

## MINUTES OF MEETING

### ***HIGHLAND MEADOWS II COMMUNITY DEVELOPMENT DISTRICT CONTINUED BOARD OF SUPERVISORS' MEETING***

*Thursday, February 13, 2017 at 9:04 a.m.*

*Offices of Cassidy Homes*

*346 East Central Ave.*

*Winter Haven, FL 33880.*

Board Members present at roll call:

Scott Shapiro	Board Member	
Andrew Rhinehart	Board Member	
Rennie Heath	Board Member	
Lauren Schwenk	Board Member	(via phone)

Also Present:

Jane Gaarlandt	Fishkind & Associates, Inc.	
Sharon Garrett	Public	
Joe MacLaren	Fishkind & Associates, Inc.	(via phone)
Roy Van Wyk	Hopping Green & Sams, P.A.	(via phone)

### **FIRST ORDER OF BUSINESS**

### **Call to Order and Roll Call**

The meeting was called to order. The Board Members and staff in attendance are outlined above.

### **SECOND ORDER OF BUSINESS**

### **Public Comment Period**

There are no comments from the public at this time.

### **THIRD ORDER OF BUSINESS**

### **Public Hearing on the Imposition of Special Assessments on the Additional Area**

- a) Public Comments and testimony
- b) Board Comments
- c) Consideration of Resolution 2017-09, Levying Special Assessments

Ms. Gaarlandt requested a motion to open the public hearing.

On MOTION by Mr. Shapiro, seconded by Mr. Heath with all in favor, the Board opened the Public Hearing.

Ms. Garrett asked the Board what area the District is adding that it is being assessments. Mr. Shapiro explained that the area is already in the District and the District is going to be imposing assessments on it. The Board Members showed her on the map where the additional land is.

There were no Board comments. Mr. Van Wyk asked Mr. MacLaren to confirm that the benefit received by the parcels equals or exceeds the burden being placed on the parcels. Mr. MacLaren confirmed. Mr. Van Wyk asked if it is his opinion that the assessments are fair and reasonably apportioned across the various product types and Mr. MacLaren confirmed that it is his opinion. Mr. Van Wyk explained that there is no change in the engineering estimates for cost and the only thing updated was the map from the first hearing that the District had. This hearing is a continuation of the hearing on January 19, 2017 and makes certain findings with respect to the imposition of special assessments which Mr. Van Wyk explained to the Board. He asked Mr. MacLaren to confirm that notice of today's hearing was provided by both mailed and published notice to the landowners and Mr. MacLaren confirmed it was. There were no questions from the Board.

On MOTION by Mr. Heath, seconded by Mr. Shapiro, with all in favor, the Board approved Resolution 2017-09, Levying Special Assessments.

Ms. Gaarlandt requested a motion to close the public hearing.

On MOTION by Mr. Shapiro, seconded by Mr. Rhinehart, with all in favor, the Board closed the Public Hearing.

#### **FOURTH ORDER OF BUSINESS**

#### **Consideration of Acceptance of Conveyance of Amenities to District**

This agenda item is continued from the February 9, 2017 meeting. Mr. Van Wyk explained that the Board needs the Deed, the Bill of Sale, as well as the release from all

liens that were previously on the improvements. Mr. Van Wyk noted that this was built by the Developer and it is being donated to the District and the District is not paying anything for it. The Board is considering acceptance of the parcel upon which the Amenities are conveyed and Mr. Van Wyk will prepare a Bill of Sale if the Board accepts the improvements as well.

On MOTION by Mr. Shapiro, seconded by Mr. Heath, with all in favor, the Board accepted the Conveyance of the Amenities to the Highland Meadows II Community Development District.

Mr. MacLaren noted that the deed has not been recorded yet. Ms. Schwenk said that it was sent to final recording on Friday and she can move to expedite it and was hoping it would be done today. She will get Mr. MacLaren a copy.

#### **FIFTH ORDER OF BUSINESS**

#### **Staff Reports**

**District Counsel** – No Report

**District Engineer** – Not Present

**District Manager** – Mr. MacLaren noted that insurance is in place for the Clubhouse. He was able to get a prorated amount for \$3,021.00 and as soon as it is transferred it will be insured.

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

#### **Supervisor Requests and Audience Comments**

There were no Supervisor requests.

Ms. Garrett noted that she had read that the District invests their money in risk appropriate investments and asked the Board to explain what that means. Mr. MacLaren explained that it must be limited to very secure investments that are the equivalent of government treasury bonds so they yield a low but safe return.

Ms. Garrett noted that the minutes said that the District Counsel explained to the Board the Public Records law and that it applied to all of the Board Members and that the Board members cannot discuss the CDD without having a public meeting. She asked how they carry on every day business without having a public meeting. Mr. Van Wyk told the Board Members that they are not required to answer questions because this is a public comment period and told them not to feel obligated to respond to any questions. He then answered that Board Members are covered under the Sunshine Law and their

communications are restricted between them on any matter that may come before the Board that they are going to vote on. This does not mean that they cannot discuss the underlying development that they are building as the Developer or will do as part of the development of the District and not as Board Members. They are supposed to separate out those two roles and it is not a conflict of interest for Landowners under the statute to also be Board Members, and the Statutes recognize that certain functions must be taken by those who own the lands so the legislature has provided a carve out for employees or owners of property within the District. The District makes sure that they do not communicate globally between Board Members.

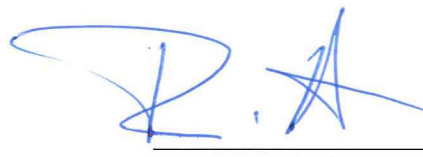
On MOTION by Mr. Shapiro, seconded by Mr. Rhinehart, with all in favor, the Board closed the Public Comment Period.

**SEVENTH ORDER OF BUSINESS      Adjournment**

There was no further business to discuss.

ON MOTION by Mr. Heath, seconded by Mr. Shapiro, with all in favor, the Board of Supervisor's for Highland Meadows II Community Development District adjourned the February 13, 2017 continued meeting.

  
Secretary / Assistant Secretary

  
Chairman / Vice Chairman