

**MINUTES OF MEETING
STEVENS PLANTATION
COMMUNITY DEVELOPMENT DISTRICT**

The regular meeting of the Board of Supervisors of the Stevens Plantation Community Development District was held on Thursday, March 5, 2009 at 6:00 p.m. at City Hall, 1300 Ninth Street, St. Cloud, Florida.

Present and constituting a quorum were:

Donna Hart	Chairperson
Margaret Hopper	Vice Chairman
Jay Polachek	Assistant Secretary
Tom Griffin	Assistant Secretary
Jarom Fertic	Assistant Secretary

Also present were:

Gary L. Moyer	Moyer Management Group, Inc.
Daniel Mantzaris	De Beaubien, Knight, Simmons Mantzaris
Kevin Rainey	Stantec Engineering
Derek Buchler	Scrvello & Sons
Tom Hurt	City Manager
Jay Kuiper	Resident Owners Association
Brian Smith	Field Manager
Several Residents	

FIRST ORDER OF BUSINESS

Call to Order

Ms. Hart called the meeting to order at 6:00 p.m.

SECOND ORDER OF BUSINESS

Roll Call

Mr. Moyer called the roll and stated all Supervisors were present.

THIRD ORDER OF BUSINESS

Approval of the Minutes of the February 5, 2009 Meeting

Ms. Hart stated each Board member received a copy of the minutes of the February 5, 2009 meeting and requested any additions, corrections or deletions.

Mr. Moyer stated I noticed under the list of people present, we did not include Mr. Jay Kuiper from the Resident Owners Association.

On MOTION by Mr. Griffin seconded by Ms. Hopper with all in favor the minutes of the February 5, 2009 meeting were approved as amended.

FOURTH ORDER OF BUSINESS

Additions, Deletions and Approval of Agenda Items

Mr. Moyer stated this is a new item that I placed on the agenda because I did not know whether or not this Board wanted to further discuss the Delta report. If you did, this would be a good opportunity to amend the agenda to add this item. I do not have any further report.

Ms. Hart stated we can proceed to the next item.

FIFTH ORDER OF BUSINESS

Resident Owner Association Report

This item was tabled until later in the meeting.

SIXTH ORDER OF BUSINESS

District Manager's Report

A. Approval of January 31, 2009 Financials

Mr. Moyer stated in your agenda package are the financials through January 31, 2009. On the revenue side, we collected 73 percent of our non ad-valorem assessments through January 31, 2009, which is in line with other CDDs in Osceola County, which are collecting between 60 and 80 percent of their assessments. We are right where we need to be. On the expenditure side, we are under budget for both the administrative and field services as well as the ROA expenses. There is not much to highlight for you. You were provided the written details as part of your financial statements. If you have any questions, I would be happy to answer them.

Ms. Hart stated it says "HOA to reimburse the CDD for Sprint bills". Is this working out?

Mr. Moyer responded yes. The Board decided to give them as much flexibility as possible on the repayment.

Ms. Hart asked is it starting to be repaid down because of the change in the amount?

Mr. Moyer responded yes. We will true all of this up as we get closer to the end of our fiscal year.

On MOTION by Ms. Hopper seconded by Mr. Griffin with all in favor the January 31, 2009 financials were approved.

B. Check Register and Invoices

Mr. Moyer stated in your agenda package are the invoices for the period January 1, 2009 to January 31, 2009 in the amount of \$48,021.79.

Mr. Fertic asked what is a Dogipot Pet Station as shown on the invoice from Furniture Leisure?

Mr. Griffin responded these are the poles with the bags.

Ms. Hart asked do they have drinking dishes attached to them?

Mr. Smith responded no, just the bags and a trash bin.

Ms. Hart asked are they helping?

Mr. Smith responded they are half full, so they are being used. There is still waste in the grass, but it is better than it was.

Ms. Hart stated from time to time, dogs get out by themselves.

On MOTION by Ms. Hopper seconded by Mr. Griffin with all in favor the invoices for the period January 1, 2009 to January 31, 2009 in the amount of \$48,021.79 were approved.

C. Acceptance of Audit for Fiscal Year 2008

Mr. Moyer stated the Board received a copy of the audit for fiscal year ending September 30, 2008. I would like to read into the record some of the Auditors findings. On Page 1 under the Independent Auditor's Report, the Auditor stated "*In our opinion, the basic financial statements referred to above present fairly, in all material respects, the financial position of the governmental activities and major funds of the Stevens Plantation Community Development District as of September 30, 2008 and the changes in its financial position and budgetary comparison for the General Fund for the year then ended in conformity with accounting principles generally accepted in the United States*". This is traditionally referred to as a clean audit opinion letter, meaning the financial statements we turned over to the Auditor as of September 30, 2008, fairly represented our financial position.

