

**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, **March 19, 2025** at 9:30 a.m. via Zoom Communication Media Technology and in The Gator Room, 385 Village Drive, Poinciana, Florida.

Present and constituting a quorum were:

Peggy Gregory
Roy LaRue
Dr. Maneck Master

Chair
Vice Chairman
Assistant Secretary

Also present were:

Tricia Adams
Scott Clark *by Zoom*
Alan Rayl
Joel Blanco
Residents

District Manager
District Counsel
District Engineer
GMS Field Staff

The following is a summary of the discussions and actions taken at the March 19, 2025 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 at 9:32 a.m. A quorum was present.

SECOND ORDER OF BUSINESS

Pledge of Allegiance

The Pledge of Allegiance was recited.

THIRD ORDER OF BUSINESS

Public Comment Period on Agenda Items

There being no comments, the next item followed.

March 19, 2025

Poinciana West CDD

FOURTH ORDER OF BUSINESS**Organizational Matters**

- A. Review of Letter(s) of Interest/Resume(s) for Vacancies**
- B. Appointment of Individuals**
- C. Administration of Oath of Office to Newly Elected Supervisor**
- D. Election of Officers**
- E. Consideration of Resolution 2025-02 Electing Officers**

Ms. Adams recalled that the Board previously declared seats vacant, in circumstances where they did not have a seated Board Member. As a result of the vacancies, the Board directed staff to solicit for resumes and Letters of Interest and as a result, a resume was received from Mr. Keith Laytham, who was in attendance. Mr. Laytham reported that he lived in Solivita since 2008, in Indian Wells, which backed up to a CDD owned grass and pond. He was fairly versed in the community, due to his involvement in Solivita, Polk County and Osceola County affairs. Ms. Gregory asked if there was any specific reason that after many years, he decided to apply for a CDD seat. Mr. Laytham indicated no specific reason, other than the fact that he cut back on many of his activities and felt that he had the time to concentrate on something that was important to Solivita. Mr. LaRue asked if this was related to the committee work with the HOA to purchase or negotiate with Taylor Morrison for the amenities. Mr. Laytham stated that he was involved with the class action lawsuit and was looking forward to receiving a check in another month, but other than that, he had not been involved in the purchase of the amenities. However, he had some opinions about it. Ms. Gregory asked if he was involved with the Parkway Project. Mr. Laytham confirmed that he was very much involved with the Central Florida Expressway (CFX) Project and with numerous projects in both Polk and Osceola Counties, such as the Osceola Expressway Authority and Southport Connector Expressway Project. Dr. Master recalled that the vacant seats were on the ballot for the November election and asked why Mr. Laytham did not apply for them. Mr. Laytham indicated that his schedule was full and he had other responsibilities, but his priorities have now changed.

Ms. Adams pointed out that the Board was not required to make an appointment today and could solicit for additional Resumes. Mr. Cap Doorn submitted a resume to Mr. LaRue this week, which Ms. Adams can include in the next agenda. He lived in Poinciana West for four years, in MiraVisa and was interested in serving on the Board, due to the poor condition of the ponds. When he complained about them, nothing was done. When he lived in Michigan, he was part of the Tea Party and was on a church Board, serving as Treasurer for three to four years. He was also part of a large family and had experience calming down disputes. Ms. Gregory

March 19, 2025

Poinciana West CDD

requested that Mr. Doorn read all of the minutes and record of proceedings regarding the ponds and treatments on the PoincianaWestCDD.org website and based on the time and that the Board had not received Mr. Doorn's resume, Ms. Gregory requested this matter be deferred until the next meeting. A Resident pointed out that minutes were not being posted on the CDD website for several months. The field reports and financials, used to be posted, but were no longer being posted. Ms. Adams would investigate, but explained that typically agenda packages were posted on the website. Since the Board only met six times per year, it could be a few months before a set of approved minutes were posted. The November minutes were not posted, because they were being approved today. Dr. Masters was surprised that residents who never attended a CDD meeting, wanted to serve on the Board. Ms. Gregory pointed out that this was the largest amount of residents that they ever had at a meeting. *There was Board consensus to defer this item and Ms. Adams would post an additional recruitment notice and include the resumes for Mr. Laytham and Mr. Doorn and any other resumes that were received, on the next agenda.*

- **Consideration of Resolution 2025-03 Approving the Proposed Fiscal Year 2026 Budget and Setting a Public Hearing (Item 9)**

