

**MINUTES OF MEETING
MIROMAR LAKES SOUTH
COMMUNITY DEVELOPMENT DISTRICT**

The Board of Supervisors of the Miromar Lakes South Community Development District held a Public Hearing and Regular Meeting of on Thursday, August 9, 2018 at 11:30 a.m., at Miromar Development Corporation, 10801 Corkscrew Road, Suite 305, Estero, Florida 34928.

Present and constituting a quorum were:

Michael Elgin	Vice Chair
Jeffrey Staner	Assistant Secretary
Rich Pomeroy	Assistant Secretary
Mark Geschwendt	Assistant Secretary

Also present were:

Chuck Adams	District Manager
Greg Urbancic	District Counsel
Charlie Krebs	District Engineer
Tammy Campbell (via telephone)	McDimit, Davis & Company, LLC

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Mr. Adams called the meeting to order at 11:30 a.m. Supervisors Elgin, Pomeroy and Geschwendt were present, in person. Supervisor Staner was not present at roll call. Supervisor Byal was not present.

SECOND ORDER OF BUSINESS

Public Comments

There being no public comments, the next item followed.

THIRD ORDER OF BUSINESS

**Presentation of Audited Financial Report
for Fiscal Year Ended September 30, 2017,
Prepared by McDimit, Davis & Company,
LLC**

Ms. Tammy Campbell, of McDimit, Davis & Company, LLC (MDC), presented the Fiscal Year 2017 Audit and reviewed the information therein. The District received an unmodified opinion, which is the best type of opinion that the District can receive. In Fiscal Year 2017, Assets and liabilities increased greatly over Fiscal Year 2016, due to the special assessment note

that was issued during Fiscal Year 2017. There were no findings, current year comments or instances of noncompliance.

A Board Member referred to Note 4, on Page 22, which reflected that, during Fiscal Year 2017, only \$335,000 was drawn on the \$10 million special assessment note, and asked when the balance of the \$10 million was drawn on. Mr. Adams stated that the remainder was drawn on after September 30, 2017, which was after Fiscal Year 2017.

Going forward, the following change should be made:

Page 13, Note 1, Second Paragraph, Lines 2 and 3: Change “qualified electors that reside within the District” to “the Landowner”

A Board Member asked if Developer payments towards expenses were reimbursable. Mr. Adams replied no, as those are Developer contributions.

Mr. Pomeroy stated that Note 4, on Page 21, reflected a fixed interest rate of 3.48% but his records reflected 2.9%. Also, Note 4, on Page 22, reflected a principal amount payment of \$225,000 due for Fiscal Year 2018; however, his records reflected that amount not being due until May 1, 2019. Ms. Campbell would look into these matters.

FOURTH ORDER OF BUSINESS

Consideration of Resolution 2018-05, Accepting the Audited Financial Report for the Fiscal Year Ended September 30, 2017

Mr. Adams presented Resolution 2018-05.

On MOTION by Mr. Geschwendt and seconded by Mr. Pomeroy, with all in favor, Resolution 2018-05, Accepting the Audited Financial Report for the Fiscal Year Ended September 30, 2017, subject to potential edits, was adopted.

FIFTH ORDER OF BUSINESS

Public Hearing to Hear Comments and Objections on Adoption of Fiscal Year 2018/2019 Budget

A. Affidavit of Publication

The affidavit of publication was included for informational purposes.

B. Consideration of Resolution 2018-06, Relating to the Annual Appropriations and Adopting the Budget for the Fiscal Year Beginning October 1, 2018, and Ending September 30, 2019

MIROMAR LAKES SOUTH CDD

August 9, 2018

Mr. Adams presented Resolution 2018-06. He reviewed the Fiscal Year 2019 budget, noting line item increases and decreases and the breakdown of the “Field Operations” expenses, by category, as opposed to a lump sum amount. This year, assessments would be split over the number of units, with a per unit assessment of \$2,013.77. The assessment Resolution calls for direct billing of the operation and maintenance (O&M) assessments, based on the schedule set forth. Discussion ensued regarding transitioning contracts to the District, the District’s new maintenance responsibilities upon transfer of items, conservation areas, etc.

Mr. Adams opened the Public Hearing.

No members of the public spoke.

Mr. Adams closed the Public Hearing.

