

MINUTES OF MEETING
POINCIANA WEST
COMMUNITY DEVELOPMENT DISTRICT

The regular meeting of the Board of Supervisors of the Poinciana West Community Development District was held on Wednesday, April 18, 2018 at 11:00 a.m. in the Starlite Ballroom, 384 Village Drive, Poinciana, Florida.

Present and constituting a quorum were:

Charles W. Case	Chairman
Leonard Vento	Vice Chairman
Bill Brown	Assistant Secretary
Shirley Bzdewka	Assistant Secretary
Joe Gecewicz	Assistant Secretary

Also present were:

George Flint	District Manager
Michael Eckert	District Counsel
Kathy Leo	District Engineer
Brian Smith	Field Manager
Jill Burns	GMS
Anthony Iorio	Avatar Properties
Pete Deglomine	Clarke
Residents	

The following is a summary of the discussions and actions taken at the April 18, 2018 Poinciana West Community Development District's Board of Supervisors Meeting.

FIRST ORDER OF BUSINESS

Roll Call

Mr. Case called the meeting to order and all Board Members introduced themselves. A quorum was established.

SECOND ORDER OF BUSINESS

Pledge of Allegiance

The Pledge of Allegiance was recited.

THIRD ORDER OF BUSINESS

Public Comment Period

There being none, the next item followed.

FOURTH ORDER OF BUSINESS

Organizational Matters

A. Review of Letters of Interest/Resumes

Mr. Case commented that five resumes were received for the vacant seat. Letters of interest were submitted by Mr. Mark Fertig, Mr. Joseph Gecewicz, Mr. Roy LaRue, Dr. Patrick Musto and Mr. Larry Fair. Mr. Fertig, Mr. Gecewicz and Dr. Musto addressed the Board and a question and answer session ensued.

B. Appointment of Individual to Fulfill the Board Vacancy with a Term Ending November 2018

Mr. Brown felt that Mr. Gecewicz would be an asset to the Board. Ms. Bzdewka, Mr. Case and Mr. Vento agreed.

Mr. Eckert noted that the vacant seat was through November, 2018 and encouraged everyone who applied, to keep in mind that there were elections in November.

On MOTION by Mr. Brown, seconded by Ms. Bzdewka, with all in favor, Joe Gecewicz was appointed to fill the Board vacancy in Seat 2, with a term ending November 2018, was approved.

C. Administration of Oath of Office to Newly Appointed Board Member

Mr. Flint, a Notary of the State of Florida and duly authorized, administered the Oath of Office to Mr. Gecewicz.

Mr. Case congratulated Mr. Gecewicz and welcomed him to the Board.

Mr. Flint explained the Sunshine and Public Records Laws and procedural matters. Mr. Eckert encouraged Mr. Gecewicz to not use texting for District business or posting on social media.

D. Consideration of Resolution 2018-07 Electing Assistant Secretary

Mr. Eckert stated that the resolution designates Mr. Gecewicz as an officer of the District. As Assistant Secretary, Mr. Gecewicz would be authorized to execute documents in the absence of the Chairman or Secretary.

On MOTION by Ms. Bzdewka, seconded by Mr. Brown, with all in favor, Resolution 2018-07, designating Joe Gecewicz as Assistant Secretary, was adopted.

FIFTH ORDER OF BUSINESS

Approval of Minutes of the March 21, 2018 Meeting

Mr. Case presented the minutes of the March 21, 2018 meeting. Mr. Vento provided corrections, which would be incorporated.

Mr. Flint requested tabling the minutes to the next meeting, due to District Counsel receiving the minutes late, to incorporate their comments.

Ms. Bzdewka MOVED to approve the Minutes of the March 21, 2018 Meeting, and Mr. Vento seconded the motion.

Mr. Eckert noted that the minutes were not a verbatim transcript and statements could be taken out of context. Mr. Case requested a redlined copy of the minutes with Mr. Eckert's changes. Mr. Eckert suggested deferring the minutes to the next meeting.

On MOTION by Ms. Bzdewka, seconded by Mr. Brown, with all in favor, the Minutes of the March 21, 2018 Meeting be deferred until the next meeting.