Ms. Adams presented Resolution 2025-03, approving the Proposed Budget for Fiscal Year (FY) 2026 and setting the public hearing for July 16, 2025 at 9:30 a.m. in the Gator Room. The Proposed Budget was attached as an exhibit. There must be a quorum for this public hearing of at least three Board Members, as the public hearing must be noticed 28 and 29 days in the newspaper. No Board Member indicated an issue with attending this meeting. Approval of this resolution, authorized staff to transmit the Proposed Budget to Polk County, posting on the District's website and publishing the public hearing in accordance with Florida Statutes. When approving the Proposed Budget, the Board was not adopting it, but the cap on the operations and maintenance (O&M) assessment, could not be higher than what was set in the Proposed Budget. Fiscal Year 2026 runs from October 1, 2025 through September 30, 2026 and highlighted the following:

- In the Revenue section, *Special Assessments – Tax Collector*, was \$291,299, which was the same amount as FY 2025. There were 1,650 single-family units, with a gross amount per unit of \$186.57 per household. In order to balance the budget, there were surplus funds and interest income recognized.

March 19, 2025

Poinciana West CDD

- For *Administrative Expenditures*, the adopted amount for FY 2025 was \$119,792 and for Fiscal Year 2026, \$126,165 was proposed. It included a 3% increase for management fees, as well as other GMS fees information technology and website maintenance.
- *Dissemination*, the required reporting in accordance with SEC and Trust Indenture, had a 3% increase.

Ms. Gregory noted net assessments of \$291,299 and a 6% collection cost of \$18,594 and \$66,000 on the debt service side and questioned what it was for. Ms. Adams explained that the 6% collection accounted for the portion assessed by the county to place and collect CDD fees on the Tax Bill. The county charged a portion of what was being collected for the maintenance and debt fees on the Polk County Property Appraiser and Tax Collector, with the assumption that all property owners paid their Tax Bill early, in order to receive a 4% discount. The net assessment was the portion retained by the District and the gross amount was on the property Tax Bill. It was based on what was proposed but could change based on Board Member input. Ms. Gregory pointed out at some point in time, there would be engineering fees and engineering property conveyance for 19A and 19B, but they did not have property conveyance anymore. Ms. Adams explained that a general engineering fee was being proposed for all expenses attributed to engineering. This line item was zeroed out, as they were not anticipating any property conveyance in the next fiscal year. Ms. Gregory wanted to split out all costs to Taylor Morrison, as there would be legal fees for the collection of damages on Pond 19A. Mr. Clark stated that he opened a separate file number and was segregating his expenses. Ms. Gregory received a bill yesterday, which included many 19A expenses. Mr. Clark would reallocate them for purposes of recovering the money. Ms. Adams would do the same for the engineering expenses.

Ms. Gregory requested one sheet with all of these expenses and asked if there would be an additional bill from the District Engineer when she reviewed the estimates. Ms. Adams confirmed that there would be an additional bill, but the work would be completed in this fiscal year and would not need to be budgeted for FY 2026. Ms. Gregory pointed out that for *Printing & Binding*, the accruals through 9/30/24 was \$5,000. Ms. Adams believed that this was the insurance line item. Dr. Master recalled that the printing cost was \$500 and insurance was \$5,000. Ms. Adams would confirm that it was correct for the final version. Ms. Gregory did not want to approve a budget with errors and 3% increases. Ms. Adams had an electronic copy of the

March 19, 2025

Poinciana West CDD

budget, showing \$5,208 for *Insurance* and \$372 for *Printing & Binding* for the end of the year. Ms. Gregory noted that the actual accruals were incorrect, as it was \$5,000 as of 9/30/24. Ms. Adams explained that this was the number for 2024 but would investigate. The Board was not tied to the budget, as they would only be setting the cap on the assessments; however, it was important for the Board to approve the Proposed Budget prior to June 15th, to be in compliance with Florida Statutes and to put the assessments on the Property Tax Bill. Ms. Gregory pointed out that the Proposed Budget numbers, as far as she was concerned, were going down and not up. Ms. Adams indicated that this could be balanced by increasing *Contingency* or another line item, in order to keep assessments, the same.

- *Field Services* had a proposed 3% increase. Mr. Blanco was in contact with service providers regarding continued service. The Board requested letters in the agenda package from any vendor who requested cost increases for the upcoming fiscal year.
- The total Proposed Budget for 2026 was \$219,606, with total expenditures and total revenues being balanced. Based on a Board request, a projected Fund Balance Analysis was included in the budget.
- In the Debt Service Fund Balance, the assessment was imposed at the time that the bond was issued. The Board did not have the ability to change this amount, but when adopting the budget in July, they were authorizing collection of the debt fees on the Tax Bill for FY 2026.
- According to a table showing the number of units that had not yet paid off the debt service, there were 1,601 single-family and residential units. The gross annual amount for the debt service fee, were the costs of the infrastructure, as residents would be paying \$686.58 per unit, to pay back the bond. There were two bond series, 2017 R1 and R2 and principal and interest payments that were scheduled in November and May, based on Amortization Schedules that were attached to the budget. The last payment would be made in 2037.

