

MINUTES OF MEETING
STONEBROOK SOUTH
COMMUNITY DEVELOPMENT DISTRICT

The regular meeting of the Board of Supervisors of the Stoneybrook South Community Development District was held Monday, August 6, 2018 at 10:00 a.m. at the Oasis Club, 1520 Oasis Club Blvd., ChampionsGate, Florida 33896.

Present and constituting a quorum were:

Basan Nembirkow	Vice Chairman
Robert DiCocco	Assistant Secretary
Mike Wilson	Assistant Secretary

Also present were:

George Flint	District Manager
Vivek Babbar	District Counsel
Michael Enot	District Engineer
Alan Scheerer	Field Manager
Clayton Smith	GMS
Residents	

FIRST ORDER OF BUSINESS

Roll Call

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

SECOND ORDER OF BUSINESS

Public Comment Period

Mr. Flint: Are there any comments on the agenda, or anything not on the agenda that the public would like to bring to the Board's attention?

Resident: The fountain light is not working.

Mr. Flint: We will check on that.

Resident: The light has not worked since they fixed the fountain.

Mr. Flint: We've had an issue with one of the fountains but we will check on that. Are there any other comments? We will also be having a public hearing on the budget if you've got questions on that you can bring them up at that point.

THIRD ORDER OF BUSINESS

Business Administration

A. Approval of Minutes of the June 4, 2018 Meeting

Mr. Flint: Did the Board have any comments on those?

On MOTION by Mr. Wilson, seconded by Mr. Nembirkow, with all in favor, the minutes of the June 4, 2018 meeting were approved.

B. Consideration of Check Register

Mr. Flint: You have the consideration of the check register for May 27th through July 30th, checks 110-134 totaling \$136,310.06. The detail register is behind the summary, it shows each of the checks and the dollar amounts. Were there any questions on the check register?

On MOTION by Mr. Nembirkow, seconded by Mr. Wilson, with all in favor, the Check Register for May 27th through July 30th, was approved.

C. Balance Sheet and Income Statement

Mr. Flint: You have the unaudited financial statements through June 30th. There is no action required but if the Board has any questions we can discuss those. You are 100% collected on your assessments and your actual expenses are about \$22,000 below our prorated budget expenses.

FOURTH ORDER OF BUSINESS

Business Items

A. Review and Acceptance of Fiscal Year 2017 Audit Report

Mr. Flint: As a government entity you are required to have an annual independent audit preformed. The Board selected Carr Riggs to provide those services and this has been transmitted to the State of Florida. It was required to be transmitted prior to June 30th. We are bringing it forward in case you have any questions, and you can ratify that action. If you turn to the management letter, if there were any findings or recommendations they would be indicated there. There are no current or prior year findings or recommendations. They also indicated we met all of the conditions and rules that they are required to look at. It is a clean audit.

On MOTION by Mr. Nembirkow, seconded by Mr. Wilson, with all in favor, the Fiscal Year 2017 Audit Report, was accepted.

B. Public Hearing

Mr. Flint: At this time, I will ask for a motion to open the public hearing.

On MOTION by Mr. Nembirkow, seconded by Mr. Wilson, with all in favor, the Public Hearing was opened.

1. Consideration of Resolution 2018-08 Adopting the Fiscal Year 2019 budget and Relating to the Annual Appropriations

Mr. Flint: The Board previously approved a proposed budget, and you set the date, place and time for today for the public hearing to consider a final adoption of the budget. There is no increase proposed in the assessment levels. Exhibit A, attached to the resolution, is the proposed budget. You can see the revenue and expenses reflected there. The per unit assessments remain the same. You do have a healthy fund balance. If you look at the balance sheet you have \$1,900,000 in your operating account right now. Are there any questions on Exhibit A? Are there any public comments on the budget?

Resident: Do you post this online?

Mr. Flint: Yes, it is all posted online.

Resident: Before or after the meeting?

Mr. Flint: A week in advance of the meeting. The agenda is required online at least six days before the meeting. Copies of the audit are on the website, the monthly financial statements, and rules of procedure.

Resident: Does the meeting have to be posted?

Mr. Flint: The meeting has to be advertised in a newspaper of general circulation. That is the legal requirement. It runs in the Orlando Sentinel. We also post the meeting schedule on the website. If we have no business that needs to be addressed by the Board, we will typically cancel because you pay your Engineer, Attorney, etc. for those meetings.

On MOTION by Mr. Wilson, seconded by Mr. Nembirkow, with all in favor, Resolution 2018-08 Adopting the Fiscal Year 2019 Budget and Relating to the Annual Appropriations, was approved.

2. Consideration of Resolution 2018-09 Imposing Special Assessments and Certifying an Assessment Roll

Mr. Flint: There are two attachments with this resolution, first is the budget you just approved and also the assessment roll. The assessment roll basically lists all the properties in the District and what the assessment level would be for each property. As I indicated, the per unit amounts are staying the same. Are there any comments from the public on the assessment resolution?

On MOTION by Mr. Nembirkow, seconded by Mr. Wilson, with all in favor, Resolution 2018-09 Imposing Special Assessments and Certifying an Assessment Roll, was approved.

