

MINUTES OF MEETING VIERA STEWARDSHIP DISTRICT

The regular meeting of the Board of Supervisors of the Viera Stewardship District was held Friday, June 3, 2016, at 9:00 a.m. at the Viera Discovery Center, 7350 Shoppes Drive, Suite 102, Viera, Florida 32940.

Present and constituting a quorum were:

Jay A. Decator, III	Chairman
Ann M. Gainey	Vice Chairman and Secretary
Chris Leffler	Assistant Secretary
Todd J. Pokrywa	Assistant Secretary

Also present were:

Gary L. Moyer	Manager: Moyer Management Group
Jennifer Kilinski (<i>by phone</i>)	Attorney: Hopping, Green & Sams
Paul Martell	Treasurer
Residents and members of the public	

FIRST ORDER OF BUSINESS

Call to Order

Mr. Decator called the meeting to order at 9:00 a.m.

SECOND ORDER OF BUSINESS

Roll Call

Mr. Decator called the roll and stated a quorum was present for the meeting.

THIRD ORDER OF BUSINESS

Public Comment Period

There being none, the next order of business followed.

FOURTH ORDER OF BUSINESS

Approval of the Minutes of the February 12, 2016, Regular Meeting

Mr. Moyer reviewed the minutes as presented and requested any additions, corrections, or deletions.

On MOTION by Mr. Pokrywa, seconded by Mr. Leffler, with all in favor, unanimous approval was given to the minutes of the February 12, 2016, regular meeting.
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FIFTH ORDER OF BUSINESS

Presentation of the Proposed Budget for Fiscal Year 2017

A. Fiscal Year 2017 Proposed Budget

Mr. Moyer stated the budget process is pursuant to our enabling legislation where management presents the proposed budget to the Board for your consideration and approval at this meeting, the purpose of which is to set a public hearing for some time in August that will give the County 60 days to review and comment on the budget. They do

not have the right to approve the budget, but they have the right to review and comment on it if that is their desire. Resolution 2016-02 is included in the agenda package for that purpose. After discussion of the budget, I will ask you to look at your calendars and select a date in mid-August for the public hearing. In terms of the budget, we will make some tweaks to the line item allocations to reflect our current, ongoing work program in the District. Overall the amount that we will recommend to be levied will be the same as what it was last year. We need a couple clarifications at this point, perhaps with Mr. Martell and Mr. Pokrywa. The number of platted lots that we are using for this budget is 416. I am not sure if that is correct. If we add lots, we will keep the per-lot assessment and then lower the amount of the other revenues. Do you know the number of lots, including Adelaide to add into the budget?

Mr. Martell stated no, I do not.

Mr. Moyer stated I will ask the Board to approve this budget and set the public hearing. Then as you provide that information, we will make those necessary adjustments.

Mr. Decator asked is now the time to discuss the process by which the District tracks platted lots in the community? How do we refine that?

Mr. Martell stated I have the budget from last year with the number of units as well as a calculation and a map of what the numbers should be as of September 30, 2016. We need to do something similar to that. As we plat property, it decreases the acres of vacant land. If we plat roads that are public, that effectively goes off the tax roll because it is not assessable. We need to figure out how best to do that.

Mr. Decator asked previously, was The Viera Company providing this information?

Mr. Martell stated yes.

Mr. Decator stated The Viera Company has had a change in personnel. I think it is a relatively simply process. As plats are recorded, the acreage of platted land is included on the plat. The lots are shown and anyone can count the lots. The total number of platted acreage will be deducted from our developable land acres. It is a relatively easy process, but it is a matter of devoting the manpower. Who does that?

Mr. Moyer asked does Mr. Hassan Kamal do your plats, or does someone else?

Mr. Decator stated BSE Engineering prepares the plats for The Viera Company.

Mr. Moyer stated I would think you can ask them to do that analysis.

Mr. Decator stated or The Viera Company can track it in-house.

Mr. Martell stated Mr. Ben Wilson could work with the engineer to do that because Mr. Wilson is very familiar with the plats.

Mr. Decator stated Mr. Wilson is assistant counsel for The Viera Company. The legal department approves each plat, including the narrative. The legal department sees the plats and knows what is recorded.

Mr. Martell stated the accounting department review the plats to see all the platted lots, but we will not know which ones are for public roads unless we pull it up. Internally, we have to figure out how to get the right people involved.