If you have any questions, I would be happy to answer them. According to page 13, under revenues, we budgeted to collect \$467,000 in assessments and actually collected \$483,000. This means we have revenues of \$16,533 in excess of what we budgeted. Part of this comes about because of the way we budget, assuming everyone will take the full maximum discount of

four percent and pay in December. We know this does not happen, but we have to budget this way. Under the expenditures, I am pleased to report that we were under budget by \$27,839. Our *Operating Fund Balance* increased by \$44,000 and as of September 30, 2008, we had \$192,320 of surplus funds. On page 23, pursuant to the rules of the Auditor General, the Auditor is required to look at the internal controls and compliance with laws, rules and contracts. On page 24, the Auditor stated "*The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under Government Auditing Standards*". They also stated there were no material weaknesses under the internal controls of the District. Finally, on page 24 the Auditor stated, "*We did not identify any deficiencies in internal control over financial reporting that we consider to be material weaknesses*".

The last report is the *Independent Auditors Report to District Management* on page 25, where the Auditor lists findings required by the Auditor General. There were no management recommendations or comments by the Auditor nor did they find that we had triggered anything that would place us in a situation of a financial emergency. If they did, it would have to be reported to the Governor as there are systems and processes in place when you are in a state of a financial emergency.

Mr. Griffin asked on page 21, the annual debt service is fairly consistent until 2013 when it increases substantially. This large payment struck me as odd.

Mr. Moyer stated keep in mind, you have the 2003 A bonds, which are good for 30 years until all of the houses are sold and purchasers take on that obligation. The B bonds mature in 2013, which are paid down as money comes in.

Ms. Hart stated it was expected that the market would be hot at that point in time, but they are not yet sold.

On MOTION by Mr. Polachek seconded by Mr. Fertic with all in favor the Fiscal Year 2008 Audit prepared by Keefe, McCullough & Co., LLP was accepted.
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D. Consideration of Engagement Letter with Keefe, McCullough & Co. to Perform the Audit for the District for Fiscal Year Ended September 30, 2009

Mr. Moyer stated you have in your agenda package the engagement letter for the Auditor, Keefe, McCullough & Co. to perform the 2009 audit on our behalf. The one recommendation I have for you is under the fee section of their letter, it says their engagement will not exceed

\$8,000. We budgeted \$7,750. I do not think this will be an issue, but I would like the Board to authorize me to change the contract amount in an amount not to exceed \$7,750.

Mr. Griffin asked what was the fee for this year's audit?

Mr. Moyer responded we were only billed \$3,875, which is half of the \$7,750.

On MOTION by Ms. Hopper seconded by Mr. Polachek with all in favor the Engagement Letter with Keefe, McCullough & Co. to Perform the Audit for the District for Fiscal Year Ended September 30, 2009 in an amount not to exceed \$7,750 was approved.

E. Consideration of Resolution 2009-02 Designating Robert Koncar as Treasurer and Stephen Bloom as Assistant Treasurer

Mr. Moyer stated these are the individuals in charge of the Accounting Department at Severn Trent and since they are issuing checks on the District's behalf under Chapter 190 and the only ones who can sign checks are the Treasurer and Assistant Treasurer, to keep the flow of having our bills paid on time, I request you adopt this resolution.

On MOTION by Mr. Polachek seconded by Mr. Griffin with all in favor Resolution 2009-02 Designating Robert Koncar as Treasurer and Stephen Bloom as Assistant Treasurer was adopted.

SEVENTH ORDER OF BUSINESS

Staff Reports

A. Attorney

There not being any, the next item followed.

B. Engineer

There not being any, the next item followed.

C. Field Manager

i. Monthly Highlight Report

Mr. Smith stated I provided my report to the Board. If you have any questions regarding Servello & Son and Applied Aquatic I would be happy to answer them. According to the report from Servello & Son, the Oak Tree in front of the west fountain was removed. What they left looks nice.

Mr. Polachek asked what is going on with the grass? Are there cinch bugs?

Mr. Buehler responded no. The grass is suffering from the lack of water and the hard freeze we had two Saturday's ago.

Mr. Smith stated we are not losing turf because of the irrigation. It looks bad because of the freezes.

Mr. Polachek stated I do not want to get into the position we were in last year.

Mr. Buehler stated there is nothing protecting the grass.

Mr. Polachek stated I understand. When I drove through several times it looked like there were some areas of cinch bugs.

Mr. Buchler stated they were out there and they treated all of the shrubs and trees.