Ms. Gregory noted that the aquatic midge management company wanted a 6% increase. Mr. Blanco indicated that Ms. Cherrief Jackson of Clarke Midge Control could not make it to the meeting, but spoke briefly with her Supervisor, who informed him that it was due to chemicals and an increase in fuel. They were supposed to provide a letter of explanation. Ms. Gregory

March 19, 2025

Poinciana West CDD

pointed out that Aquatic Control Maintenance and Aquatic Midge Maintenance increased by 4% and 6% respectively, which she understood, but there should not be an increase for landscaping, as the price of gasoline was down, but wanted something other than an automatic increase. Ms. Adams requested approval of the Resolution, with a level assessment, setting the public hearing for July 16, 2025 at 9:30 a.m. at this location.

On MOTION by Mr. LaRue seconded by Ms. Gregory with all in favor Resolution 2025-03 Approving the Proposed Fiscal Year 2025 Budget and Setting the Public Hearing for July 16, 2025 at 9:30 a.m. at this location was adopted.

- **Staff Reports – District Manager** (*Item 13C*)

Ms. Adams reported at the last meeting, there was a request from the Board to consider using ACH, versus issuing checks. As a result of that direction, GMS' accounting team reached out to all vendors on February 3rd and 4th. Some of the vendors complied and provided their electronic payment information, which the accountants were implementing. Ms. Adams had another item to report on for informational purposes. The Poinciana CDD Board considered amending their policies regarding use of the stormwater system, which currently prohibit golf cart access and boating. Poinciana CDD was considering allowing certain areas to be authorized for fishing. This CDD Board was not compelled to do so and staff was not recommending any action, but Ms. Adams wanted the Board to be aware of it, as Solivita in many ways functions as one community. A policy allowing fishing was presented to the Poinciana CDD Board at last month's meeting, which included many cautions and warnings about the risks, as the stormwater system was designed as a utility, not designed for recreational use, as there were steep banks, alligators and polluted water. Therefore, it was use at your own risk. However, the District's insurance company recommended designating certain areas for fishing, if they wanted to allow fishing in the stormwater ponds. As a result, field staff was evaluating certain areas that had open access, that were not behind residential homes. Mr. LaRue recalled that fishing was allowed in the ponds. Ms. Adams confirmed that the Poinciana CDD and Poinciana West CDD policies did not allow fishing, but the Wildlife Club requested that the Poinciana CDD work with the Fishing Club to provide some guidelines. This CDD Board was not required to do anything, but she

March 19, 2025

Poinciana West CDD

would be happy to provide the policies for further clarification, as well as the steps that the Poinciana CDD Board were taking to consider allowing fishing.

i. Approval of Check Register (*Item 13Ci*)

Ms. Adams presented the Check Register for January 1, 2025 through February 28, 2025 in the amount of \$155,448.01, which included the detailed invoices and Check Run Summary. The most significant expense was the transmittal of tax receipts for debt service to US Bank, for the debt service portion that was transmitted to US Bank for the Trustee to manage. Mr. LaRue asked if this check would become ACH. Ms. Adams stated it depends on whether US Bank provided their electronic information. If vendors provided their ACH information, the accountants could process it that way. Thus far, five vendors responded. Ms. Gregory felt that everyone needed to be on ACH or it was like living in the 1990s. Mr. LaRue asked if there was a way to encourage vendors to provide their ACH information. Dr. Master suggested not sending them a check. Ms. Adams indicated there were Prompt Payment Policies that GMS was required to abide by, but there were two vendors that did not provide a response and would follow up with them. Mr. Clark pointed out that his firm was in the middle of transitioning to accounting software, which would enable them to work with ACH transmittals in the future.

On MOTION by Mr. LaRue seconded by Ms. Gregory with all in favor the Check Register as stated above was approved.

ii. Financials (*Item 13Cii*)

Ms. Adams presented the Unaudited Financials through the end of February 28, 2025, which were included in the agenda package. There was a notation of the investment of Surplus Funds in the State Board of Administration (SBA) account, which was the Florida Government Coop investment pool, as well as the money market account investments and 12-month CD product investment. The CDD was 93% collected on assessments for FY 2025, as of the end of February and would be 100% collected at the end of the fiscal year, after tax certificate sales were sold, for owners who did not pay their Tax Bills at the end of March. They were starting to parse out the pond damage invoices for tracking purposes and could do the same for the engineering invoices. Ms. Gregory suggested changing the line item to "Pond Damage." Ms. Adams reported that the Board did an excellent job of controlling expenses, as the prorated budget year-to-date for administration was \$55,607 and actual spending was \$51,947. Likewise,

March 19, 2025

Poinciana West CDD

the prorated budget year-to-date for field expenses was \$93,377 and actual spending was \$72,827.