SIXTH ORDER OF BUSINESS

Presentation of Inframark Final Invoice

Mr. Flint presented the final invoice from Inframark. The District would receive a credit of \$2,525; however, with the amount that the District owed and the credit, the District would owe \$1,624.56.

On MOTION by Mr. Vento, seconded by Ms. Bzdewka, with all in favor, the Inframark final invoice, was approved.

SEVENTH ORDER OF BUSINESS

Ratification of Amendment to Fiscal Year 2018 Meeting Schedule

Mr. Flint explained that the purpose of this item was to revise the annual meeting notice, to reflect that meetings would take place at 11:00 a.m. Discussion ensued regarding Supervisors attending by phone.

On MOTION by Ms. Bzdewka, seconded by Mr. Vento, with all in favor, the amendment to the Fiscal Year 2018 meeting schedule, was ratified.

EIGHTH ORDER OF BUSINESS

Consideration of Matters Related to Pond Conveyances and Maintenance Responsibilities

Mr. Eckert presented a conveyance/maintenance chart that his office prepared, in consultation with the District Engineer, District Manager and the developer, to ensure that all of the ponds in Poinciana West were accounted for. The chart was based off of plat dedications, ownership by deeds and maintenance responsibilities and included the aquatic, landscape maintenance and midge treatment contracts. Ponds #19A and #19B are in the process of being conveyed to the District. Quit Claim Deeds from community associations and AV Homes for cleanup items, were provided to the Board. After acceptance, the Quit Claim Deeds would be recorded.

On MOTION by Mr. Brown, seconded by Mr. Vento, with all in favor, the three Quit Claim Deeds from the Solivita and Solivita West Community Associations and AV Homes for plat dedications, were approved.

Mr. Vento asked if the Quit Claim Deeds were for ponds that the District owned or were responsible for. Mr. Brown asked if there was a deed for the dry pond. Mr. Eckert stated that a Quit Claim Deed was being prepared, because the plat did not match the meets and bounds.

NINTH ORDER OF BUSINESS

Discussion of Boating in District Ponds

Mr. Case presented a memo prepared by District Counsel with the pros and cons of allowing boating in District ponds. Discussion ensued.

Mr. Vento wanted to restrict boating, due to a concern about non-residents using boats in District ponds if boating was permitted. Ms. Bzdewka agreed, as the liability outweighed enjoyment. Mr. Case favored leaving the rules as stated. Mr. Brown agreed, due to all of the disadvantages. Mr. Case noted that Polk Lake allowed boating.

TENTH ORDER OF BUSINESS

Staff Reports

A. Attorney

i. Litigation Update

Mr. Eckert stated he was planning to ask the Poinciana CDD Board to grant staff the ability to approve extensions of the inspection period under the Purchase and Sale Agreement with AV Homes.

Mr. Eckert reported at the last meeting, that the Florida Supreme Court dismissed the appeals of residents on the validation case. Dr. Kessler filed a motion for reconsideration, which was denied. A hearing was scheduled for Monday with the trial court on the second validation case, anticipating that they would be able to get a date for the Notice and Order to Show Cause Hearing, which was expected during the summer.

B. Engineer

Ms. Leo reported that GAI received all files from Atkins and maps were prepared, showing overall pond responsibilities, control structure maintenance and conservation area ownership and maintenance responsibilities.

i. Presentation of Priority List for Stormwater System Repairs

Ms. Leo presented the Priority List for the stormwater system repairs, which was prepared by Atkins from the Stormwater Management System Annual Inspection Report. She has been working with Mr. Smith on separating each item into priorities. Mr. Smith provided a proposal to start Phase 1 of the repairs. Mr. Flint recalled that the Board approved a not-to-exceed \$5,000 to proceed with issues identified in the report.

Mr. Case asked if Mr. Smith would monitor the water flow in Ponds 3, 4, 5 and 6 during significant rain events, as noted in the report. Mr. Smith confirmed that he would.

C. District Manager

i. Action Items List

Mr. Flint presented the Action Items List. The status of the transition will be marked complete for the next Action Item List. The storm drain system repairs were approved at the last meeting.

ii. Approval of Check Register

Mr. Flint presented the Check Register from March 1st through March 31, 2018, for the General Fund and payroll, in the total amount of \$55,587.24. The detail was behind the Check Register.

