

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, June 20, 2018 at 12:30 p.m. in the Starlite Ballroom, 384 Village Drive, Poinciana, Florida.

Present and constituting a quorum were:

Charles Case	Chairman
Leonard Vento	Vice Chairman
Bill Brown	Assistant Secretary
Joseph Gecewicz	Assistant Secretary

Also present were:

George Flint	District Manager
Michael Eckert	District Counsel
Kathy Leo	District Engineer
Alan Scheerer	GMS
Pete Deglomine	Clarke
Gary Shullaw	AV Homes
Residents	

The following is a summary of the discussions and actions taken at the June 20, 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 on Agenda Items

A resident explained his participation in the lawsuit against AV Homes.

FOURTH ORDER OF BUSINESS

Approval of Minutes of the May 16, 2018 Meeting

Mr. Case presented the minutes of May 16, 2018 meeting. Mr. Flint noted that a revised set of minutes was sent out with Mr. Eckert's edits.

On MOTION by Mr. Brown, seconded by Mr. Gecewicz, with all in favor, the Minutes of the May 16, 2018 Meeting, were approved, as amended.

FIFTH ORDER OF BUSINESS

Staff Reports

A. Attorney

i. Litigation Update

Mr. Eckert reminded the Board members of the hearing that took place the prior day. Mr. Eckert explained the purpose of the hearing, to discuss whether or not there would be issue preclusion which would hopefully result in a more expedited trial. Mr. Eckert told the Board there is not a trial date yet.

Mr. Eckert discussed with the Board the Taylor Morrison contract to acquire the stock of AV Homes. Mr. Vento expressed his concern about Poinciana making decisions without involving Poinciana West in the discussion. The Board discussed the option of scheduling combined meetings. Mr. Eckert suggested requesting combined meetings when amenities are involved. Mr. Gecewicz agreed with Mr. Vento's opinion that the decision made by the other Board was wrong. Mr. Eckert suggested requesting the July 9th be combined. Mr. Case told the Board members he would not be able to attend the July 9th meeting, but all other Board members confirmed they could be there to form a quorum.

ii. Client Disclosure and Consent

Mr. Eckert presented a Client Disclosure and Consent Waiver, due to an actual or potential conflict of interest, since his firm represented Taylor-Morrison in respect to other CDDs and Taylor-Morrison could take control of AV Homes.

On MOTION by Mr. Brown, seconded by Ms. Case, with all in favor, waiving Item #1 on the Client Disclosure and Consent Waiver but not waiving Items #2, #3 and #4 at this time, was approved.

B. Engineer

Ms. Leo noted that their load had been very light for the past month. Ms. Leo told the Board she plans to send a revised pond map to them. She explained that the map would show who has ownership, as well as the names of the ponds.

C. District Manager

i. Action Items List

Mr. Flint presented the Action Items List. The only item was the storm system repairs. Mr. Flint reminded the Board they approved moving forward with certain repairs at the prior meeting. Mr. Flint stated that he emailed and handed out at the meeting a summary of the status of those repairs. Mr. Flint noted all but two repairs had been completed. Mr. Flint stated the two items yet to be repaired, one was the pond 10 skimmer repair and the other was a repair on pond 16.

ii. Approval of Check Register

Mr. Flint presented the Check Register from May 1st through May 31, 2018 in the amount of \$28,166.99. The detail was behind the Check Register. The Board had no further questions on the Check Register

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

iii. Balance Sheet and Income Statement

Mr. Flint presented the Unaudited Financial Statements through May 31, 2018, the combined Balance Sheet with the General and Debt Service Funds and Statement of Revenue and Expenditures. Mr. Flint noted that they were nearly 100% collected with \$290,837 of the \$291,294 that was imposed.

On MOTION by Mr. Gecewicz, seconded by Mr. Brown, with all in favor, approval of the May Financial Statements, were approved.

iv. Presentation of Arbitrage Rebate Calculation Reports

Mr. Flint noted that the first report was for the Series 2007 Bonds, and there was a negative arbitrage of \$737,640. Mr. Flint stated that means they do not have an arbitrage issue. For the Series 2017-1 and 2017-2 Bonds, that report showed a negative arbitrage of \$222,267.

On MOTION by Mr. Vento, seconded by Mr. Brown, with all in favor, the Arbitrage Rebate Calculation Reports, were accepted.

D. Field Manager

i. Field Manager's Report

Mr. Flint stated that Alan Scheerer would be taking over Brian Smith's responsibilities. Mr. Flint introduced Alan to the Board and provided them with his background and knowledge of working as a Field Manager for CDDs. The Board welcomed Alan to their community.

ii. Customer Complaint Log

Mr. Flint discussed the complaints with the Board, algae and midge flies being the most common complaint in the community. Mr. Flint explained that they have had significant issues with the American Ecosystems contractor doing aquatic maintenance for the community. Mr. Flint explained that they were supposed to meet with Alan today to discuss the ponds. He stated that they sent out someone who had never been to the community before to meet with Alan. Mr. Flint suggested that the Board authorize them to exercise the 30-day without cause termination provision. He stated that would allow them to enter into an interim agreement with Clarke. The Board discussed the option of having Clarke start working during the 30-day without cause termination of American Ecosystems. Mr. Deglomine with Clarke discussed with the Board that their work would mostly be limited to grass and algae. Mr. Reed, the lead technician for Clarke, summarized the details of how and when the work would begin. The Board questioned Clarke employees on the topic of hydrilla. The Clarke employees thanked the Board for the opportunity to come and speak with them.

On MOTION by Mr. Brown, seconded by Mr. Gecewicz, with all in favor, the termination of American Ecosystem’s Contract and hiring of Clarke as the new aquatic maintenance company, was approved.

SIXTH ORDER OF BUSINESS

Supervisor’s Request

A check with Floralawn to ensure they are mowing the banks at the correct height was requested. Mr. Scheerer stated that he would contact Floralawn.

SEVENTH ORDER OF BUSINESS

General Audience Comments

There were no additional audience comments.

EIGHTH ORDER OF BUSINESS

Other Business

A resident stated that she attended a Board meeting a few years prior and there was discussion then about merging the two CDDs. The resident expressed concerns about the location of the future theatre.

NINTH ORDER OF BUSINESS

Next Meeting Date – July 18, 2018 at 12:30 P.M.

Mr. Case announced that the next regular meeting was on July 18, 2018 at 12:30 p.m. However, a continued meeting would take place on July 9th at 2:30 p.m. the Starlite Ballroom.

TENTH ORDER OF BUSINESS

Adjournment

On MOTION by Mr. Brown, seconded by Ms. Gecewicz, with all in favor, the meeting was continued to July 9, 2018 at 2:30 p.m. at the Starlite Ballroom, 384 Village Drive, Poinciana, Florida.

Secretary / Assistant Secretary

Chairman / Vice Chairman