Ms. Adams presented the current Investment Summary, which were part of the financials. She was asked by the Chair to check on the current CD rates, which she obtained yesterday. When CDs had such an attractive interest rate, Dr. Master suggested using a ladder approach, with continuously repurchasing CDs, in order to maximize interest earnings. At this point in time, the best rate that was offered for the 12-month CD, was 3.5%, for a minimum of \$150,000. The rate for a 7-month CD was 3.9%. The rates for the 11 and 12-month CDs were the same. Dr. Master questioned the rate for the large Prime pool. Ms. Adams indicated that Florida Prime was running 4.53%. Ms. Gregory voiced concern on the Bank United *0859 account, the 12-month CD that was due in July, was earning 4.402%, but in November of 2024, the 12-month CD was earning 4.5% and 5.5% in January and asked if it was a flexible or fixed-rate CD. Ms. Adams confirmed that it was a fixed-rate CD, but there was a past error reported on the unaudited financials and requested the certificate from the accountant, along with the Investment Summary, so she could double check the interest rate, as the current rate was 4.402%. Ms. Gregory pointed out that there was a \$534,000 money market at Bank United and recalled that Dr. Master wanted to do a 7-month CD at 3.9%. Ms. Adams indicated that she reached out to the accountant yesterday to analyze the amount of Surplus Funds and would provide this information.

Ms. Gregory asked if the money market at Bank United was earning 4.06%. Ms. Adams applied affirmatively, which was competitive with the CD. Ms. Gregory questioned the number of payments. Ms. Adams confirmed that at the end of February, they were at 93% collected. Ms. Gregory asked if they had enough cash for any other purposes. Ms. Adams indicated that they want to keep at least three months of funds in the general fund, but the accountant could perform a cashflow analysis, to determine the amount to reinvest and questioned whether the Board wanted those funds in a money market, CD or SBA. Ms. Gregory had some concerns, as there was commercial paper, but suggested raising Florida Prime up to \$100,000 and leaving the other \$500,000 in the money market. Dr. Master agreed. Ms. Adams would coordinate with accounting to increase the investment in the SBA up to \$100,000 and move any of the other Surplus Funds from the General Fund to the money market account.

March 19, 2025

Poinciana West CDD

FIFTH ORDER OF BUSINESS**Approval of Minutes of the January 15, 2025 Board of Supervisors Meeting**

Ms. Adams presented the minutes of the January 15, 2025 Board of Supervisors Meetings, which were included in the agenda package and reviewed by District management staff and District Counsel. The Board had no changes to the minutes.

On MOTION by Dr. Master seconded by Ms. Gregory with all in favor the Minutes of the January 15, 2025 Board of Supervisors Meeting were approved as presented.

SIXTH ORDER OF BUSINESS**Review of Pond 19A Damages Memorandum**

- A. Timeline of Events**
- B. De-watering Permit**
- C. Engineer's Report**
- D. Certified Mail to Taylor Morrison et. Al**
- E. Status of Repair Proposals**

Mr. Clark recalled that the Board asked staff to investigate what was occurring on Pond 19A and to obtain a copy of the dewatering permit. The representative wanted him to pay \$1,500 to locate the permit, but he was able to find it, easily, which was attached to the memorandum. Buried down where the maps were in the permit, there was an exhibit that included a zone of influence for the Dewatering Project, which included all or most of Pond 19A, meaning that Taylor Morrison was aware of the potential for this damage to occur, should have been looking out for it and should have informed the CDD what they were doing and that this potential was there. They certainly should not have come onto CDD property without discussing it with the Board. The permit was clear and the general property law was pretty clear that Taylor Morrison was obligated to repair it and pay for the cost of the damage. As a result, he wrote a letter to all parties, but before it was sent, he had correspondence with the manager and attorney for Taylor Morrison, Jere Earlywine, who handled the property transfer issue. They had no knowledge of what occurred and Mr. Clark sent the certified letters, but there had been no response as of this date. Ms. Leo prepared her report and obtained proposals from some vendors but found the scope of work to be insufficient. Further direction was provided, resulting in the two proposals that were received.

Dr. Master left the meeting.