Mr. Decator stated someone gives the plat to the legal department and says as of this date, these are the acreages and the platted lots.

Mr. Martell stated I would feel comfortable with what I distributed, which is as of September 2015. That means we have another year's worth of plats that were recorded.

Mr. Decator stated it looks like we will have many more lots to assess.

Mr. Martell stated yes. The number of lots as of right now is 696, but what it will be in September, I do not know.

Mr. Decator asked when do we count those as lots, when they are platted and recorded, or when the subdivision is actually complete?

Mr. Martell stated when they are platted. I think the trigger date is the first day of the fiscal year, which is October 1.

Mr. Decator asked if a lot is platted after October 1, it is still assessed as acreage?

Mr. Moyer stated yes, that is correct. This will go on the tax roll, which we have to certify by mid-August.

Mr. Decator asked does that mean we need to hold the public hearing before mid-August?

Mr. Moyer stated yes, I am suggesting that we hold it within the first two weeks of August.

Mr. Decator stated as of today, we have 696 platted lots.

Mr. Moyer stated we can certainly amend the budget to reflect 696 platted lots as of today.

Mr. Martell stated I do not know what we will be platting within the next 30 days. Platting public roadways will decrease the acreage that is left.

Mr. Decator stated it is a matter of subtracting the platted acres from the developable acre total. All you count is lots after that. The public or private roads and lake areas have nothing to do with that. It goes from developable acres to lots. Do we have any idea of the timing for WCI? They are going to be platting the new Bridgewater community. Does anyone know when that plat might be recorded? Will it happen before October 1? It may be because they are in preliminary plat now. We have a copy of that plat, and we can figure that out. We have some work to do between now and the public hearing to coordinate with Mr. Moyer's office. We are also hopefully getting some commercial acres that will be platted before October 1.

Mr. Moyer stated that is a straight acreage calculation because we have an amount that ties to the platted lot times 2.66 that we discussed at the last meeting when the Board adopted that methodology. It is a multiplication exercise to get to that number.

Mr. Martell stated I will email this information to Mr. Moyer so he has a clean copy of what I distributed. I do not know if the District will consider hiring BSE, or if we are going to take the approach in-house with The Viera Company and the District to review the plats.

Mr. Moyer stated we have not incurred any engineering expenses yet, so we have the budget available to use BSE if that is easier for everyone.

Mr. Pokrywa stated we need to catch up from the number we had in September 2015. Mr. Wilson could work with BSE and then go forward until it is caught up. Then Mr. Wilson can do it going forward.

Mr. Decator stated it is a relatively easy process once you catch up. The plats are pretty clear as to lots and acreage. Someone needs to keep up with it because The Viera Company is doing much platting.

Mr. Moyer asked will Adelaide be online before September?

Mr. Martell stated we have platted some of Adelaide.

Mr. Decator stated we will have to catch up on that one, as well. We will work with Mr. Moyer and Ms. Brenda Burgess on this.

Mr. Moyer stated the budget is in similar form to our current fiscal year budget. Some adjustments have been suggested by various consultants, most notably under the District-wide environmental. Those numbers have changed a little. The platted lot subdivision work has not, but to the degree that there are additional plats and additional maintenance

that would fall under the platted lot category, we may end up adjusting the proposed budget to reflect that. Overall, it is our intent not to raise assessments on platted lots or on the remaining portions that we assess on an acreage basis. The plug figure is other financing sources, which is really fund balance, shown at the top under revenues. As we make these adjustments to lots and acreage, those numbers will change, and the number for other financing sources will similarly change. We all decided that it does not make sense to increase assessments on a per-unit basis when we are carrying a fairly healthy fund balance. We need to utilize that money.

Mr. Decator stated I do not disagree. Did Mr. Martell look at the issue of the surpluses that we are running and project them forward to get an idea of when the expenses will start balancing out with the revenues based on the assessment? Do you recall what that finding was?

Mr. Martell stated I do not recall.

Mr. Decator stated the rationale is that we want to keep the assessment stable. We have an expectation that as development ramps up, which it has, our expenses will ramp up, as well. This assessment will more or less work out to be correct. We also have the use of fund balance as another financing source going forward. One thing I have noticed is that expenses have not ramped up, and I think that has a lot to do with the fact that The Viera Company is doing a lot of developing but it is coming online rather slowly. A lot of earth is being moved, but completing the subdivisions, building the homes, and utilizing the District's services are not ramping up as quickly as we thought. Do we keep the same assessment, or do we talk about lowering this assessment?

