

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, May 19, 2021 at 9:30 a.m. at the Starlite Ballroom, 384 Village Drive, Poinciana, Florida.

Present and constituting a quorum were:

Peggy Gregory	Chairman
Roy LaRue	Vice Chairman
Mayra Skeete	Assistant Secretary
Maneck Master	Assistant Secretary
Joe Clark	Assistant Secretary

Also present were:

Tricia Adams	District Manager
Scott Clark <i>by Zoom</i>	District Counsel
Kathy Leo	District Engineer
Clayton Smith	Field Manager
Cherrief Jackson	Clarke
Tim Gardner	Clarke

The following is a summary of the discussions and actions taken at the May 19, 2021 Poinciana West Community Development District's Board of Supervisors Meeting.

FIRST ORDER OF BUSINESS

Roll Call

Ms. Adams called the meeting to order and called the roll. 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

Ms. Adams gave the public an opportunity to comment on items that were presented on the agenda and asked for the public to keep their comments to three minutes.

Sally Mae's comment referred to the last month's meeting not having time for comments and suggested that if the CDD is going to wait six months in between meetings that they carve out more time for public comments.

FOURTH ORDER OF BUSINESS

Approval of Minutes of the March 17, 2021 Meeting

Ms. Adams presented the Board with the minutes from the March 17, 2021 meeting and asked for any comments or corrections. She stated that she had received a comment from Supervisor Master and had incorporated it into the amended minutes. Supervisor Skeete had a correction due to her name being spelled incorrectly throughout the minutes. There being no further comments, she asked for a motion to approve.

On MOTION by Ms. Gregory, seconded by Mr. LaRue, with all in favor, the Minutes from the March 17, 2021 Meeting, were approved as amended.

FIFTH ORDER OF BUSINESS

Consideration of Interim Services Agreement with Clarke Environmental Mosquito Management, Inc. for 2021 EMM Program

Ms. Adams noted that this is regarding environmental changes with the midge management program. They have learned that there were some regulatory changes that required Clarke to re-evaluate their approach to midge management which they have implemented in the past months. The proposed amount of the agreement is \$1,933 a month. Mr. Smith added that the program has been successful due to the fact that it allows all ponds to be treated and sprayed for midges and he is happy with the current results. It is a proposed decrease to the current monthly budget.

Mr. LaRue stated that there is still an issue on pond number six and he thinks that they can't say that the program is successful at this point. Mr. Smith reminded the Board that this program will not fully eradicate the issue and to think it can would be an unrealistic goal. This is a management program. Mr. LaRue also asked that the language be changed in the agreement to state specifically that all the ponds are being treated as he believes that would be very helpful. Cherrief Jackson, representative from Clarke, explained why the contract was worded the way that it was and will make that change for the Board.

Ms. Adams asked for a motion of approval with the change made to add the language to have all CDD ponds be included in the contract and the below motion followed.

On MOTION by Mr. LaRue, seconded by Ms. Skeete, with all in favor, the Interim Services Agreement with Clarke Environmental Mosquito Management, Inc. for 2021 EMM Program, was approved, as amended.

SIXTH ORDER OF BUSINESS

**Consideration of Resolution 2021-02
Approving the Proposed Fiscal Year 2022
Budget and Setting a Public Hearing**

Ms. Adams noted that today’s meeting is a kickoff in the budgeting process. The Board will have the ability to revise the budget at any meeting up through the budget adoption. One key point the Board should be cognizant of would be if the Board chose to increase the assessments, they would not have the ability to do that after approving the proposed budget. The proposed budget was included in that agenda packet for Board review and would be effective starting October 1, 2021. Ms. Adams walked the Board through an overview of the budget for the newer Board members which included explanations of the revenue and expenditure sections. The resolution also sets the budget adoption for the July 21, 2021 Board of Supervisor’s Meeting at 9:30 a.m. Ms. Adams then took questions and comments from the Board.

Ms. Gregory commented that the management fees are being increased and asked if that was part of the existing contract with GMS. Ms. Adams stated that it is a 3% increase, and it is compliant with the current contract. Ms. Gregory also asked why there is a jump in the information technology line item in the budget. Ms. Adams explained that there were significant expenses in this area and District Management services has acquired new technology in order to allow for virtual meetings and other technology expenses.

Ms. Gregory mentioned that she would like to investigate changing insurance companies when the contract expires thinking that there may be a better option out there for the CDD. Mr. LaRue added that he agreed with the Chair in putting the contract out for RFP when the time comes. Ms. Adams noted that GMS has worked with other Districts that have shopped around for different insurance coverage. She stated their prices are reasonable to what other CDDs are currently paying and wants the Board to calibrate their expectations on what else is out there.

Ms. Gregory commented on the fact that the “other” category had jumped from \$1,000 to \$2,400 and expressed her dislike for the description of the line item. Ms. Adams explained that there is an added expense for fraud protection alerts that are associated with bank fees that they are seeing across many Districts. She will touch base with accounting to provide more information for that line item.

Dr. Master suggested that a column be added to reflect the actuals from the 2020 to get a sense of what spending looked like one more previous year, due to its unusual factors and Ms. Adams said that she can add it for the next budget review. In addition, Mr. LaRue stated it would be helpful to also show the reserves. Ms. Adams pointed out that on page 6 there is a balance analysis that shows information each month and a projected end of year balance for Fiscal Year 2021. There being no other comments or questions Ms. Adams asked for a motion of approval.

