.

Ms. Fernandez stated I think that would be a good idea.

Mr. Moyer stated Mr. Mantzaris has a wealth of information and history and I am sure if we needed him he would be glad to come to a meeting.

On MOTION by Ms. Greenwood seconded by Mr. Rabb with all in favor the invoices for the period the September 1, 2014 to October 31, 2014 in the amount of \$81,217.89 were approved.

- C. Consideration of Motion Designating Reserves**
- Mr. Moyer outlined the reserves:
  - Operating Reserves - \$146,223
  - Reserves - Irrigation System - \$55,000
  - Reserves - Landscape/Hardscape - \$16,568
  - Reserves - Water System - \$55,732

On MOTION by Mr. Connors seconded by Mr. Clegg with all in favor, designating FY 2014 Reserves as outlined above was approved.

**EIGHTH ORDER OF BUSINESS**

**Staff Reports**

**A. Attorney**

There being none, the next item followed.

**B. Engineer**

There not being any, the next item followed.

**C. 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 included in the agenda package.

Mr. Smith addressed the proposals from Landcare Specialists for the Verandah Lakes sign.

- Option 1 - a more formal look with boxwoods and holly's. Poinsettia annuals will be installed for the holiday. The front will be sod to keep the mulch from getting into the street.

Ms. Fernandez stated I pointed out that he was not removing the shrubs on the one side and I suggested it go in a curve.

Mr. Endicott stated you wanted to add some Indian Hawthorne to even it out.

Ms. Fernandez stated I wanted you to remove or add.

Mr. Endicott stated if I remove there will be more sod, if I add there will be less sod.

Ms. Fernandez stated you will have to remove some of the hawthorne at the curb.

Mr. Endicott stated we are removing it along the curb line but as you are exiting Verandah at the turn around there was a bit of sod that went into the hawthorne. Are you requesting to add Indian Hawthorne to limit the sod area?

Mr. Smith responded yes.

Ms. Fernandez stated yes and no. Instead of having it on the one side you are going to wrap it around.

Mr. Endicott stated yes.

Ms. Greenwood stated in the future at The Grove sign where we have the tall light now we could take Indian Hawthorne and bring the planting bed out on the sides so we are hiding the poles.

Mr. Smith stated I will look at the lights to see what we can do.

Discussion followed on plantings.

Discussion returned to the proposals:

- Option 2 - does not have the mound and has more annuals.

On MOTION by Ms. Fernandez seconded by Ms. Greenwood with all in favor, the Landcare Specialist proposal Option 2 for The Verandahs sign was approved as revised to include the curve.
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Ms. Greenwood addressed the annuals noting they did not look good.

Mr. Smith stated we have been talking about expanding some of the annual beds. At The Estates in front of the roses we are going to put grass and maybe a small line of annuals in front of the roses. Over time hopefully we can enhance all of them. We have done some but it just needs more.

Ms. Lowe addressed the roses noting they get spindly.

Mr. Endicott outlined caring for knock-out roses. He noted, in case anyone is asking, as you drive through the community down Nolte Road there are areas of some brown, it is a fungus in the turf called Brown Patch Fungus. It occurs when the night temperatures go cool but you still have the moisture from the summer. He noted they pre-treat it and treat it when it appears but there is nothing they can do to eradicate it. It will eventually go away.

Mr. Clegg stated 3210 Pawleys Loop is the property that abuts the area you corrected for us about eight months ago.

Mr. Endicott stated where we put in the Oak trees and there is a conservation area. Is he the gentleman on the right-hand side when you are looking at the conservation area?

Mr. Clegg responded yes.

Mr. Endicott stated he asked us to put St. Augustine in the easement area.

Mr. Clegg stated your mowers are stopping short of the property line so he is having to take care of that area as well as the bank.

Mr. Endicott stated I will talk to my guys about taking the string trimmer.

Mr. Clegg asked are there worms in the grass?

Mr. Endicott responded you can get grub worms and chinch bugs more in the summer.

Mr. Clegg asked do the armadillos like them?

Mr. Endicott responded they will dig for them. If the area looks like it has been aerated with a bunch of dirt coming up that is the Sand Hill Cranes. You could have a mole, there are muskrats out there.