Mr. Moyer stated we can lower the assessment with the understanding that at some time in the future, if we have to increase the assessment, then you have to do that by public hearing and by sending individual written notice to everyone letting them know what the assessment is going to increase by. That is the reason we wanted to come up with what we thought was a reasonable assessment and stay with that number for a long period of time. That was the idea. I think we all recognized early on that we would have surpluses. Ultimately, I think we should work ourselves into a situation where the budget equals the amount that we collect under the current assessment regime.

Mr. Decator stated that is certainly the expectation. If we keep going year after year with the surpluses building, not that I am an advocate for spending for spending's sake,

but at some point, the Board needs to look to see if our revenues are balancing with our expenses, and vice versa. I just wanted to mention that to the Board for future consideration.

Mr. Moyer stated I will work with Mr. Martell between now and our next meeting to revisit all of that to see if we are still on target or not and if we should make adjustments.

Mr. Leffler stated Mr. Decator mentioned it was a little slow with development. When would you anticipate we would have an increase in spending?

Mr. Decator stated it is hard to say. All of these facilities are brand new, so the maintenance pressure is very low. The facilities are functioning, and we have a good handle on maintenance. Right now, we are pretty stable in our expenses. I do not know if there will be a significant increase in the expenses unless the Board decides that we need to take another look at the intensity of maintenance. In other words, we can always do a better job of maintenance, which means spending more money to accomplish that. For example, right now, the canal maintenance is only at the I-95 canal. We know that is a minimal amount of maintenance to keep the bank stable and to keep the flow way clear of weeds and plants. Perhaps that maintenance needs to be increased. Perhaps we need to look at other canals that we are draining through.

Mr. Leffler stated I understand the vegetation and herbicide applications. Is sediment removal a part of that?

Mr. Decator stated there has not been any yet. It is a relatively new canal. It was just realigned.

Mr. Leffler stated A. Duda & Sons has an agreement with the water management district in perpetuity for canal maintenance. With the current CDD model, will there be a point of development where the District will be charged for that maintenance or share in the cost of maintenance?

Mr. Decator stated there is history that the District should be maintaining all drainage facilities within the District, which is the entire Cocoa Ranch area. That is something I think the Board needs to examine: at what point does the District assert its jurisdiction and begin a more intensive canal maintenance program. Drainage maintenance is something no one wants to talk about, and you never hear about it until there is a real problem, such as after a severe hurricane season. I was talking Ms. Eva Rey, who is with the Central Viera Community Association, and has a stormwater protocol and a very

good maintenance program within the developed portions of Central Viera. She asked me if our District had a similar program, and I responded that we did not as of yet. We are virtually a brand new entity, and perhaps the time is coming when we look at that issue.

Mr. Leffler asked how would WCI and maybe Adelaide tie into the District?

Mr. Decator stated the District has jurisdiction over all those internal master stormwater systems within those subdivisions. The systems within the new Bridgewater community will be maintained by the District. The systems within Adelaide will be maintained by the District. Adelaide has a conflicting jurisdiction: half of it is in Central Viera Community Association, and half is in the Viera Stewardship District. There will be some sort of agreement that I will discuss with Ms. Kilinski by which the lots outside of the District will pay assessments to the District because the District will assume maintenance jurisdiction within Adelaide. We probably need an interlocal agreement with the community association where it acknowledges that they will be taking on the stormwater management in Adelaide, and the community association will be imposing a lower assessment in Adelaide because of that. Elsewhere north of Wickham Road, there is a higher community association assessment because the District has no jurisdiction. That maintenance work is done by the community association. That will not be the case in Adelaide. We will have a lot of work to figure this out going forward. The maintenance expenses will increase. I do not know if they will increase to the extent of the revenues that are coming in from the assessments, but we will see. We will keep a closer eye on that going forward. One place where we are seeing expenses rise dramatically is the control of invasives in the Viera Wilderness Park Stage 1. I will ask Mr. Lites to discuss this briefly. The overall budget number has remained the same, but we have had some new developments environmentally, such as the eagle conservation area, and we will discuss completion of the burrowing owl relocation work and more expenses in controlling invasives.