March 19, 2025

Poinciana West CDD

Ms. Adams confirmed that two proposals were received: one from Solitude and the one from Gary's Grading. Solitude was the District's current service provider for pond maintenance services and were already contracted to do work for the Poinciana West Community Development District. The proposals were reviewed by Ms. Leo, who confirmed that these were equivalent proposals and both vendors were qualified to perform the work. The second proposer, Gary's Grading, successfully completed a project for another local CDD on a similar excavation project. Both vendors were known to do good work and deliver good services. Mr. Blanco worked with the vendors on the scope that Ms. Leo provided. Mr. Blanco recalled that Solitude completed an erosion repair on Pond E3 for the Poinciana CDD, late last year and received nothing but glowing reviews from the residents. Solitude took responsibility for any damages on resident's lawns, prior to them leaving the site. Mr. LaRue asked if Mr. Rayl had any input. Mr. Rayl had not reviewed the proposals in any detail. Ms. Adams pointed out that the scope was apples-to-apples, but there was some difference in cost, as Gary's Grading out of St. Cloud, proposed \$10,200 and Solitude proposed \$12,410. If the contract was awarded to Solitude, there was already a contracted agreement and the work could proceed, but if it was awarded to Gary's Grading, there must be a legal agreement, in order to perform the work. Ms. Gregory preferred Solitude, as they were already onsite and there was not much of a difference in price.

On MOTION by Ms. Gregory seconded by Mr. LaRue with all in favor the proposal with Solitude for erosion work in the amount of \$12,410 was approved.
--

Mr. Clark preferred to have a separate agreement, even though Solitude was an existing vendor, since the District was seeking reimbursement from Taylor Morrison. Ms. Gregory thanked Mr. Clark for providing the memorandum and letter and for all of his hard work. Mr. LaRue agreed, as it was an excellent approach. Mr. Clark appreciated it.

SEVENTH ORDER OF BUSINESS

Consideration of Non-Ad Valorem Agreement with Polk County Property Appraiser

Ms. Adams presented a Non-Ad Valorem Agreement between the District and the Polk County Property Appraiser, which was included in the agenda package, in order for the District

March 19, 2025

Poinciana West CDD

to utilize the Polk County Tax Roll for the collection of CDD fees Fiscal Year 2026. It was an annual agreement and staff recommended approval.

On MOTION by Ms. Gregory seconded by Mr. LaRue with all in favor the Non-Ad Valorem Agreement with Polk County was approved.

EIGHTH ORDER OF BUSINESS

Consideration of Agreement for Professional Engineering Services with Rayl Engineering

Ms. Adams recalled that the Board recently solicited a Request for Qualifications (RFQ) for engineering services. Ultimately the Board selected Rayl Engineering and their proposed form of agreement was included in the agenda package. Mr. Clark recommended approval, as it was a form of agreement that he used for a number of years for engineering services and was somewhat general in nature, but did include some language dealing with bonds, which might be required at some point in the future.

On MOTION by Ms. Gregory seconded by Mr. LaRue with all in favor the Agreement for Professional Engineering Services with Rayl Engineering was approved.

NINTH ORDER OF BUSINESS

Consideration of Resolution 2025-03 Approving Proposed Fiscal Year 2026 Budget and Setting a Public Hearing

This item was discussed.

TENTH ORDER OF BUSINESS

Review of Stormwater Pond Educational Handout

Ms. Adams presented a Stormwater Pond Educational Handout, which was included in the agenda package and provided for informational purposes. It would hopefully help residents understand why there was vegetation around the perimeter of certain ponds and the benefits of having littoral plantings. It included a picture of a pond that had littoral plantings. Mr. LaRue questioned who planted them. Ms. Adams indicated that the Poinciana CDD had littoral plantings on different ponds on a trial basis, to see what plants were the most adaptive and selected Spikerush, Duck Potato and Pickerelweed, because they were low profile plants that

March 19, 2025

Poinciana West CDD

tended to do well with water fluctuations. There were some attractive flowers on the Duck Potato and Pickerelweed and people tended to like the flowers, as they attracted pollinators. They were implementing this on a phasing in approach. Mr. Blanco confirmed that this was a project that they worked on a couple of months ago for Poinciana and wanted to extend it to Poinciana West. To answer the Chair's comment if they were actively putting plants within Poinciana West CDD ponds, it was definitely something that he could look into for specific ponds that may need littoral plantings and would include it in his Field Manager's Report moving forward. If the Board wanted to pursue a proposal to include plantings within specific ponds, he could obtain one. Mr. LaRue questioned the benefit of having littoral plantings. Mr. Blanco explained that littoral plantings were a method of preventing erosion and provided a habitat for smaller fish, to assist with algae control and improve the water quality of the pond. They also help provide clear water within the ponds, and they look aesthetically pleasing when the flowers bloom.