On MOTION by Mr. Geschwendt and seconded by Mr. Elgin, with all in favor, Resolution 2018-06, Relating to the Annual Appropriations and Adopting the Budget for the Fiscal Year Beginning October 1, 2018, and Ending September 30, 2019, was adopted.

SIXTH ORDER OF BUSINESS

Consideration of Resolution 2018-07, Making a Determination of Benefit and Imposing Special Assessments; Providing for the Collection and Enforcement of Special Assessments; Certifying an Assessment Roll; Providing for Amendments to the Assessment Roll; Providing for a Severability Clause; and Providing an Effective Date

Mr. Adams presented Resolution 2018-07. Regarding the payment due dates, Mr. Adams stated that the due dates are consistent with the schedule used for on-roll assessments.

On MOTION by Mr. Geschwendt and seconded by Mr. Elgin, with all in favor, Resolution 2018-07, Making a Determination of Benefit and Imposing Special Assessments; Providing for the Collection and Enforcement of Special Assessments; Certifying an Assessment Roll; Providing for Amendments to the Assessment Roll; Providing for a Severability Clause; and Providing an Effective Date, was adopted.

**MIROMAR LAKES SOUTH CDD
SEVENTH ORDER OF BUSINESS**

August 9, 2018

**Consideration of Resolution 2018-08,
Adopting the Annual Meeting Schedule for
Fiscal Year 2018/2019**

Mr. Adams presented Resolution 2018-08.

**On MOTION by Mr. Elgin and seconded by Mr. Geschwendt, with all in favor,
Resolution 2018-08, Adopting the Annual Meeting Schedule for Fiscal Year
2018/2019, was adopted.**

EIGHTH ORDER OF BUSINESS

**Acceptance of Unaudited Financial
Statements as of June 30, 2018**

Mr. Adams presented the Unaudited Financial Statements as of June 30, 2018.

NINTH ORDER OF BUSINESS

**Approval of May 10, 2018 Regular Meeting
Minutes**

Mr. Adams presented the May 10, 2018 Regular Meeting Minutes.

**On MOTION by Mr. Geschwendt and seconded by Mr. Pomeroy, with all in
favor, the May 10, 2018 Regular Meeting Minutes, as presented, were
approved.**

TENTH ORDER OF BUSINESS

Other Business

There being no other business, the next item followed.

ELEVENTH ORDER OF BUSINESS

Staff Reports

A. District Counsel: *Coleman, Yovanovich & Koester, P.A.*

Mr. Urbancic stated that the Boundary Amendment petition should be submitted shortly.

Mr. Urbancic stated that numerous CDDs were sued alleging that their websites were not compliant with the Americans with Disabilities Act (ADA) requirements. Discussion ensued regarding the noncompliance basis for the claims. Mr. Adams stated that, although this District was not sued, Management proactively engaged ADA Site Compliance (ADASC) to assist in

bringing each website into compliance and attach a website compliance seal to the website homepage, which links to the District’s ADA website policy and states that steps are underway to bring the website into compliance and provides contact information of who to contact with questions or if assistance is needed. Going forward, all information and documents on the CDD’s website will be in an ADA compliant format and the website is being purged of all documents and information not legally required for CDD websites, as well as outdated documents, and, when possible, links would be added to documents that are on State websites.

Regarding the progress of constriction of the District, Mr. Urbancic stated that he is waiting to find out how the legal description should be amended. It was noted that it was completed, in draft form; the filing fees will be due next week. Once submitted, the County could take 30 days to review it and, if no issues, a public hearing would be scheduled to be heard by the County Commission. The petition also includes the name change.

B. District Engineer: *Hole Montes*

There being no report, the next item followed.

C. District Manager: *Wrathell, Hunt and Associates, LLC*

i. Consideration of ADA Site Compliance Proposal for Website Compliance Shield, Accessibility Policy and One (1) Annual Technological Audit

This item was discussed during tem 11A.

TWELFTH ORDER OF BUSINESS

Supervisors’ Requests

There being no Supervisors’ requests, the next item followed.

THIRTEENTH ORDER OF BUSINESS

Public Comments

There being no public comments, the next item followed.

FOURTEENTH ORDER OF BUSINESS

Adjournment

There being no further business to discuss, the meeting adjourned.

On MOTION by Mr. Staner and seconded by Mr. Geschwendt, with all in favor, the meeting adjourned at approximately 12:02 p.m.



Secretary/Assistant Secretary



Chair/Vice Chair