Mr. Lites stated we removed two items from the budget, one being fencing in the conservation area. In the Viera Wilderness Park Stage 1, we had four wetland mitigation areas for the water management district that we needed to exclude cattle from. Mr. Pete Coultas at A. Duda & Sons said that will be done during this current fiscal year, so we removed that line item from the proposed budget. The other item was relocation of the burrowing owl preserve. That work has been done, and that line item came off, also.

However, the exotic species, particularly cogongrass, has proliferated after we got a handle on the Brazilian pepper. The cogongrass has exploded. We have continued to try to treat it. Last fiscal year, we had a hard time getting to it, and I think we spent the budgeted amount. This fiscal year, we have started on it already and have a plan to treat it again in the next four months. Next fiscal year, A. Duda & Sons and Zev Cohen think we need to almost double the budget for spraying exotic species so that we can really get it under control. We are in our fourth year of five years of monitoring for the Corps of Engineers permit, and we really want to get it complete. Next fiscal year is the fifth year of monitoring, and we want to get it knocked down to an acceptable level before that year is over.

Mr. Decator is Mr. Lites suggesting that we keep the same overall budget amount as the current fiscal year?

Mr. Lites stated yes because of the two items we recommend removing from the budget.

B. Resolution 2016-02 Approving the Proposed Budget and Setting a Public Hearing Thereon

Mr. Moyer read Resolution 2016-02 by title into the record.

Mr. Moyer stated I suggest the Board set the public hearing for the first Friday in August, which is August 5, 2016.

On MOTION by Mr. Leffler, seconded by Mr. Pokrywa, with all in favor, unanimous approval was given to Resolution 2016-02 approving the proposed budget for fiscal year 2017 and setting a public hearing for August 5, 2016, at 9:00 a.m. at the Viera Discovery Center.

SIXTH ORDER OF BUSINESS

Ratification of Agreements

A. Access Easement Amendment with A. Duda & Sons

Mr. Moyer stated it is my understanding this agreement has been reviewed and that we are just moving an access location.

Ms. Kilinski stated that is correct.

Mr. Decator stated to clarify, this is the access to the Viera Wilderness Park Stage 1.

On MOTION by Mr. Decator, seconded by Ms. Gainey, with all in favor, unanimous approval was given to ratify the access easement amendment with A. Duda & Sons, as discussed.

B. Declaration of Consent to Assessments, Covenants, Conditions, and Restrictions for the Adelaide Subdivision

Mr. Moyer stated as it affects the District, we will be assessing Adelaide and collecting those assessments. We will be making them part of our maintenance responsibility.

Ms. Kilinski stated we spoke about this in concept at the last meeting, and today we are bringing the actual form of agreement for ratification. It requires a plat for the same neighborhood that is partially outside the District's boundary. This is a standard form of declaration of consent that we have used in other districts to allow them to levy some form of assessment and collect it directly. The assessment will run with the land and will be imposed just like any other platted lot within the District at the assessment level that the Board adopts at the public hearing.

Mr. Moyer stated the intent is that these assessments will be collected by the District and not the tax collector.

Ms. Kilinski stated that is correct, these will be directly collected.

On MOTION by Mr. Leffler, seconded by Mr. Pokrywa, with all in favor, unanimous approval was given to ratify the declaration of consent to assessments, covenants, conditions, and restrictions for the Adelaide subdivision, as discussed.

C. Street Lighting Agreement with FPL for Strom Park Phase 6

Mr. Moyer stated this is a standard form street lighting agreement for Strom Park phase 6. It is basically an agreement that we will pay the electric bill. I did not see anything related to capital expenses. In fact, capital is specifically indicated as zero.

On MOTION by Mr. Pokrywa, seconded by Mr. Leffler, with all in favor, unanimous approval was given to ratify the street lighting agreement with FPL for Strom Park phase 6, as discussed.

D. Conservation Easement with A. Duda & Sons in favor of the SJRWMD for Listed Species Mitigation in the Rural District

Mr. Moyer stated there are restricted uses and permitted uses. The permitted uses, for all practical purposes, deal with the agricultural activities that are taking place on the property currently.

Mr. Decator stated this area is within the Viera Wilderness Park Stage 1 in the rural district, where we will have active agriculture. It is approximately 158 acres.