Mr. Polachek stated I just do not want to be replacing shrubs and trees again.

Mr. Smith stated Servello & Son has been told if we have irrigation problems, they can get water trucks out there. We will pay for the water trucks because I do not want to allow the turf die. We talked fairly regularly about the condition of the irrigation.

In three locations, we have had irrigation main breaks. They are all glue joint rather than mechanical joint. Two four-inch mains have come apart underneath the road and in order to make the repairs where the sleeves came out, we have to remove the brick pavers. The brick pavers are made up of sand and concrete. To do this type of work, you are talking about a lot of money. I need to do two directional drills at \$17 per foot at a total of 205 feet for a total of \$3,400.

Ms. Hart stated it has to be done.

Mr. Smith stated we are going to abandon what is under the road and move it. I am not going to bill for labor because one of my guys will work on it.

Mr. Polachek asked which company?

Mr. Smith responded Trenches Technologies. They are charging \$17 per foot. Mr. Buehler said he had a 3 inch directional drill done at \$15 per foot a year ago. They guy who works for me does a lot of this work for me. He called around and obtained prices and the best price he could get was \$17 per foot. Once we get the parts and the pieces, we are talking about this work costing \$4,500.

Mr. Polachek asked do we have to do four directional drills?

Mr. Smith responded no. We have to do two. The other two are minor repairs.

Mr. Buehler stated one was in The Estates and the other one was in Magnolia.

Mr. Smith stated you can see where they cut it. These just pop apart. If you have a 4 inch, they do the same thing.

Mr. Polachek asked who installed the original irrigation?

Mr. Smith responded Waterworks.

Mr. Buehler stated the sleeve by The Estates is eight and a half foot deep. I believe a lot of those berms were afterthoughts due to how the area was mounded up.

Ms. Hart stated they were supposed to be berms.

Mr. Rainey stated those irrigation sleeves were put in prior to the berms being there.

Mr. Buehler stated the berms raise it even more.

Mr. Rainey stated correct.

Mr. Polachek asked how many more mains do you have running in the road?

Mr. Smith responded we may see this problem continue because the City is turning on and off the water. I am going to get with them to see if we can slow down the valve exercise. They are turning off entire sections. It is hard to get them to do it slower so we can fill our mains slower. This would take a lot of work on their part with glue joint on four inch throughout the entire project. Generally on four inch mains you use mechanical joints and trust blocks anytime you have an elbow. We would like to get this work done sooner rather than later. We are doing locates starting tomorrow and hopefully we can get the work done by the end of next week and have everything up and running.

Mr. Fertic asked what has been done to the road?

Mr. Smith responded this does not seem to affect the base. Obviously if we left it alone, it would have been bad, because it would have undermined the base. I am asking for authorization to repair the irrigation.

Mr. Polachek asked is this boring company local?

Mr. Smith responded yes. We used them before and Servello & Son used them before. I believe they are out of Orlando.

Mr. Polachek stated I know we have two boring companies here in Osceola County. Did we check with them?

Mr. Smith responded I had Mr. Russ Simmons check with them. I count on him because he is my Irrigation Manager.

Mr. Polachek stated I understand that, but we have a bi-local policy coming up for approval with Osceola County.

Mr. Smith stated if I can get it under \$17 a foot, I will use anyone that is reputable.

Mr. Polachek stated I would rather use a local company.

Mr. Smith stated I will contact boring companies in Osceola County to see if they will do it for less. I want to make sure they are a good company and I get good work out of them.

Mr. Polachek stated I will speak to our Purchasing Department and let you know.

On MOTION by Mr. Griffin seconded by Mr. Polachek with all in favor Mr. Smith was authorized to contact local companies in Osceola County to repair the irrigation mains.

Mr. Smith stated we have soap in the fountain again. I was just out there. We tried to turn the fountain back on but it soaped up again. I would like to spend some money installing low voltage lighting because they are only lit from the inside and people can sneak up to them. At some point, I want to install some dummy cameras and signs saying the fountains are being monitored. That might deter some of the vandalism.

Mr. Polachek stated three weeks ago someone painted maroon paint on the fountain.

Ms. Hopper asked did we talk about cameras at one time?

Mr. Griffin responded yes.

Mr. Smith stated I can install a couple on light poles and put the signs and lights around them. I think it would help deter people. I also want to look into getting a drip system to keep the suds down.

Mr. Rainey stated we can add a de-foamer.

Mr. Smith stated we can have a slow drip system to keep the water saturated.

Ms. Hopper asked did it affect the filter?

Mr. Smith responded we have to look at whether it affected the filter. I do not think it did.

