

**MINUTES OF MEETING
SOUTHERN HILLS PLANTATION I
COMMUNITY DEVELOPMENT DISTRICT**

The Board of Supervisors of the Southern Hills Plantation I Community Development District held Virtual Public Hearings and a Regular Meeting on September 11, 2020 at 10:00 a.m., via Zoom, at <https://us02web.zoom.us/j/84140669719>, and 1-929-205-6099, Meeting ID 841 4066 9719.

Present at the meeting were:

Grady Miars	Chair
Robert Nelson	Vice Chair
Ellen Johnson	Assistant Secretary
Margaret Bloomquist	Assistant Secretary
John McCoskrie	Assistant Secretary

Also present were:

Chuck Adams	District Manager
Lauren Gentry	District Counsel
Joe Calamari	District Engineer

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Mr. Adams called the meeting to order at 10:02 a.m. Supervisors Nelson, Johnson, Bloomquist and McCoskrie were present. Supervisor Miars was not present at roll call. In consideration of the COVID-19 pandemic, this meeting was being held virtually, via Zoom, and telephonically, as permitted under the Florida Governor’s Executive Orders, which allow local governmental public meetings to occur by means of communications media technology, including virtually and telephonically.

SECOND ORDER OF BUSINESS

Public Comments (*Agenda Items*)

There being no public comments, the next item followed.

THIRD ORDER OF BUSINESS

Presentation of Audited Annual Financial Report for the Fiscal Year Ended September 30, 2019, Prepared by Berger, Toombs, Elam, Gaines & Frank

This item was deferred to the next meeting.

FOURTH ORDER OF BUSINESS

Consideration of Resolution 2020-04, Accepting the Audited Annual Financial Report for the Fiscal Year Ended September 30, 2019

This item was deferred to the next meeting.

FIFTH ORDER OF BUSINESS

Public Hearing on the Adoption of the Fiscal Year 2020/2021 Budget

A. Affidavit/Proof of Publication

The affidavit of publication was provided for informational purposes.

B. Consideration of Resolution 2020-05, Relating to the Annual Appropriations and Adopting the Budgets for the Fiscal Year Beginning October 1, 2020, and Ending September 30, 2021; Authorizing Budget Amendments; and Providing an Effective Date

Mr. Adams presented Resolution 2020-05. The proposed Fiscal Year 2021 budget showed assessment levels increasing approximately 24%, as discussed at the last meeting; \$70 thousand dollars for plant replacement was expected to continue over the next three years but would decrease if the unpaid Equivalent Resident Unit (ERU) assessment payments are made. This increase would accomplish the following:

- Offset deficiencies due to unpaid ERU assessments.
- Partially restore surplus fund balance to provide working capital in the first quarter of the fiscal year.
- Cover the landscape maintenance line-item increase, which would go out to bid, and improve the scope of services to a level of service that meets community expectations.
- Cover the landscape replacement line item increase to replace plant material along the Boulevard.
- Place the District in a better and more stable financial position.

Mr. Adams stated that unpaid ERU assessments would make it difficult to pay the Debt Service Fund payments in Fiscal Year 2021. He expected the Bondholder to make a determination and provide direction, in terms of remedies they may want to pursue regarding

the delinquent assessments; it is beneficial for the District if the Bondholders take the lead, due to significant litigation costs.

Mr. Adams discussed the option of selling tax certificates, which was unsuccessful, as several properties were escheated to the County for ownership, at a loss. He conveyed discussions with residents, who supported the District’s actions.

Mr. Adams explained that the revenue amounts and “Excess of revenues over expenditures”, on Page 2 of the proposed Fiscal Year 2021 budget, differ because the Fiscal Year 2020 amount was projected based on the budget that was adopted. Any action by the Bondholders would be to recover assessments to secure their debt and any action to force payment to collect from the Cascades would involve a separate legal action.

Mr. Miars arrived at the meeting at 10:24 a.m.

Mr. Adams opened the Public Hearing.

No members of the public spoke.

Mr. Adams closed the Public Hearing.

Mr. Adams stated the District properly advertised the Public Hearing and noticed, through the County’s Truth in Millage (TRIM) process, and the proposed Fiscal Year 2021 budget was posted to the District’s website.

Ms. Gentry confirmed that dial in instructions for the Public Hearing, pertaining to the budget and assessment notices, were provided in the agenda package and that owners of un-platted property that did not fall under the TRIM notice received mailed notices.

On MOTION by Ms. Johnson and seconded by Mr. Miars, with all in favor, Resolution 2020-05, Relating to the Annual Appropriations and Adopting the Budgets for the Fiscal Year Beginning October 1, 2020, and Ending September 30, 2021; Authorizing Budget Amendments; and Providing an Effective Date, was adopted.

SIXTH ORDER OF BUSINESS

Public Hearing to Hear Comments and Objections on the Imposition of Operations and Maintenance Special Assessment to Fund the Budget for Fiscal Year 2020/2021, Pursuant to Florida Law

A. Proof/Affidavit of Publication

The affidavit of Publication was provided for informational purposes.

B. Consideration of Resolution 2020-06, Making a Determination of Benefit and Imposing Special Assessments for Fiscal Year 2020/2021; Providing for the Collection and Enforcement of Special Assessments, Including But Not Limited to Penalties and Interest Thereon; Certifying an Assessment Roll; Providing for Amendments to the Assessment Roll; Providing a Severability Clause; and Providing an Effective Date

Mr. Adams opened the Public Hearing.

No members of the public spoke.

Mr. Adams closed the Public Hearing.

Mr. Adams presented Resolution 2020-06.

Ms. Gentry posed and Mr. Adams responded to the following questions:

Ms. Gentry: In your professional opinion, do you believe that the property subject to these assessments is benefited by the assessments?