Ms. Kilinski stated the Board approved an easement between A. Duda & Sons and the District in 2012. This is essentially subordinating the District's right to the St. Johns River Water Management District a portion of the easement the District currently holds through the consent and joinder.

<p>On MOTION by Mr. Pokrywa, seconded by Ms. Gainey, with all in favor, unanimous approval was given to ratify the conservation easement with A. Duda & Sons in favor of the SJRWMD for listed species mitigation in the rural district.</p>
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SEVENTH ORDER OF BUSINESS

Staff Reports

A. Manager

i. Financial Statements, September 2015 and January 2016

Mr. Moyer reviewed the financial statements, which are included in the agenda package and available in the District Office for public review during normal business hours.

Mr. Moyer stated as we discussed during the budget process, we are well under our operating budget on a pro rata basis through May 2016. The budget is at \$182,000, and we have spent \$49,000, in round numbers, leaving us \$134,000 under budget at this point in our fiscal year.

Mr. Decator stated in a home owner association context, it will establish reserves for replacement of capital items, such as drainage structures and roads. I noticed that we do not have any reserve accounts.

Mr. Moyer stated there are a couple ways to do that. You can establish reserves. What we have been doing is carrying this overage as fund balance, which is totally at the discretion of the Board how to use. If we establish reserves, they are also under the discretion of the Board. There are restricted fund balances as well as unrestricted fund balances. Restricted fund balances are things related to bonds. A debt service reserve account is a restricted fund. As far as operation and maintenance goes, we have just been carrying this as fund balance without identifying any future work program in the nature of reserves. We could do that, and it might be a good idea. Basically the business that we are in is the water management part and environmental. You could have reserves for pipe replacements, washouts, and things that you normally deal with as part of a water

management system. Those are pretty limited because you do not usually get a lot of those types of problems.

Mr. Decator stated if the District had any roads and we knew we were going to resurface them in 20 years, we could establish a reserve for that, and those funds would be available for the resurfacing.

Mr. Moyer stated that is correct.

ii. Check Register and Invoice Summary

Mr. Moyer reviewed the check register and invoice summary, which are included in the agenda package and available in the District Office for public review during normal business hours.

On MOTION by Mr. Pokrywa, seconded by Mr. Leffler, with all in favor, unanimous approval was given to the check register and invoice summary, as presented.

iii. Number of Registered Voters – 322

Mr. Moyer stated I need to enter into the public record that we have 322 registered voters within the District. That ties to the conversion process, but our legislation is pretty specific how that conversion takes place and at what timeframes that takes place.

iv. Announcement of General Election November 2016 and Candidate Qualification Information

Mr. Moyer stated as we discussed at our last meeting, two seats will be up for election by qualified electors in November 2016. Anyone who is interested in filling one of those two seats needs to go to the supervisor of elections office between noon on June 20 and noon on June 24 and file to run for one of those seats. The two seats that are expiring are seat 2 currently held by Ms. Tiffani Bissett and seat 4 currently held by Ms. Gainey.

Mr. Pokrywa asked have you contacted Ms. Bissett?

Mr. Moyer stated I believe Ms. Burgess has, and I will confirm that is the case. If not, I will talk with her and make sure she knows those dates.

Mr. Decator stated Ms. Bissett is married to an employee of A. Duda & Sons. I know that employees of The Viera Company sitting on the Board is a conflict, but it is essentially waived under law. What about someone running in the general election? Is there a conflict issue?

Mr. Moyer stated no, the only conflict would be the Sunshine Law. They just cannot talk about District business outside of a meeting. I am not aware of any prohibition that a husband and wife cannot run for an elected position.

Mr. Decator asked what if they are an employee of The Viera Company?

Mr. Moyer stated I do not think that is an issue, either.

Ms. Kilinski stated I agree. As long as they are qualified electors and are eligible to run, the biggest conflict is what Mr. Moyer described regarding the Sunshine Law. As a qualified elector, there are agenda items that may flow directly to pecuniary gain or interest, and we may ask them to declare that interest, which we have done in the past. It has to be a pretty closely tied conflict to rise to the conflict-of-interest Statute. We can address that on a case-by-case basis.

v. Approval of Agreement with Brevard Property Appraiser

Mr. Moyer stated the property appraiser serves as our agent pursuant to the provisions of Chapter 197, Florida Statutes. We will provide them with an assessment roll that they will then merge with the tax collector onto the real estate tax bills. The only thing different this year from last year is they are implementing a cost recovery based upon the prior year's activity. It is \$.50 per parcel, so in our case, they are going to bill us \$54 this year. We are in a position to pay that, but that is the only difference between this agreement and the previous agreements.