Mr. LaRue recalled discussion three to four months ago about the ponds growing out and the Board wanting to maintain 3 to 4 feet, but Mr. Blanco indicated the littoral plantings would be planted 3 to 5 feet from the bank and believed that was too far out, in order to maintain the 3-to-4-foot perimeter. Mr. Blanco explained that littoral plantings were planted further than edge grasses, as it helped with establishing a habitat, as well as provide erosion prevention. Mr. LaRue asked if they tended to grow towards the bank or out towards the pond. Mr. Blanco confirmed that they grow more towards the bank, as shown in the picture for Pond F5, where the littoral plantings were established and did not grow further out. They would never have littoral plantings that go further into the middle of the pond. Mr. Rayl indicate that littoral plantings provide nutrient uptake, which helped the water quality. For decades, the Southwest Florida Water Management District's (SWFWMD) primary method of design for wet ponds, was to have a littoral shelf that would fluctuate in within a maximum of 2 feet deep of the normal water condition. There was also a restriction on how much the water could rise above it, but in deeper depths. the plants would not thrive or survive. Ms. Adams pointed out that the Stormwater Pond Educational Handout was useful to residents and would be widely distributed at the upcoming Earth Day event. At the Poinciana CDD meeting, a resident requested that field staff make a presentation to the Landscape Committee on some of the maintenance strategies with edge grasses and littoral plantings.

March 19, 2025

Poinciana West CDD

ELEVENTH ORDER OF BUSINESS**Review of Drain Installation Application**

Ms. Adams recalled at the July meeting, the Board adopted an application process, whereby if someone was installing a drain line from their gutter to the drain and it would terminate on CDD property, residents must obtain permission, in order for the drain to terminate on CDD property. There would be a form of agreement for the installation and maintenance of the drain line and Drainage Improvement Installation Application, which was included in the agenda package, along with a diagram. However, at that same meeting, there was a request for more specificity on the depth and slope for the drain line to be installed. The recommendation was for a 4-inch popup emitter, so that the water was diffused and did not cause erosion. Mr. LaRue questioned the \$100 application fee. Ms. Adams indicated that it would help to cover engineering expenses for review and recording the agreement. No Board action was required.

TWELFTH ORDER OF BUSINESS**Presentation of Draft Financial Audit Report for Fiscal Year 2024**

Ms. Adams presented a representation letter from Grau & Associates, which was included in the agenda package. The full audit from September 30, 2024, was provided to the Board under separate cover. As a Florida special purpose government, CDDs were required to undergo an annual independent audit, which was due to be filed with the State of Florida each year by June 30th. It was a clean audit, as the auditor noted no deficiencies with the District's financial records, no findings, no recommendations and no conditions of a financial emergency. The Board did not approve the audit, as it was an annual independent audit, but typically there was a motion to accept it. Ms. Gregory noted on Page 24, there was a highlighted section where eight independent contractors were compensated and there independent contractor compensation of \$604,000 and questioned what comprised it, as there were only a handful of contractors and they did not have \$600,000 worth of compensation. Ms. Adams would confirm the information for the highlighted section.

On MOTION by Ms. Gregory seconded by Mr. LaRue with all in favor the Fiscal Year 2024 Audit Report, subject to the District Manager answering Ms. Gregory's question was accepted.

TWELFTH ORDER OF BUSINESS**Staff Reports****A. Attorney**

March 19, 2025

Poinciana West CDD

There being no comments, the next item followed.

B. Engineer

Mr. Rayl evaluated the drain installation for downspouts to be dragged out into the CDD pond and questioned whether there was a provision in the agreement for inadvertent damage to the popup emitters or any part of the pipe by CDD staff or lawn maintenance crews. Mr. Clark believed that there was one but would review the agreement again. Mr. Rayl pointed out that there was a minimum of 3 feet where the normal waters run and were two lines and asked if residents were required to extend them close to the lake or prefer stopping the popup emitter further up the bank, if there was a hydraulic relief and if that was an option. Ms. Gregory did not know that residents get that option, as everything that had a cap on it in Solivita, was subject to being run over and destroyed by the lawn maintenance people. However, there was a 6-foot easement that belonged to the CDD and if it was damaged, questioned whether the CDD must pay for it. Ms. Adams believed that the language in the agreement puts the onus on the residential property owner. Mr. Clark pointed out that Paragraph 4 in the agreement, specified that the right to do this work was a privilege, does not create any rights and was done at the owner's risk and the District would not repair or replace if there was any damage to it. Mr. Rayl asked if the CDD owned to the top of bank in a maintenance berm. Ms. Adams confirmed that was the case and each application would be reviewed by the District Engineer. Therefore, if there were certain conditions in one location and the District Engineer recommended a variance, there was some ability to make those field changes. Mr. Clark pointed out that this was the purpose of the review process.

C. District Manager

- i. Approval of Check Register**
- ii. Financials**

These items were discussed.