On MOTION by Mr. LaRue, seconded by Ms. Gregory, with all in favor, Resolution 2021-02 Approving the Proposed Fiscal Year 2022 and setting a Public Hearing for July 21, 2021 at 9:30 AM at the Starlite Ballroom, was approved.

SEVENTH ORDER OF BUSINESS

Staff Reports

A. Attorney

Mr. Clark noted that he is developing a more comprehensive report on things that have happened with recent legislature, some related to COVID and a significant restructure of the emergency management statutes. There are some provisions allowing for virtual meetings in the future during emergency situations that will give allowance without governmental permission. After further review, counsel will report back to the Board.

Another item of interest he reported is the case law that has affected websites and ADA requirements has been favorable. There is a decision in the 11th Circuit that says that websites are not places of public accommodation. Due to the 9th Circuit on the westside of the country favored in the other direction which may result in a Supreme Court hearing. He had nothing further for the Board and opened the floor for questioning. The Board having no questions, the next item followed.

B. Engineer

Ms. Leo, District Engineer, presented a report to the Board. She reported that pond inspections are complete. No urgent problems were detected, and things seems to be in good working order. She will email the report to those who are not in attendance and asked for any questions the Board might have.

Mr. LaRue asked about the areas highlighted in red labeled “Community Association Owned Wetlands.” He asked if that was owned by the CDD, and Ms. Leo said that it was not. It was an update made because in the last report it did state “CDD Owned Wetland.”

C. District Manager

Ms. Adams reported information on the upcoming meetings moving forward. Due to the pandemic the state allowed for virtual meetings and then in the fall the Governor ordered those meetings needed to go back to an in person quorum. Ms. Adams asked if the Board wanted to continue with Zoom hybrid meetings or go back to full in person meetings for their attendees. She stated that during the current meeting, there were eight participants joining via Zoom. Mr. LaRue stated that he is in favor of continuing the hybrid meetings. Staff will move in the direction the Board would like to continue, that direction is to continue hybrid meetings.

i. Approval of Check Register

Ms. Adams presented the check register from March 10, 2021 through May 11, 2021 to the Board totaling \$93,680.17 and the detail of the check run summary was included in the agenda packet.

On MOTION by Mr. Clark, seconded by Ms. Gregory, with all in favor, the Check Register totaling \$93,680.17, was approved.

ii. Balance Sheet and Income Statement

Ms. Adams stated that this does not require any Board action but historically, this District has made a motion to accept the unaudited financials.

On MOTION by Mr. LaRue, seconded by Ms. Skeete, with all in favor, the Balance Sheet and Income Statement, was accepted.

iii. Presentation of Number of Registered Voters – 2,524

Ms. Adams noted that this is a notification that within the District there are 2,524 registered voters as of April 15, 2021. This is provided for informational purposes only and there is no action required.

D. Field Manager

i. Field Manager’s Report

Mr. Smith presented the Field Manager’s report and the report can be found in the agenda package. In progress items include:

- Hydrilla treatments
- Midge treatment changes

ii. Customer Complaint Log

Mr. Smith presented the customer complaint log that can be found in the agenda package. The complaints are logged from March 2021 to May 2021. Mr. LaRue asked Mr. Smith to keep an eye on Pond #6, and noted that the last pond on the complaint log is not a Poinciana West CDD pond.

EIGHTH ORDER OF BUSINESS

Supervisor’s Requests

Ms. Gregory made a statement to the residents of Poinciana West CDD. She received an email from concerned residents about the conversation at the last meeting concerning a merger of Poinciana West and Poinciana. She wanted to be clear that the issue was not on the agenda nor was there a vote on the issue. She apologizes for the fraudulent statements and misinformation posted by the Poinciana CDD Chair.

Mr. LaRue stated that at the last meeting he voiced his concerns about some of the Poinciana District ponds and the tunnels being a liability the Poinciana West CDD might not want to take on. He has asked Kathy Leo, District Engineer, for information on the tunnels to have a better understanding on how much money has been spent to maintain them. In 2015 the CDD spent \$13,700 to maintain the tunnels. The other information provided was the 2012 estimate on what it would take to replace the tunnels and that total was an estimated \$700,000 to replace just one tunnel. On March 30th there was a discussion on new roads coming through that have to do with the tunnels and whether the county believes they are up to code. If it turns out that the codes have changes, the road commission will insist that the tunnels be replaced. In summary, he believes that it is too high of a liability for Poinciana West to get involved with the merger.

There being no other Supervisor requests, the next item followed.

NINTH ORDER OF BUSINESS

General Audience Comments

There being none, the next item followed.

TENTH ORDER OF BUSINESS

Other Business

There being none, the next item followed.

ELEVENTH ORDER OF BUSINESS

Next Meeting Date – July 21, 2021

The next meeting date is scheduled for July 21, 2021.


TWELTH ORDER OF BUSINESS

Adjournment

On MOTION by Ms. Gregory, seconded by Dr. Master, with all in favor, the meeting was adjourned.



Secretary/Assistant Secretary



Chairman/Vice Chairman