

MINUTES OF CONTINUED MEETING VIERA STEWARDSHIP DISTRICT

The regular meeting of the Board of Supervisors of the Viera Stewardship District held Friday, August 5, 2016, was continued to Friday, August 12, 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 (<i>by phone</i>)	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
Brenda Burgess (<i>by phone</i>)	Staff: Moyer Management Group
Bill Lites (<i>by phone</i>)	Environmental Professional
Paul Martell	Treasurer
Residents and members of the public	

FIRST ORDER OF BUSINESS

Call to Order

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

SECOND ORDER OF BUSINESS

Roll Call

Mr. Moyer 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 June 3, 2016, Regular Meeting

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

Mr. Decator stated on page 4, a statement attributed to me should read, "Someone needs to keep up with it because The Viera Company is ~~not~~ doing much platting." We have been doing a lot of platting, and it has been difficult to keep up with.

On MOTION by Mr. Pokrywa, seconded by Mr. Leffler, with all in favor, unanimous approval was given to the minutes of the June 3, 2016, regular meeting, as amended.

FIFTH ORDER OF BUSINESS

**Public Hearing for Adoption of the Budget for
Fiscal Year 2017**

A. Fiscal Year 2017 Proposed Budget

Mr. Moyer stated we continued the meeting scheduled for August 5, 2016, to give us time to work with the property appraiser on updating the non-ad valorem assessment roll as part of our budget process. The budget has been prepared in a similar fashion to what we have been operating under in fiscal year 2016. One of the things that we are required to do as part of this process is to ask our engineer to review the budget and make a determination on whether or not there are sufficient funds to implement the work program that we are required to do as part of our permitting and development of regional impact entitlements. We received that report from BSE, and we will enter that into the record. Mr. Hassan Kamal has stated that based upon his review, there are sufficient funds available within the budget to accomplish the work program. Since we had previously opened the public hearing, and this is a continuation of that public hearing, I will ask for any public comments on the budget. Hearing none, I will ask the Board for discussion and comments. As part of this process, there is an assessment roll and a couple resolutions that Ms. Kilinski has provided. The information is fairly current, in that, the property appraiser has been working with Ms. Burgess to update the assessment roll to reflect the platted lots. We now think that what they have provided does, in fact, do that. I understand that one section may be platted but is going to be collected by the District through direct bill, which is Adelaide.

Mr. Decator stated a portion of Adelaide, which is the portion that is outside the District's geographic boundaries.

B. Resolution 2016-03 Adopting the Budget for Fiscal Year 2017

Mr. Moyer read Resolution 2016-03 into the record by title.

Mr. Moyer stated this is the appropriations Resolution that adopts the budget for fiscal year 2017.

<p>Mr. Leffler made a MOTION to approve Resolution 2016-03 adopting the budget for fiscal year 2017. Mr. Pokrywa seconded the motion.</p>

Mr. Decator stated there is a blank in this Resolution.

Ms. Burgess stated because we have been changing the budget, I anticipated that the revenue number might change. In this Resolution, I wanted to leave that blank just in case the Board makes any further changes after today's hearing.

Mr. Moyer stated the general fund amount is \$272,234, and total funds is the same number.

Ms. Burgess stated I believe the latest version of the budget is \$273,360.97. The previous number is before we had more platted lots on the roll. That was the dollar amount in version 3. What should be in the agenda package should be version 4 with the corrected spreadsheet.

Upon VOICE VOTE, with all in favor, unanimous approval was given to Resolution 2016-03 adopting the budget for fiscal year 2017.

C. Resolution 2016-04 Levying the Assessments for Fiscal Year 2017

Mr. Moyer read Resolution 2016-04 into the record by title.

Mr. Moyer stated this is the Resolution that levies the assessments for fiscal year 2017. Attached to this Resolution will be the roll, that was included in your agenda package. It includes platted lots and what is assessed against those lots, as well as the remaining property within the District, and that portion of Adelaide that is outside the District's boundaries.