Mr. Clegg stated this was above ground and looks like an armadillo but I am not sure what it is.

Discussion continued on armadillos.

**A. Attorney (continued)**

Ms. Greenwood stated from the minutes of the last meeting I am not sure you were quoted correctly so I wanted to clear those few things up and then I wanted an update on the properties.

The statement in question was addressed.

Mr. Mantzaris stated I cannot say for sure whether I said it but I cannot say for sure that I did not but it is consistent with the intent I was trying to communicate to the Board.

Ms. Greenwood asked to pursue the individual property owners or were we going to pursue the commercial.

Mr. Mantzaris responded I think it is consistent even though it is commercially owned property; it is still an individual property. As we talked about the problem with that is we are still a governmental entity and we can't disparately enforce these, you cannot pick one side and not the other.

Ms. Greenwood addressed the statement where Mr. Mantzaris "*Joyce Development has agreed to develop and provide to the city and CDD uniform guidelines/building standards for the whole piece*". Are they really going to give it to the CDD to approve? I did not think that was going to happen.

Mr. Mantzaris responded they are contractually obligated to provide it to the DSD.

Ms. Greenwood stated so it should say the DSD. Can you give us an update on what is happening with the Charter School land and the acquisition of the parcel across the street?

Mr. Mantzaris stated they are still working on it and it is our understanding they are a little ahead of schedule. It is not set to close until the summer of 2015.

Ms. Greenwood stated it is my understanding they are not going to build next year.

Mr. Mantzaris stated we have not heard anything otherwise. The last I heard was they were very pleased with the success they were having already.

Ms. Fernandez stated they are ready to close on the land whether they build or not.

Mr. Mantzaris stated the north piece is contractually set to close on December 15, 2014, I believe however they are not going to close. That is the last word we have on it.

Ms. Greenwood asked what about Mr. Joyce?

Mr. Mantzaris responded they are continuing to move forward. They have announced a Walmart Neighborhood grocery store.

Ms. Greenwood stated we are not happy with it but the footprint matched. Mr. Joyce said he would come to the ROA Board and announce it to them before it was announced to the public.

Mr. Mantzaris stated I have been chatting with Mr. Joyce the last few days and will be happy to contact him. I will also tell you they are looking at a Murphy's Oil station. I have told him it requires a conditional use permit from the city for a convenience store with gas pumps. I asked him if they were going to submit an application to do that and he said they were working on it. If you would like I will contact Mr. Joyce and tell him they need to do some work with you guys before these move forward and have him contact the ROA. The current contract between the DSD and Joyce Development does address the retail portion [the Walmart store] but there is not anything in the contract that would allow him to get out if he was not approved for a gas station. In the event he goes before the City Council and they deny the conditional use permit he cannot get out of the contract. I will ask him to contact the ROA President.

Ms. Greenwood asked do you still want to be with us or would you rather be relieved?

Mr. Mantzaris responded that is an interesting question. The intent was for our firm to participate because we do represent the City. We are happy to continue in that capacity to the extent the Board wants us to. At the present time there are no real issues with regard to any conflict issues or interaction issues at this point. That does not mean there cannot be in the future. We are happy to leave it up to the Board. If you decide to make a change of legal counsel I am sure there are many folks out there who would help out and we would still be available for any history they would need.

Ms. Greenwood stated thank you.

**C. Field Manager (continued)**

Mr. Smith reviewed the Field Management Report included in the agenda package.

**NINTH ORDER OF BUSINESS**

There not being any, the next item followed.

**Other Business**

**TENTH ORDER OF BUSINESS**

There being none, the next item followed.

**Supervisor Requests**

**ELEVENTH ORDER OF BUSINESS**

There being none, the next item followed.

**Audience Comments**

December 4, 2014


Stevens Plantation CDD

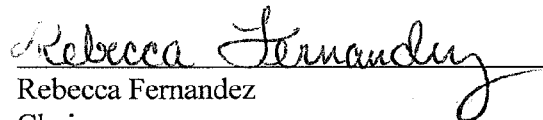
**TWELFTH ORDER OF BUSINESS**

**Adjournment**

There being no further business,

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

  
Gary L. Moyer  
Secretary

  
Rebecca Fernandez  
Chair