Ms. Hart stated we need motion lights that turn on when someone gets close.

Ms. Hopper stated we need to do something because it is getting costly to remedy the vandalism.

Mr. Smith stated I think the lights can be installed for \$300 for each fountain and the dummy cameras can be installed for a couple of hundred dollars a piece.

Ms. Hart asked are there any subdivisions along the road that are County owned subdivisions? We could build a fountain for them.

Mr. Polachek stated Camelot used to have a fountain.

Mr. Smith stated we have a fountain in one CDD called Xentury City before Gaylord Palms. There is soap in that fountain almost every week.

Mr. Polachek stated it is going to be an ongoing battle no matter what you put there.

Mr. Smith stated I would like to get authorization to spend an amount not to exceed \$1,000 to add some deterrents.

Mr. Polachek stated it does not hurt to get some quotes.

Ms. Hopper stated I would like to get some quotes to install a camera. I do not know who would monitor it.

Mr. Smith stated it gets to be expensive. You can purchase a commercial system at Sam's Club for \$1,400. I can have my Electrician install it, but you have to put the computer close by and you have to get a stainless steel box. We could install it in the vault where we have the pumps, but then you have to deal with the chlorine and there would be too much moisture. You need to have your DVR right at the cameras.

Ms. Hart stated we have a webcam that people can click on at our website.

Mr. Smith stated you can do all of that.

Mr. Griffin stated I had a company come to my office a few weeks ago to install a system at one of our facilities, which we can monitor from anywhere. I can sit at home and watch the system.

Mr. Smith stated we can do that. All we need is a phone line.

Mr. Griffin stated you can install these cameras and someone in your office can monitor them. There does not need to be a screen at the site.

Mr. Smith stated but you need to have the DVR at the site because they are hard wired to the camera. You are not going to have a phone wire that goes to the camera and back to the computer. We can get a phone line to that DVR and a computer and monitor it from our office, but it gets expensive.

Ms. Hopper asked how much money have we already spent every time this happened?

Mr. Smith responded I do not think you spent any money. We just have to turn off the fountain and pressure wash it.

Ms. Hopper stated we have been told we had to replace filters because of this. It seems like it is costing us a great deal of money.

Mr. Smith stated I do not think it has been affecting our filters. I send a guy out who has a pressure washer on his vehicle to pressure wash the fountain, let it sit and then turn it back on. We can get a de-foamer or other type of chemical. It does not cost us a lot of money, but it is more annoying than anything else.

Mr. Polachek stated a few months ago we had to replace filters. They were expensive.

Mr. Moyer stated if I recall correctly, the filters had not been replaced in years.

Mr. Smith stated I think they just needed to be replaced. I do not know if it was from the suds. What is my direction?

Ms. Hopper responded put out the sign.

Mr. Smith stated I would like to install the lights. They look nicer and would be a deterrent.

Mr. Polachek asked how are you going to tell who is doing the vandalism?

Mr. Smith responded you would have to add the cameras.

Mr. Polachek stated we would have to spend a lot of money to get cameras showing the detail.

Mr. Smith stated that is why I am recommending dummy cameras. If you put two cameras up and people see them, they think they are being videotaped. That is the cheaper way to go.

Mr. Jay Kuiper, a representative of the Resident Owners Association stated I deal with vandalism at work and our Attorneys told us not to put up dummy cameras because if something else happens and someone sees the City of St. Cloud has installed cameras, they can request the recording of the tape. If you put a dummy camera there, that is one thing, but if you install a sign saying you are being videotaped, that is opening the door. I see validity in having the high intensity motion lights as I do not know if the low voltage lights are going to do anything. If you install lights that are not on all the time, but motion activated, that might accomplish more.

Mr. Polachek stated we do not need them going on and off when cars go by there.

Mr. Kuiper stated you can put them low near the ground and adjust the field or put the motion sensor right at the fountain and wire it back to the lights.

Mr. Fertic asked what about turning them off?

Mr. Smith responded I can get the area bright with low voltage. I use low voltage a lot.

Mr. Polachek stated it is a good idea to turn them off from 10 p.m. until 6 a.m.

Mr. Kuiper stated it is controlled.

Mr. Smith stated they are going to dump the soap in there at night and then when you turn them on at 6 a.m., you are still going to have this problem.

Mr. Moyer asked can you put them on a timer?

Mr. Smith responded yes. I would like to try all of these things.

Mr. Kuiper stated we are paying for it and we said with all the vandalism last year, we would spend the money.

Ms. Hart stated I am good with whatever you recommend.

Mr. Polachek stated I would like to see the prices.

Ms. Hart asked can you provide us with some prices for the next meeting?