Mr. Martell stated I do not have any issues with the agreement. On the assessment roll, with Mr. Decator serving as Chairman and me serving as Treasurer, as soon as the draft of the assessment roll is available, I would like to review it. This says something about providing it to the District on or prior to June 1, and I doubt that has happened.

Mr. Moyer stated they are pretty close. They have been talking with Ms. Burgess about that. There was a bit of confusion in terms of Adelaide and whether or not we were going to put that on the roll or not. It is clear now, after reviewing the agreement, that we will not put that neighborhood on the roll. That will delay it about a week, but they were ready to send it out on June 1.

Mr. Martell stated effectively, what will be on the roll mostly likely will be just Strom Park. Everything else will be billed directly. The Viera Company owns property as well as builders.

Mr. Decator stated as of June 1, Seville was platted, as well as Reeling Park and others.

Mr. Martell stated we will review the draft assessment roll when it is ready.

On MOTION by Mr. Pokrywa, seconded by Mr. Leffler, with all in favor, unanimous approval was given to the agreement with the Brevard County property appraiser, as discussed.

vi. Approval of Conservation Easement by A. Duda & Sons in Favor of the District

Mr. Decator stated this is an easement that is a required conservation measure under an eagle disturbance permit issued in connection with development of other lands within the District. Essentially, it requires the establishment of a 330-foot buffer zone around a bald eagle nest that is currently located at the southerly boundary of the District. This conservation easement does require maintenance of the conservation area, which will consist of approximately 7.85 acres. That maintenance really has to do with thinning of invasives. We have that in the budget for the District to perform. This easement was drafted in accordance with bald eagle guidelines established by the U.S. Fish and Wildlife Service. One of those requirements is some sort of acknowledgement of funding responsibility. Language was proposed in this conservation easement, and Ms. Kilinski has suggested alternative language. Is that the only change that our legal counsel had?

Ms. Kilinski stated yes, that is really the only comment I had in my review of this easement. If you look at section 6, we are just acknowledging that there is a funding mechanism requirement to be put into the easement agreement. It was my view from the District's perspective that if we are funded by something other than assessments or if the District enters into a funding agreement with another entity, we would essentially be violating covenants of this conservation easement. The draft language that is proposed is slightly more flexible. It says that the grantor and the grantee acknowledge and agree that the funding may be through the imposition of special assessments, funding agreement, or other funding mechanism as authorized by law.

Mr. Decator stated another change will be in reference to a date in one of the whereas clauses; that date will be deleted because we have two permits, not one.

Mr. Martell stated we need to reconcile the address of the office of the manager in the first paragraph.

Mr. Decator stated yes.

Mr. Lites stated I have reviewed the conservation easement, and it looks good.

Mr. Decator stated an initial draft was sent out, and one of the comments that came back was that we need to track more closely with the requirements of the U.S. Fish and Wildlife Service permit and guidelines. We have done that, and it more or less checks all the boxes.

On MOTION by Mr. Pokrywa, seconded by Ms. Gainey, with all in favor, unanimous approval was given to the conservation easement by A. Duda & Sons in favor of the Viera Stewardship District, as discussed.
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vii. Approval of the Development Easements Agreement with WCI Communities, The Viera Company, and Central Viera Community Association

Mr. Decator stated this development easements agreement has to do with the development of the Bridgewater community, which is the newest community. It will be an age-restricted community located south of Strom Park. The purpose of this agreement is to establish a blanket easement in favor of the District for drainage purposes over all of phase 1 of Bridgewater. That blanket easement is temporary and will terminate as easements are platted and dedicated to the District. We are reviewing this agreement now, and we need to provide the proposed language to Ms. Kilinski as soon as a final version is received from the developer of Bridgewater. That is the only component that involves the District, which is a blanket easement that will transition once permanent, platted easements are done as development progresses. Ms. Kilinski had a comment that she communicated with me earlier.