On MOTION by Mr. Brown, seconded by Ms. Bzdewka, with all in favor, the Check Register for March 1, 2018 through March 31, 2018, was approved.

iii. Balance Sheet and Income Statement

Mr. Flint presented the Unaudited Financial Statements through March 31, 2018. The District collected \$285,000 of the \$297,000 certified for the collection of on-roll assessments. Legal advertising expenses exceeded the budget, due to advertising public hearings.

On MOTION by Mr. Vento, seconded by Mr. Brown, with all in favor, the March Financial Statements were approved.

iv. Discussion of General Election Qualifying Period & Procedure

Mr. Flint stated that since the seats transitioned to General Election, the District had a limited role in the election process. The District was required to notify the Supervisor of Elections, by a certain date, of the seats that were vacant and to publish a notice. According to the informational sheet that was provided to the Board, interested candidates could qualify through a petition process or pay \$25. The qualifying period with the Supervisor of Elections Office was Noon on June 18, 2018 through Noon on June 22, 2018. Seat 1 held by Mr. Brown and the vacant seat - now held by Mr. Gecewicz, were up for General Election.

D. Field Manager

i. Field Manager's Report

Mr. Smith presented the Field Manager's Report. There was a substantial fish kill on Pond 8. Approximately a hundred pounds of fish were killed. It was assumed that there was not

enough oxygen for the fish, due to low water levels, temperature and high winds. Mr. Case asked about restocking the pond. Mr. Smith indicated that the pond would restock itself with the remaining fish. Mr. Flint noted that the midge treatment did not cause the fish kill, because of the timeframe from the date of the treatment to the fish kill.

Mr. Smith reported that aeration equipment was being installed today and should be operating tomorrow. Pond 8 was suggested, due to the continuing midge problem. Mr. Case asked about the electrical cost. Mr. Smith indicated that it was solar powered and the cost was \$20,000 for three units. Discussion ensued.

ii. Discussion of Midge Control Issues

Mr. Flint noted resident concerns about the midges. He participated in a conference call with Clarke’s biologist and the treatment started in December. It was an aggressive treatment program, which would be effective, once the larvicide treatment was on the same cycle as the hatching.

Mr. Case asked if there was improvement on other lakes. Mr. Deglomine noted that there was significant improvement, especially after the cycle was broken. The midges would not disappear completely, but would be controlled. Clarke was researching different products and biological solutions. Mr. Case felt that the current spray was ineffective. Mr. Deglomine stated that they were looking at other options, such as adjusting the dosage, and hoped to have it under control by later this year.

Mr. Case provided articles on a mosquito fish that eat mosquito larvae and the University of Florida using small freshwater fish for mosquito and midge control. Mr. Flint addressed this with Clarke, but since the District ponds have a large bass population, the fish would be eaten by the bass. Discussion ensued.

iii. Customer Complaint Log

Mr. Smith presented the Customer Complaint Log. Mr. Case requested that Mr. Smith send an email to residents if there was a major issue, like the fish kill.

ELEVENTH ORDER OF BUSINESS

Supervisor’s Request

There being none, the next item followed.

TWELFTH ORDER OF BUSINESS

Audience Comments

Ms. Patricia Schmid, a resident, 772 San Raphael Street, commended Donovan Brown for handling the fish kill, the CDD for their quick action and the Chair for his research, but was disappointed in the method to control the midges. She preferred to have fish eating larvae.

Mr. Bill Kilroy, a resident, 120 Amalfi Lane, complained about vacant homes on Amalfi Lane and spiders coming from one house. Mr. Case referred Mr. Kilroy to the Poinciana CDD Board.

THIRTEENTH ORDER OF BUSINESS

Other Business

There being none, the next item followed.

FOURTEENTH ORDER OF BUSINESS

Next Meeting Date – May 16, 2018

Mr. Case announced that the next meeting was May 16, 2018 at 11:00 a.m.

FIFTEENTH ORDER OF BUSINESS

Adjournment

On MOTION by Mr. Brown, seconded by Ms. Bzdewka, with all in favor, the meeting was adjourned at approximately 12:15 p.m.

Secretary / Assistant Secretary

Chairman / Vice Chairman