D. Field Manager's Report

- i. Field Manager's Report**
- ii. Pond Maintenance Report**
- iii. Midge Management Report**
- iv. Customer Complaint Log**

March 19, 2025

Poinciana West CDD

v. Consideration of Installation of “Beware of Wildlife” Signs near Pond 19A and 19B

Mr. Blanco presented the Field Manager, Pond Maintenance and Midge Management Reports and Customer Complaint Log, which were included in the agenda package. GMS staff continued to review all CDD landscaping areas throughout the District, including the dry ponds. Several ponds were continuing to experience low water levels, due to the dry season and some edges being exposed, as well as Dollar Weeds growing by the edges, which he informed Solitude about and they would schedule treatment. Most of the algae blooms that were identified during February's fertilization by the HOA, were treated. The littoral plantings were thriving during the dry months, as most of the Duck Potatoes and Pickleweeds have started to bloom. A large traffic cone was removed from Pond P19B. Staff continued to review all of the landscaping areas throughout District ponds, including the dry ponds. It remained in satisfactory standards, with clean and tidy pond tracts at the end of resident property lines and pond banks at appropriate height levels. Field staff was mowing some of those pond banks prior to the start of dry season, in preparation for the Spring rain. They were not fighting against chaotic edge grasses, but would have a better grasp of it, once they start growing into that 3 to 4 foot and then they could treat it and not let it grow wild during the Summer. The dry ponds have been serviced with some areas that have held more water than others, which was scheduled for string trimming with Floralawn.

Mr. Blanco reported that staff also continued to monitor the restorative progress of P19A. Sod was laid during the first repair of the eroded areas on the resident side. It had established and was greener than anticipated during the dry season. Weeds that were previously mowed, were showing signs of growth and Floralawn was scheduled to mow that area again, prior to the start of the work that was approved. Water levels stabilized and were currently several inches higher than in reported in January. An alligator was present during his review, with no wildlife signs present on Ponds 19A and 19B and he presented a proposal for two signs on both ponds. Field Staff would continue to monitor the ponds, until the Spring rain fills the pond back to normal water levels. Ms. Gregory asked if the signs were recommended after Mr. Blanco noticed the alligator or before. Mr. Blanco confirmed that it was after he noticed the alligator. Ms. Gregory pointed out that there were no signs; however, there were signs at the main sidewalks in Solivita. Ms. Adams indicated that Ms. Gregory's recollection was correct, as the District's insurance provider identified places that they deemed an attractive nuisance, where there was open access to the pond or locations where people would likely access the pond. Ms. Adams explained that

March 19, 2025

Poinciana West CDD

she brought this to the Board's attention, in an abundance of caution, due to the sighting of the alligator and people accessing the pond. Ms. Gregory asked if this pond had a great deal of traffic. Ms. Mary Ann Bull, who lived on Pond 19A, did not see much traffic, as the sidewalk abutting it, goes to nowhere. A resident pointed out that this area was a major nesting area, but normally no one ever goes back there. Ms. Adams indicated the Board did not have to take any action. Ms. Gregory wanted the Pond 19A erosion repairs and the demand letter to the resident, to be taken care of first, but if at any time, the residents wanted to install signs because there were alligators, they needed to call her.

Mr. Blanco reported that a cluster of Cypress trees on a CDD tract on Pond P1, was reportedly encroaching the foundation of a home on Indian Wells Ave. Field staff reviewed it and confirmed that there were roots close to the home and requested a proposal from Floralawn, but they did not provide it to him on time for this meeting. However, as soon as he received it and the one for capping the trees, he would provide it to the Board for future consideration. Ms. Gregory questioned the length of the roots. Mr. Blanco confirmed that they were close to the pavers. A picture was included in his report. Ms. Gregory asked if they were going to pull out the trees and fill with dirt. Mr. Blanco indicated that they would be flush cut to kill any growth. Ms. Gregory questioned whether a resident planted the trees. Mr. Blanco was informed by the resident, that they were planted by Taylor Morrison, but did not believe so, as they were not the prettiest looking trees and the resident was not a fan of them. Ms. Adams pointed out if it was time sensitive, there was the option of the Chair approving things outside of the meeting and then bringing it back to the Board to ratify. Ms. Gregory offered to look at it. Mr. LaRue requested that staff rotate the Complaint Log and enlarge it.