Ms. Kilinski stated it provides that the property will be used for operation, maintenance, and repair of the stormwater facility. One question I had was about the rights of the District to review and approve the proposed plat before termination and extinguishment of the easement. There is pretty broad language about WCI covenanting and agreeing to design and construct phase 1 according to plans. As long as we have those plans and can review them, then I think we will accomplish my concerns on the document. How it is drafted now, I am comfortable recommending the Board approve it.

Mr. Decator stated the language that exists now says in section 2b that WCI covenants and agrees that the phase drainage system shall be designed and constructed in accordance with plans and specifications approved by The Viera Company and the Viera

Stewardship District in accordance with provisions of the contract, as well as all governmental authorities having jurisdiction thereof. Is that satisfactory?

Ms. Kilinski stated yes.

On MOTION by Mr. Pokrywa, seconded by Mr. Leffler, with all in favor, unanimous approval was given to the development easements agreement with WCI Communities, The Viera Company, and Central Viera Community Association, as discussed.

B. Attorney

There being nothing to report, the next item followed.

C. Engineer

There being nothing to report, the next item followed.

D. Environmental Professional

Mr. Lites stated we have been maintaining the preferred cover-type (PCT) canopies in the development areas. Last year, we received comments from the County about removing some trees that were struck by lightning or were impacted by the edge of development. They were a little concerned that we kept asking for dead tree removal permits and that the PCT permits were being compromised. I am going to work with Mary Ellen to come up with a solution in that area by planting some small trees. I will coordinate with her on that.

Mr. Decator asked what are we supposed to do with dead trees if we cannot remove them?

Mr. Lites stated I do not think they are saying we cannot remove them, but they are concerned that as we continue to remove trees, which are canopy, our PCT that is supposed to have 50% aerial coverage will no longer meet that threshold. I tried to convey to them that the PCT is a long-term idea. For the next 20 years, other trees will come up and replace those, and we will maintain that 50% canopy. If we even put in some small trees to replace them, that will help keep the canopy coverage of 50% from being eroded in the future.

Mr. Decator stated keep in mind that we have a budget for PCT maintenance. As I pointed out earlier, we are well under budget. If we need to do something from an environmental perspective, we want to be doing it. You can still have those discussions with The Viera Company. Keep in mind that it is fine to coordinate with The Viera Company, but the PCT is under the jurisdiction of the District, and we have a budget for

that activity. For whatever we need to be doing, let us discuss it at the staff level, make a recommendation to the Board, and we will try to get things accomplished.

Mr. Lites stated yes, thank you.

Mr. Leffler stated I noticed that we paid Tropic-Care \$4,200 to assist with the PCT. Can you describe the work they did?

Mr. Lites stated I did not even know it was a line item and that maintenance should be occurring until I got emails from the County and saw some correspondence from Mary Ellen. I am going to reach out to The Viera Company to find out what is happening. I think they were trimming.

Mr. Decator stated that PCT area was within Strom Park and was located in very close proximity to occupied homes. They had complaints about outside the canopy area. Keep in mind the PCT area does not exactly conform to the canopy drip line of the trees within that area. The PCT area has open areas, especially around people's homes, that had become overgrown with weeds, vines, and other vegetation and invasives. That money was used to clear, through selective cutting and thinning, areas that were close to people's homes but not under the tree canopy. If they were under a tree canopy, it was only invasives that were removed or selective thinning done.

Ms. Rey stated we are replacing the contractor, and they will no longer be taking care of Strom Park as of July 1, 2016. We have already walked all the trail areas and PCT areas, looking at the boundaries to make sure that the new contractor understands what can be touched and what cannot be touched. Coordinate with me, especially for areas that are adjacent to people's homes. We receive a lot of complaints and comments regarding those PCT areas. Almost every meeting has discussion about the trees and what can and is being done in those areas. Keep me in the loop when work is happening. I walked the area with Mr. Decator after they did the clearing because we received several comments about the clearing.

Mr. Decator stated hopefully they were positive comments because I thought they did a good job. I will clarify one thing. Tropic-Care was the District's contractor. The District has maintenance responsibility in the PCT area, so Strom Park's contractors have no business being in the PCT area unless it is with the consent of the District.

Ms. Rey stated it is the adjacent trail area that the neighborhood association is responsible to maintain.

Mr. Decator stated yes, but they should not be getting into the canopy area.