Mr. Pokrywa made a MOTION to approve Resolution 2016-04 levying the assessments for fiscal year 2017.
Mr. Leffler seconded the motion.

Mr. Decator stated in section 3, it provides for the uniform method of collection on the platted lots. Do we need to make an exception for those Adelaide lots in this Resolution?

Mr. Moyer stated where it says platted lots, we should insert "on properties located within the District."

Mr. Decator stated I agree.

Mr. Moyer stated that will clarify that the remainder of Adelaide is going to be direct collected by the District.

Upon VOICE VOTE, with all in favor, unanimous approval was given to Resolution 2016-05 levying the assessments for fiscal year 2017.

On MOTION by Mr. Pokrywa, seconded by Mr. Leffler, with all in favor, the public hearing was closed.

SIXTH ORDER OF BUSINESS

Ratification of Street Light Agreements

- A. Trasona Phase 1**
- B. Trasona Phase 2**
- C. Trasona Phase 3**
- D. Reeling Park/Seville Phase 1B**

Mr. Moyer stated these agreements were executed between meetings, as listed on the agenda. Copies of the agreements with Florida Power & Light were included in the agenda package.

On MOTION by Mr. Pokrywa, seconded by Mr. Leffler, with all in favor, unanimous approval was given to ratify the Chairman's actions to approve and execute the street light agreements with Florida Power & Light for Trasona Phases 1, 2, and 3, and for Reeling Park/Seville Phase 1B.

SEVENTH ORDER OF BUSINESS

Staff Reports

- A. Manager**
 - i. Financial Statements, July 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 we continue to operate the District well within our budget, so there is nothing to highlight in that regard.

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

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 – Ratification of Work Authorization #4

Mr. Moyer stated this work authorization is for work that our environmental consultant has done to use herbicides to control some of the exotics that we are required to monitor and control.

Mr. Decator stated I will ask Mr. Lites to give us a report on the status of that work.

Mr. Lites stated work authorization #4 is part of the District-wide maintenance for the Viera Wilderness Park for exotic species control. We have been working with A. Duda & Sons to conduct the targeted spraying while they continue to do tractor spraying on some of the worst exotic species, such as cogongrass. We are also doing targeted spraying on Brazilian pepper that has come back since they mechanically removed it about four years ago. In addition, A. Duda & Sons is about to install the fencing, which will be done next week. For the preferred cover-type tree areas in the development, I have been coordinating with the County natural resources management office to help them understand the history. We continue to make progress trying to work out maintenance in those areas so they do not have a problem when we need to remove a dead tree. On a separate note, we are working with The Viera Company to revise the PUD alternative landscape standards to include cabbage palms in the preferred cover-type coverage, which will allow there to be more preserved canopy in the Viera Wilderness Park in the future.

Mr. Decator stated Mr. Lites worked closely with A. Duda & Sons to prepare his input for the budget. The vehicle for that is the annual utilization plan (AUP). We will soon be entering into a new fiscal year. I do not think I have seen a draft AUP for next fiscal year, unless I missed it.

Mr. Lites stated you have not missed it. We met and reviewed it. I will provide it to you soon, possibly next week.

Mr. Decator stated as long as we have adopted it by the end of the fiscal year. I am glad to hear you are working on it with A. Duda & Sons.

On MOTION by Mr. Pokrywa, seconded by Mr. Leffler, with all in favor, unanimous approval was given to ratify the Chairman's actions to approve and execute work authorization #4 with Zev Cohen & Associates for exotic species control, as discussed.