Mr. Adams: Yes.

Ms. Gentry: Is it your professional opinion that the assessments are reasonably and fairly apportioned among the properties?

Mr. Adams: Yes.

Ms. Gentry: Is it your opinion that it is in the best interest of the District to levy the assessments and collect the assessments as proposed?

Mr. Adams: Yes.

In addition to the findings stated in the Resolution, and given the situation, the widespread non-payment of assessments and the need to secure a funding source, Ms. Gentry asked the Board to find that reasonable notice was provided to property owners, under the circumstances, and that, based on the description and information just heard from Mr. Adams, that the properties that are subject to the assessments are benefited by the assessments, the assessments are apportioned fairly and reasonably and that, in order to secure a funding source for the Fiscal Year 2021, it was in the District's best interest to levy the assessments as presented and certify the assessment roll, in order to fund those continuing O&M expenditures. In adopting Resolution, 2020-06, she asked the Board to also make those finding as stated on the record.

Mr. Adams presented Resolution 2020-06.

On MOTION by Mr. Miars and seconded by Ms. Johnson, with all in favor, Resolution 2020-06, Making a Determination of Benefit and Imposing Special Assessments for Fiscal Year 2020/2021; Providing for the Collection and Enforcement of Special Assessments, Including But Not Limited to Penalties and Interest Thereon; Certifying an Assessment Roll; Providing for Amendments to the Assessment Roll; Providing a Severability Clause; and Providing an Effective Date, including the findings stated above by Ms. Gentry, was adopted.

SEVENTH ORDER OF BUSINESS

Consideration of Resolution 2020-07, Designating Dates, Times and Locations for Regular Meetings of the Board of Supervisors of the District for Fiscal Year 2020/2021 and Providing for an Effective Date

Mr. Adams presented Resolution 2020-07.

On MOTION by Ms. Bloomquist and seconded by Mr. McCoskrie, with all in favor, Resolution 2020-07, Designating Dates, Times and Locations for Regular Meetings of the Board of Supervisors of the District for Fiscal Year 2020/2021 and Providing for an Effective Date, was adopted.

EIGHTH ORDER OF BUSINESS

Consideration of Resolution 2020-08, Declaring a Vacancy in Seats 3 and 4 of the Board of Supervisors Pursuant to Section 190.006(3)(b), Florida Statutes; and Providing an Effective Date

Mr. Adams presented Resolution 2020-08. Seats 3 and 4, currently held by Ms. Johnson and Mr. Miars, respectively, would be declared vacant after the November General Election, as no candidates qualified during the qualifying period. Incumbents could remain in their seat until the Board appoints a qualified elector. Supervisors residing in the District could seek candidates interested in serving on the Board and have interested candidates send a letter of interest to Management to be included in the January agenda.

On MOTION by Mr. McCoskrie and seconded by Ms. Bloomquist, with all in favor, Resolution 2020-08, Declaring a Vacancy in Seats 3 and 4 of the Board of Supervisors Pursuant to Section 190.006(3)(b), Florida Statutes; and Providing an Effective Date, was adopted.

NINTH ORDER OF BUSINESS

Acceptance of Unaudited Financial Statements as of July 31, 2020

Mr. Adams presented the Unaudited Financial Statements as of July 31, 2020. Payments to Management and several other service providers were deferred until assessment revenue funds are received in November.

Mr. Adams responded questions as follows:

- He must research further whether the \$67,715 projected excess revenue balance on Page 3 was correct:
- The projected \$259,513 deficient amount, on Page 4, was the same as referred to in the Auditor’s letter, which were borrowed funds from restricted funds to pay the debt service payment.

Mr. McCoskrie had other questions about the Audited Annual Financial Report; however, the Auditor, who confirmed attendance, was absent. Mr. Adams suggested that Mr. McCoskrie submit his questions to Management for transmission to the Auditor. The financials were accepted.

TENTH ORDER OF BUSINESS

Approval of June 11, 2020 Virtual Public Meeting Minutes

Mr. Adams presented the June 11, 2020 Virtual Public Meeting Minutes.

On MOTION by Ms. Bloomquist and seconded by Mr. Nelson, with all in favor, the June 11, 2020 Virtual Public Meeting Minutes, as presented, were approved.

ELEVENTH ORDER OF BUSINESS

Other Business

There being no other business, the next item followed.

TWELFTH ORDER OF BUSINESS

Staff Reports

A. District Counsel: *Hopping Green & Sams, P.A.*

There being nothing further to report, the next item followed.

B. District Engineer: *Coastal Engineering Associates, Inc.*

Mr. Calamari presented a list of outstanding items requested at the last meeting:

- Securing the Operation Permit for Phase 1, from the South Florida Water Management District (SFWMD), was underway.
- Work on several outstanding as-built items, was ongoing, as time allows and revenue sources are available.
- Review of plats regarding conveying Pond 5II from the HOA to the CDD was underway.
- The Wetland Restoration Report for the area near the golf course maintenance building, was being prepared.
- Obtaining proposals to remove overgrown vegetation on the fence along US 41 was suggested, to avoid having to install a new fence.
- An O&M inspection of the ponds, at the old sales center off US 41, and submitting a report to SFWMD was outstanding.

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

- **TENTATIVE NEXT MEETING DATE: October 15, 2020 at 10:00 a.m.**
 - **QUORUM CHECK**

The next meeting would probably be in January 2021, as the October, November and December meetings would likely be cancelled.

THIRTEENTH ORDER OF BUSINESS

Supervisors' Requests

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

FOURTEENTH ORDER OF BUSINESS

Adjournment

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

On MOTION by Mr. Nelson and seconded by Mr. McCoskrie, with all in favor, the meeting adjourned at 10:47 a.m.

Secretary/Assistant Secretary

Chair/Vice Chair