

MINUTES OF MEETING LIVE OAK LAKE COMMUNITY DEVELOPMENT DISTRICT

The regular meeting of the Board of Supervisors of the Live Oak Lake Community Development District was held Friday, July 28, 2017, at 11:30 a.m. at the District Office, 313 Campus Street, Celebration, FL 34747.

Present and constituting a quorum were:

Scott Stearns	Chairman
José Rios	Vice Chairman
Walter Beeman	Assistant Secretary
Kimberly Locher	Assistant Secretary

Also present were:

Gary Moyer	Manager: Moyer Management Group
Sarah Sandy	Attorney: Hopping Green & Sams
Rey Malavé	Engineer: Dewberry
Chuck Walter	Severn Trent Services

FIRST ORDER OF BUSINESS

Call to Order

Mr. Moyer called the meeting to order at 11:30 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

Administrative Matters

A. Appointment of Supervisor to Fill the Unexpired Term of Office for Seat 2

Mr. Moyer stated a vacancy currently exists on the Board. We will keep this on the agenda for future meetings unless you are in a position at this meeting to nominate someone.

Mr. Stearns stated we do not have anyone to nominate at this time.

B. Oath of Office for Newly Appointed Supervisor

This item not being addressed, the next item followed.

C. Ratification of Series 2016 Construction Requisition for Twin Lakes Phase 1 Wetland Mitigation Improvements

This item tabled, the next item followed.

FIFTH ORDER OF BUSINESS

Consideration of First Amendment to Cost Share Agreement with the HOA for Mitigation Services

Mr. Beeman asked what is the relationship between Live Oak Lake and Twin Lakes? Is Live Oak Lake overall part of Twin Lakes?

Mr. Stearns responded the CDD has funded all of the utilities, the stormwater ponds and offsite improvements for Twin Lakes.

Mr. Beeman stated Twin Lakes is the bigger community of Live Oak.

Mr. Stearns stated yes. It is the same community; Live Oak Lake is the actual lake on the property.

Mr. Beeman stated Twin Lakes is the overall community.

Ms. Sandy stated these services were discussed at the last meeting and we were asked to bring back an agreement. This amends the cost sharing agreement already in place with the HOA for all pond maintenance and this adds the wetland buffer. The total will be \$62,280.

Mr. Moyer stated we budgeted \$64,000.

On MOTION by Ms. Locher, seconded by Mr. Stearns, with all in favor, unanimous approval was given to the First Amendment to Cost Share Agreement with the HOA for Mitigation Services, as presented.

SIXTH ORDER OF BUSINESS

Approval of the Minutes of the May 26, 2017 Meeting

Mr. Moyer reviewed the minutes and asked for any additions, corrections, or deletions.

On MOTION by Mr. Beeman, seconded by Ms. Locher, with all in favor, unanimous approval was given to the minutes of the May 26, 2017 meeting, as presented.

SEVENTH ORDER OF BUSINESS

Public Hearing for the Adoption of the Budget for Fiscal Year 2018

A. Fiscal Year 2018 Budget

Mr. Moyer stated in May we presented a budget, had some discussion and made some changes to the budget to reflect input from the landowner. Those amendments have been made and we have advertised this meeting as a public hearing to consider the adoption of

the budget. In total, with the field services for ponds and mitigation, the total budget as presented is \$185,906.

Mr. Beeman asked what is in the \$9,000 for insurance?

Mr. Moyer responded general liability and Officers and Directors. You have not incurred anything as yet; it is a budget amount. We will probably go through one of the Florida Government Trusts that provide insurance to county and municipalities.

On MOTION by Mr. Stearns, seconded by Mr. Beeman, with all in favor, unanimous approval was given to open the public hearing.

There being no public comment,

On MOTION by Mr. Beeman, seconded by Mr. Rios, with all in favor, unanimous approval was given to close the public hearing.

B. Resolution 2017-7 Adopting the Budget

Mr. Moyer read Resolution 2017-07 into the record by title.

On MOTION by Ms. Locher, seconded by Mr. Beeman, with all in favor, unanimous approval was given to Resolution 2017-07 adopting the budget for fiscal year 2018.

EIGHTH ORDER OF BUSINESS

**Public Hearing Regarding Imposition of
Operations and Maintenance Assessments
for Fiscal Year 2018**

On MOTION by Mr. Stearns, seconded by Mr. Beeman, with all in favor, unanimous approval was given to open the public hearing.

There being no public comment,

On MOTION by Mr. Beeman, seconded by Mr. Rios, with all in favor, unanimous approval was given to close the public hearing.