Mr. Smith responded yes.

FIFTH ORDER OF BUSINESS

Resident Owner Association Report

Ms. Hart stated Mr. Jay Kuiper, a representative of the Resident Owners Association has a report to present.

Mr. Jay Kuiper stated it looks like the bush hog people came through and uncovered the small pond between The Estates and Magnolia Green. Has that pond been treated aquatically?

Mr. Smith responded yes.

Mr. Kuiper stated some people thought it had a bad smell the other day.

Mr. Smith stated it is going to have an odor because of the type of soils underneath. It is basically a drainage ditch.

Mr. Kuiper stated with the lack of rain, it is getting low and somewhat ripe. Did we contact Mercedes Homes to request an actual light for their sign?

Mr. Mantzaris responded we have not contacted them.

Mr. Kuiper stated we cannot see the sign at night. Mercedes Homes is probably going to have to contact someone here about the meter so the bill comes directly to us.

Mr. Fertic asked is Mercedes Homes still in there?

Mr. Kuiper responded they are still building homes.

Mr. Fertic stated I thought they filed for bankruptcy.

Mr. Kuiper stated they sold all of their lots to a holding company.

Mr. Fertic stated there is a resident who lives out there that was made Vice President of Mercedes Homes. I do not recall her name.

Mr. Kuiper stated we have to do something. You cannot see the sign at night. We notified the residents of The Estates about the mailboxes. I do not see that we will be having a big change. We told them to get with their builders, although some of them are now out of business. If any plans come through the City, we will have our people on the Architectural Review Committee make sure that the builders put in the correct mailboxes in the future. We are going to have Community Associates make up a website for the homeowners of Stevens Plantation. We will be maintaining it and having our information on there. Once we get it up and running, there will be corresponding links for the City and DSD sites. There will be an area just for the residents, which will require passwords. We will also form a Newsletter Committee who will be putting together a newsletter for the residents.

We had an outage with Embarq where after 48 to almost 96 hours of downtime and not having any internet, we ended up negotiating \$5 target gift cards for everyone in the association. This also affected residents within the City of St. Cloud. We were the biggest group affected. Anytime anyone does anything with Embarq, they turn off everything. We had some success by passing a resolution saying we will turn off the internet of anyone who owes us money. We have collected some money because people were just saying "*Well I am not paying anything*" and received free service. However, we are still finding that we have a lot of foreclosures and Code Enforcement has been assisting us by putting up notifications and signage. We are taking turns as a group calling the Realtors and getting some of the homes taken care of. We are noticing the impact of the economy. Do not forget us when all of that money comes down from the new administration for you to buy up some of these houses and fix them.

Ms. Hart stated we do not qualify.

Mr. Kuiper stated thank you for the doggy bags. Everyone saw them and commented on them. Not a single person noticed the Oak Tree, which is a good thing.

EIGHTH ORDER OF BUSINESS

Other Business

There not being any, the next item followed.

NINTH ORDER OF BUSINESS

Supervisor Requests

Ms. Hart stated when I met with Congressman Grayson on Saturday, I received an Administrative Order mandating the Circuit Court mediation for owner occupied residential mortgage foreclosures. If someone in your neighborhood is owner occupied, according to this Administrative Order, the Ninth Circuit Court is now forcing the financial institutions into mediation. That may be very helpful for those people who are getting foreclosed upon who are owner occupied. That is for all of Osceola and Orange Counties.

Mr. Polachek asked on page 21 of the financials, what is the effect going to be on the audit in terms of the \$9 million principle in 2013? Will this cause us to have to report to the Auditor General?

Mr. Moyer responded in 2012, Mr. Mantzaris and I will spend some time on refinancing these bonds. That is the only solution. Otherwise, you are going to be in default.

Mr. Polachek stated that is a serious number. I think there needs to be more discussion on this issue. There are no other options.

Mr. Moyer stated it is too early at this point to do the refinancing as the bond market is not currently at the place you want it to be at. Certainly when we approach the 2013 deadline, we are going to have to refinance in order to take that debt out for a longer period of time.

TENTH ORDER OF BUSINESS

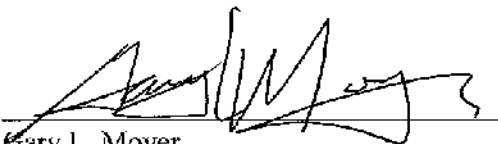
Audience Comments

There not being any, the next item followed.

ELEVENTH ORDER OF BUSINESS

Adjournment

There being no further business, the meeting was adjourned at 6:45 p.m.



Gary L. Moyer
Secretary



Donna Hart
Chairperson