- **General Audience Comments** (*Item 11*)

Ms. Katherine Souza of 184 Olympus Way questioned the Licensing Agreement that was voted on back in November for the fencing at the San Clemente west gate. Ms. Gregory recalled that there was a License Agreement, but since then, she sent an email to Mr. Carl Warren, requesting a meeting, as she was questioning whether the fence would solve the problem. In her opinion, they should start with a plan to provide more security, discuss all options and the best way to spend their dollars, instead of piecemealing it. If there was going to be a grand plan, Ms. Gregory was all for of it but not doing something in the next week versus a couple of years from

March 19, 2025

Poinciana West CDD

now. The new St. Moritz security contract and their presentation was excellent and was a great idea, but there needed to be something more than spending \$97,000 on this one area, when evidently there problems, as there were many open areas. The question was whether they were going to allocate a little bit at a time or devise a grand plan and cut it back. Ms. Souza pointed out they did not do a long-range plan because if there was one proposal, everyone would be upset and would want a fence. Mr. Carl Warren of 549 Genoa Drive did not want to be confrontational and understood Ms. Gregory's personal view. A plan was submitted to the HOA, which was reviewed by the Finance Committee, but yet to be approved by the HOA Board. Ms. Gregory recalled informing Ms. Souza that she was not signing the License Agreement, because of the cost and the fact that there would be an expensive gate and fence at a sidewalk that goes nowhere. This was her personal opinion, which had nothing to do with the CDD. Ms. Souza pointed out that the CDD Board voted in November to accept their proposal, but she was taken aback at Ms. Gregory turning around and saying that she personally did not like it and would not sign the License Agreement. Ms. Gregory clarified that she wanted additional reviews, as the cost was \$97,000. Mr. Warren pointed out that the \$97,000 had no relevancy to the acceptance of that agreement, but if the fence encroached within CDD property and created some concern, this was a Poinciana West CDD concern and anything beyond the CDD boundary, would not be a concern for the HOA Board of Directors and their committee to address. Ms. Adams pointed out that if the license agreement was still under review it could be added to the next CDD Board meeting agenda as a review item. Ms. Gregory agreed and offered to get back to Ms. Souza.

Ms. Susan Godlewski of 658 Irvine Road understood that because the ponds were built with non-tax bonds, residents and the general public were allowed to fish, but there was a rule that fishing was not allowed, which she never heard before. The last approved minutes that were posted online, was May 15, 2024 and questioned whether the minutes have since then been provided to Ms. Adams to post them. Ms. Adams would investigate. Ms. Godlewski recalled in the past, the full agenda package was available online during the meeting, so residents could pull them up on their cellphone and follow along. Ms. Adams would verify this. Ms. Godlewski lived in Alta Vista and the area across from Cypress Parkway was being built and already the Osceola County crime reports were reporting crimes committed several times per week, which residents were concerned about. In the past they never had a problem with people coming through the pedestrian gate, but now there was an issue. Mr. LaRue pointed out that installing a pedestrian

March 19, 2025

Poinciana West CDD

gate at the San Clemente gatehouse, would provide more relief, if one door was being monitored and people could not walk in and out.

Ms. Mary Ann Bull, who lived on Pond 19A, asked if the policy that was amended regarding the fishing, was for Solivita or Poinciana residents. Ms. Adams explained that the Board only controlled policies within the CDD boundaries. Ms. Bull had no personal issue with the Fishing Club, as there was approval for catch and release fishing, which she was fine with, but wanted to clarify that residents were the ones fishing and not the outside public and questioned where 19A was. Ms. Gregory indicated it was all the way to the Parkway gate, but there was an open area all the way to Cypress Parkway, which people were accessing, including Taylor Morrison, to bring in their equipment. Ms. Souza recalled when she was Chair of the HOA, she presented a proposal to fence in the entire side, but they wanted to do it in stages. There was also a section by the RV park, that also needed to be fenced in. Ms. Bull preferred having aluminum fencing that had spikes on the top. Ms. Bull questioned the meaning of dewatering. Ms. Gregory explained that it would take water out of the pond. Mr. LaRue indicated that huge pumps would be used to dewater down to 32 feet below ground level, to allow for digging out of the pond. Ms. Bull pointed out that the proposals assumed there would be Spring and Summer rains to fill the ponds and not pumping back the water. Mr. Rayl confirmed when the dewatering operations cease, the groundwater levels would recover under normal conditions.

TENTH ORDER OF BUSINESS**Supervisor's Requests**

There being no comments, the next item followed.

ELEVENTH ORDER OF BUSINESS**General Audience Comments**

This item was discussed.

TWELFTH ORDER OF BUSINESS**Other Business**

There being no comments, the next item followed.

THIRTEENTH ORDER OF BUSINESS

Next Meeting Date – May 21, 2024; The Gator Room

March 19, 2025

Poinciana West CDD

Ms. Adams stated that the next meeting was scheduled for May 21, 2025 at 9:30 a.m. in The Gator Room.

FOURTEENTH ORDER OF BUSINESS

Adjournment

On MOTION by Ms. Gregory seconded by Mr. LaRue with all in favor the meeting was adjourned.

Signed by:

Tricia Adams

Secretary / Assistant Secretary

Signed by:

Peggy Gregory

Chair/Vice Chairman