A. Resolution 2017-8 Levying the Annual Assessments for Fiscal Year 2018

Mr. Moyer read Resolution 2017-08 into the record by title.

Ms. Sandy stated at the last meeting we were uncertain how we were going to do funding the budget. In discussions with the developer, we ultimately landed on levying assessments, certifying the assessments to the roll for the platted and direct collecting the unplatted; those are the two rolls you see.

On MOTION by Mr. Rios, seconded by Mr. Beeman, with all in favor, unanimous approval was given to Resolution 2017-08 levying the annual operations and maintenance assessments for fiscal year 2018.

B. Consideration of the Direct-Collect Agreement

Mr. Moyer stated we have the Direct Collect Agreement which is in similar form to what we are currently operating under with the developer funding; this will cover the allocation of both maintenance and debt service assessments on the benefitted properties.

On MOTION by Mr. Beeman, seconded by Ms. Locher, with all in favor, unanimous approval was given to the Direct-Collect Agreement for fiscal year 2018, as presented.

NINTH ORDER OF BUSINESS

Ratification of Fiscal Year 2016 Audit

Mr. Moyer stated the audit was performed by Grau & Associates which was the auditing firm that the Board, both as the Supervisors and Audit Committee selected. They have reviewed the financial activities of the District through September 30, 2016 and under the opinion section of the auditor report they state "*their opinion of financial statements referred to above present fairly, in all material respects, the respective financial position of the government activities in each major fund of the District, as of September 30, 2016.*" That is generally referred to as a clean audit opinion which means the financial statements the District provided to them as of September 30, 2016 did fairly represent our financial position as of that date.

In addition to the numbers section, at the back of the audit report there are the required items that the auditor looks at on page 23. There are two things they opine on - one dealing with Internal Controls Over Financial Reporting and in the last paragraph they state, "*during our audit we did not identify any deficiencies in internal controls that*

we consider to be material weaknesses.” Then under Compliance and Other Matters, the last sentence of the first paragraph says *“the results of our tests discloses no instances of non-compliance or other matters that are required to be reported under government auditing standards.”* The last item is the Management Letter on page 26. Again, there are certain findings either required by law or the Auditor General of the State. One deals with if the auditor noticed anything that is a material weakness and wants to make suggestions on how to make our financial reporting better this is the opportunity to do that and on page 27 you can see that they did not have any such suggestions. If you go to item six it states under Compliance, *“the District has not met one or more of the financial emergency conditions described in Section 218.503(1).”* Not meeting a condition of a Florida Statute, in this case, is a good thing.

I would ask for a motion to ratify the FY 2016 audit.

On MOTION by Mr. Beeman, seconded by Mr. Stearns, with all in favor, unanimous approval was given to ratification of the Fiscal Year 2016 Audit.
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TENTH ORDER OF BUSINESS

Staff Reports

A. Attorney

Ms. Sandy stated unless you have questions we have nothing more to report.

B. Engineer

Mr. Malavé stated I have nothing to report at this time.

C. Manager

i. Financial Statements, June 30, 2017

Mr. Moyer reviewed the financial statements contained in the agenda package and available for public review at the District office during normal business hours.

Mr. Moyer stated the financials indicate we have a pro-rata budget of \$131,000 and we have spent \$94,000. Through the first nine months of our fiscal year we are \$37,000 under budget.

ii. Check Register and Invoices

Mr. Moyer reviewed the check register and invoices contained in the agenda package and available for public review at the District office during normal business hours.

On MOTION by Mr. Stearns, seconded by Mr. Beeman, with all in favor, unanimous approval was given to the check register and invoices.

iii. Meeting Schedule for Fiscal Year 2018

Mr. Moycr stated we advertise our meeting schedule and place it on the website. We have the schedule in your agenda package with it generally being the last Friday of each month at 11:30 a.m. at this location. We have pointed out that March 30th is Good Friday, I do not know if that is inconvenient for anybody. If we want to change it we can.

On MOTION by Ms. Locher, seconded by Mr. Stearns, with all in favor, unanimous approval was given to the meeting schedule for fiscal year 2018, as presented.

NINTH ORDER OF BUSINESS

Other Business

There being none, the next order of business followed.

TENTH ORDER OF BUSINESS

Supervisor Requests

There being none, the next order of business followed.


ELEVENTH ORDER OF BUSINESS

Adjournment

The next meeting is scheduled for August 25, 2017, at 11:30 a.m.

On MOTION by Ms. Locher, seconded by Mr. Beeman, with all in favor, the meeting adjourned at 11:50 a.m.


Gary L. Moyer, Secretary


M. Scott Stearns, Chairman