Mr. Flint: I'll ask the Board now for a motion to close the public hearing.

On MOTION by Mr. Nembirkow, seconded by Mr. Wilson, with all in favor, the Public Hearing was closed.

C. Consideration of Resolution 2018-10 Declaring Vacancies in Certain Seats of the Board of Supervisors

Mr. Flint: Every even numbered year you have an election of Board members, and because you have five Board members you will have two up for election one year and then three up the next election. In 2018, there are three seats up; two general election seats and the last landowner seat is now becoming a general elector seat. The seat that Rob Bonin is in is the last landowner seat on the Board. You've got three seats up, two of which Mr. Nembirkow and the seat that Rob Bonin is in, no one qualified for those during the qualifying period in June. Vivek will explain the process to the Board.

Mr. Babbar: What this resolution does, because no one qualified for those two seats, it will declare a vacancy which would be effective after the general election. There will be holdovers until the resolution takes its place and at that point the Board can consider resumes or if Board

members want to stay on we can re-appoint them to the Board. This is an administrative function that is required by the Statutes.

Mr. Flint: If you wanted to remain on the Board but you did not qualify to run, the remaining Board members could reappoint you to the seat you are in. If you don't want to remain on the Board or if the Board wants to appoint someone else, they can do that. They have to be general electors and residents that reside in the District and are registered to vote with their address in the District.

On MOTION by Mr. Wilson, seconded by Mr. Nembirkow, with all in favor, Resolution 2018-10 Declaring Vacancies in Certain Seats of the Board of Supervisors, was approved.

D. Consideration of Agreement with LLS Tax Solutions, Inc. to Provide Arbitrage Rebate Calculation Services for the Series 2013 Bonds

Mr. Flint: This is something that the District is required to do every five years. We have found that if we do it annually it is the same price as if you waited five years and had it done. We prefer to have it done annually in case there ever is an issue with arbitrage. With interest rates as they are now, I have never seen an issue. This calculates if we are earning more interest than we are paying on the bonds.

On MOTION by Mr. Nembirkow, seconded by Mr. DiCocco, with all in favor, the Agreement with LLS Tax Solutions, Inc. to Provide Arbitrage Rebate Calculation Services for the Series 2013 Bonds, was approved.

E. Presentation of Arbitrage Rebate Calculation Report

Mr. Flint: This report shows that you have a negative cumulative rebate requirement of \$202,511. That means you have paid \$202,000 more in interest than we have earned.

On MOTION by Mr. Wilson, seconded by Mr. Nembirkow, with all in favor, the Arbitrage Rebate Calculation Report, was approved.

F. Approval of Fiscal Year 2019 Meeting Schedule

Mr. Flint: We are following the practice the Board has followed in the past, that is the first Monday of the even months. Based on this schedule, the December 3rd meeting would be the meeting you deal with the vacancies on the Board. Are those dates okay with the Board?

On MOTION by Mr. Nembirkow, seconded by Mr. DiCocco, with all in favor, the Fiscal Year 2019 Meeting Schedule for the first Monday of Even Months, was approved.

FIFTH ORDER OF BUSINESS

Staff Reports

A. District Counsel

Mr. Babbar: I don't have any further.

B. District Engineer

Mr. Enot: We just issued our Engineer's Report. There are some repairs that need to be considered, prior to next December.

Mr. Flint: We will bring the Engineer's Report to you at a future meeting, we are going to review it as well as the recommendations associated with it.

C. District Manager's Report

There being none, the next item followed.

D. Field Manager Report

Mr. Scheerer: How is everyone? I am happy to be here. I met with Gwen shortly after she got back from maternity leave, and I have been meeting with the landscape contractor on a weekly basis. We were having some issues with the lake fountains on 27. There is a GFI that has been tripping, and I was informed that the lights might not be working either.

SIXTH ORDER OF BUSINESS

Supervisor's Request and Audience Comments

Mr. Flint: Is there anything that was not on the agenda that the Board would like to discuss?

Mr. Nembirkow: I think we are good.

Mr. Babbar: George, did we talk to this Board about the website and ADA stuff yet?

Mr. Flint: No, not yet.

Mr. Babbar: I will briefly explain that. We noticed there have been a few lawsuits from one entity, one attorney, and one plaintiff across the State. They are based out of South Florida. They have started to sue CDDs, and three of ours have been named in a lawsuit. They are basically alleging that because we have a website and that website provides information and services to residents and members of the general public, it should be required to be maintained in conjunction with the ADA laws. There are no technical requirements that have been adopted that state that. There is a technical memorandum that was written by the DOJ but has not been formally adopted. The insurance companies have been providing a pretty vigorous defense and they are in the initial phases of getting everything settled out. They are basically trying to attack everybody, they have named large governments like Target, Netflix, etc. It looks like it is pretty effective because most insurance companies just want to get it settled. That is just something that I wanted the Board to be aware of.

SEVENTH ORDER OF BUSINESS

Adjournment

Mr. Flint adjourned the meeting at 10:31 a.m.

On MOTION by Mr. Nembirkow, seconded by Mr. Wilson, with all in favor, the meeting was adjourned at 10:31 a.m.



Secretary/Assistant Secretary



Chairman/Vice Chairman