Ms. Rey stated we made very sure of the boundaries and that they understood.

Mr. Lites stated I think I can help bridge the gap between maintenance for the PCT and the trail with Tropic-Care and the other contractors on behalf of the District. I would like to coordinate with The Viera Company and Ms. Rey.

Mr. Decator stated Ms. Rey is the director of community management for The Viera Company. She is also with the community association and is president of the Strom Park Neighborhood Association. Her office is at The Viera Company.

Mr. Leffler stated I would prefer to be in the loop, also, about contractors in the PCT area as it pertains to the District. I think it is worthwhile to pursue other options if they are available.

Mr. Decator stated we are always mindful of the ranch operations, but we do not have PCT areas within the Viera Wilderness Park.

Mr. Lites stated we have some things that are equivalent to the PCT, but PCT is specifically in development areas. We do have canopy preservation in the Viera Wilderness Park Stage 1, and we have been working with A. Duda & Sons to enhance that and make sure that we continue to have our canopy. I have been working with Mr. Coultas, but if Mr. Leffler would like to be in the loop, I will also include him.

Mr. Leffler stated if we are going to contract with someone, I think it is worthwhile to look at options.

EIGHTH ORDER OF BUSINESS

Other Business

There being none, the next order of business followed.

NINTH ORDER OF BUSINESS

Supervisor Requests and Comments

Mr. Pokrywa asked is there anything the Board needs to be made aware of as it relates to legislation that passed during this last legislative session that pertains to districts?

Mr. Moyer stated generally, nothing bad passed, and some proposed legislation would have required us to update our website and make it interactive. That was so over the top and expensive, and it did not pass. There was a bill for CDDs established pursuant to Chapter 190, Florida Statutes, that did pass that dealt with mergers of similar districts and the right of a district to enforce parking restrictions and tow cars that are inappropriately parked. Those are the general areas that affected Chapter 190-established CDDs.

Ms. Kilinski stated nothing major changed. The four or five things that changed were all minor. There were website updates that require a little more information on our website than before, but the interactive website requirements went away. They did make mergers and boundary amendments easier since the thresholds are lower.

Mr. Martell stated Mr. Pokrywa had a recommendation to possibly engage BSE to update the number of units and acres for the fiscal year 2017 budget. I presume the District will fund that work effort.

Mr. Moyer stated yes, we have a budget for engineering services.

Mr. Martell asked who will engage him?

Mr. Decator stated we would bring it current in-house, and then we will turn it over to the District.

Mr. Martell asked would it be the District's engineer to work with them on that?

Mr. Decator stated I do not see that as being something that requires an engineer at this point, but I may be wrong.

Mr. Moyer stated the Board can delegate that decision to the Chairman. To the degree he needs to engage BSE, we have monies budgeted for that purpose.

Mr. Decator stated I will work with Mr. Martell to have this information done by a certain day. Going forward, we can keep it caught up using The Viera Company resources. I think it would be something that is very easy to do. I may be wrong about that. If I am, then we can engage BSE. They are so overloaded right now, and we are under a tight window. It should not be a significant amount of work either way.

Mr. Pokrywa stated I agree that we should delegate the authority to the Chairman. If we need to engage BSE, the Chairman can do so.

Mr. Moyer stated hearing no objection from any Board members, we will proceed in that manner.

Mr. Decator stated I will meet with Mr. Martell and see what needs to be done. We will determine how to get it done in a timely fashion. When do you need this updated information for the public hearing?

Mr. Moyer stated the agenda packages go out about a week in advance of the meeting, so I would need that by the third week in July.

Mr. Decator stated we will target July 15.

Mr. Leffler stated at Mr. Pokrywa's first meeting here, he requested some economic data of some sort.

Mr. Pokrywa stated it was the status of the bond market.

Mr. Leffler asked is that something that we want to pursue?

Mr. Pokrywa stated we subsequently had a presentation before the Board, and I do not recall who was present at that meeting.

Mr. Moyer stated the good news is that bond rates have not drastically changed since the time of that presentation.

TENTH ORDER OF BUSINESS

Adjournment

On MOTION by Mr. Leffler, seconded by Mr. Pokrywa, with all in favor, the meeting was adjourned at 10:10 a.m.

Ann M. Gainey, Secretary

Jay A. Decator, III, Chairman