EIGHTH ORDER OF BUSINESS

Other Business

A. Audited Financial Statements for Fiscal Year 2015

Mr. Moyer stated I distributed the audit to the Board which was prepared by Carr, Riggs & Ingram. It is a clean audit. I need to point out a concern that they addressed regarding internal controls and certain requirements of generally accepted accounting practices. That deals with our ability to value dedicated property. They point out that we need to do that, so that it can be placed on our balance sheet as an asset. We have been struggling with how to do that. Management's response to that concern was that we will continue to work with the developer and other professionals familiar with similar projects to estimate the value of said asset. Sometime before the end of this fiscal year, we probably need to address that in some fashion so that we can book the lands that have been dedicated at no cost to the District, to assign a value to that as an asset. That is the only highlight that needs to be pointed out to the Board. We are not in a state of financial emergency or anything close to that. This was just a concern the auditors had.

Mr. Decator stated to address that, I think the problem we are having is trying to determine a fair market value for those lands. There are not many. Given the conservation function of the District, they are all conservation lands. They have no development entitlement. They are not improved, for example, as a preferred cover-type area. The value would be nominal.

Mr. Moyer stated I agree with you. One of the things we do not want is to have a material misstatement of what an asset is. I think what you are saying is right. On the other hand, if you went out and had to buy this type of property in a mitigation bank, that kind of property goes for \$185,000 per acre. You might say that is ridiculous, but that is a true statement.

Mr. Decator stated that is a good point.

Mr. Moyer stated it is either *de minimis* or it is outrageously high. If I were arguing with the auditors, which I will probably be doing shortly, I would argue that it is a material misstatement or overvaluation of what otherwise is land that is so restricted that it cannot be used for development purposes. We will continue this discussion, but at some point, we need to come up with a value.

Mr. Decator stated all the land holdings are either conservation lands or they are easement rights for drainage facilities. We also have a canal tract with a canal on it. I was

working on this with the engineer, and that is why we are having trouble trying to allocate a market value.

Mr. Moyer stated the more conservative approach would be for us to determine what the value of the land was as part of what the developer carried it on the books. Since you acquired that land years ago, it is not going to be significant.

Mr. Martell stated I seem to recall it was about \$10 per acre. Is it something where we can have someone give an appraisal value?

Mr. Moyer stated yes. That would be one way to do it.

Mr. Decator stated the problem is, he will probably come back with a nominal value.

Mr. Martell stated then the issue goes away.

Mr. Moyer stated then you would have a basis for valuing the land. But I hate to spend \$1,000 to do that.

Mr. Martell stated Mr. Decator has probably spent that much in his time on this issue.

Mr. Leffler asked is there existing terminology to categorize this kind of land?

Mr. Decator stated this issue must come up a lot for Districts.

Mr. Moyer stated we usually show it at the book value, what the developer carried on his balance sheet. We will keep working on this. I will ask the Board to authorize me to work on that with Mr. Martell. If we conclude that we need to hire an appraiser to value the land, I will ask for authorization to do that.

<p>On MOTION by Mr. Pokrywa, seconded by Mr. Leffler, with all in favor, unanimous approval was given to authorize Mr. Martell and Mr. Moyer to work on the issue of valuing the lands donated to the District and if necessary to hire an appraiser to provide a value for said lands.</p>

B. Officer Designation

Mr. Moyer stated this is a matter of convenience. I will ask that the Board appoint me as Assistant Secretary. Since Ms. Ann Gainey is not with us to physically sign these resolutions, I need to get these signed and provided to the property appraiser. In her absence as Secretary, if you appoint me as Assistant Secretary, I can take care of that.

Mr. Pokrywa stated I believe that I am also an Assistant Secretary.

Mr. Moyer stated I do not have the list, but you may well be.

Ms. Burgess stated Ms. Tiffani Bissett, Mr. Pokrywa, and Mr. Leffler are all Assistant Secretaries.

Mr. Moyer stated then I withdraw my request.

NINTH ORDER OF BUSINESS

Supervisor Requests and Comments

There being none, the next order of business followed.

TENTH ORDER OF BUSINESS

Adjournment

On MOTION by Mr. Decator, seconded by Mr. Pokrywa,
with all in favor, the meeting was adjourned at 9:25 a.m.

Ann M. Gainey, Secretary

Jay A. Decator, III, Chairman