

**MINUTES OF MEETING
HIGHLAND MEADOWS WEST
COMMUNITY DEVELOPMENT DISTRICT**

The regular meeting of the Board of Supervisors of the Highland Meadows West Community Development District was held on Thursday, **June 15, 2023** at 10:30 a.m. at The Holiday Inn – Winter Haven, 200 Cypress Gardens Blvd., Winter Haven, Florida and by Zoom.

Present and constituting a quorum:

Bobbie Henley	Vice Chair
Jessica Kowalski	Assistant Secretary
Lindsey Roden	Assistant Secretary
Jessica Petrucci	Assistant Secretary

Also, present were:

Tricia Adams	District Manager, GMS
Meredith Hammock	District Counsel, KVV Law
Maddie Flint	KVV Law
Marshall Tindall	Field Services Manager, GMS

The following is a summary of the discussions and actions taken at the June 15, 2023 Highland Meadows West Community Development District's Board of Supervisors Meeting.

FIRST ORDER OF BUSINESS

Roll Call

Ms. Adams called the meeting to order and stated that four Board members were in attendance, constituting a quorum.

SECOND ORDER OF BUSINESS

Public Comment Period

Ms. Adams noted that no members of the public were present nor were any members attending on Zoom to provide comments.

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THIRD ORDER OF BUSINESS

**Approval of Minutes of the May 18, 2023
Board of Supervisors Meeting**

Ms. Adams asked for any corrections on the May 18, 2023 Board of Supervisors meeting minutes. The Board had no changes to the minutes.

On MOTION by Ms. Kowalski, seconded by Ms. Roden, with all in favor, the Minutes of the May 18, 2023 Board of Supervisors Meetings, were approved.

FOURTH ORDER OF BUSINESS

**Consideration of Resolution 2023-04
Updating Local Bank Signatories**

Ms. Adams stated Resolution 2023-04 provides for the District's Treasurer, Assistant Treasurer, and Secretary to be signers on the local bank account. This is an administrative matter and staff does recommend approval.

On MOTION by Ms. Roden, seconded by Ms. Kowalski, with all in favor, Resolution 2023-04 Updating Local Bank Signatories, was approved.

FIFTH ORDER OF BUSINESS

**Consideration of Resolution 2023-05
Designating an Assistant Treasurer**

Ms. Adams stated Resolution 2023-05 appoints Darrin Mossing as Assistant Treasurer to the District. Darrin Mossing is the president of the District Management company, and he is an accountant by trade. By having Mr. Mossing serve as an Assistant Treasurer, it provides the District a backstop if there was any turnover in the District Management's accounting department. It also allows for him to step in during busy times of the year, such as budget season and audit season, and assist with the financial records of the District.

On MOTION by Ms. Kowalski, seconded by Ms. Roden, with all in favor, Resolution 2023-05 Designating Darrin Mossing as Assistant Treasurer, was approved.

SIXTH ORDER OF BUSINESS

Staff Reports

A. Attorney

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Ms. Hammock stated the District Manager received a notice from Haines City of second or repeat violation for landscaping within the right of way area of those trees that are dying. She noted she attended a special magistrate hearing at the City because once there is repeat violation, the matter is escalated straight to a hearing. The special magistrate issued an order and waived the \$500 per day fine which, by the time the hearing came about, could have been significant. She noted, however, that the City's administrative cost to administer the hearing was assessed against the District. She deferred to the field staff and District Management, who have been actively handling the matter following the hearing. Ms. Adams stated the reason for the meeting today is for the Board to consider the time sensitive matter of addressing these tree replacements so under Field Manager's Report, you will be hearing a proposal. There were 17 properties identified at Highland Meadows West that needed to come into compliance with Haines City Landscape code. The District only has until July 23rd for the next inspection, so this is a time sensitive matter.

B. Engineer

Ms. Adams stated there is no Engineer in attendance today.

C. Field Manager's Report

Mr. Tindall stated the Field Manager's Report can be found on page 15 of the agenda. He noted the landscaping of the area looks good with no issues to report. He stated everything is mowed and planters are cleaned. Again, rainy season is coming up and noted the potential for authorizing some additional mows which the Board can weigh in relation to these tree violations a little further in the agenda. General repairs and maintenance had noted some small improvements had been done on the community. Odds and ends such as sign adjustment and sign straightening, ADA mats that were damaged were replaced, and fence straightening. Mr. Tindall stated the only real note that he has is the consistent area of fence that continues to get kicked out and is a concern of the residents. He noted he is trying to work with the police to address this problem with having the area monitored.

i. Consideration of Tree Replacing Proposals

Mr. Tindall stated in regard to City violation notices, he is working with staff to have these areas brought into compliance. It is the residents responsibility, and not the CDD's, to maintain the landscaping in the right of way abutting their property. He noted that the CDD has brought all

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of the trees located in common areas up to code. He stated there were a few being monitored that did get replaced. He noted those did get replaced to make sure they were not having issues with the city. He stated there is a proposal from Stewart Landscaping. He noted he had reached out to a couple of landscapers and Stewart was notably the cheapest so that is the proposal provided. It is \$400 per tree and Gator bag has also been included as an option. He stated the issue with the trees is that they are not being maintained by the residents. The point is that if the District replaces these trees, they could die before they are deemed compliant and even if they are compliant, they may die before the City comes back again to re-inspect the area, so until the District can confirm the residents are in fact taking care of their trees, it is recommended that the Gator bags be included so field staff can address with one-time watering as needed. It is rainy season so field staff are hoping the environment takes care of the trees but the area is currently in a dry spot with no rain for essentially about a week, which is very hard on trees. He noted some sod has already been installed, which required an additional water tank in the area. Mr. Tindall stated the proposal from Stewart is \$400 per tree, \$44 per Gator bag, and \$25 per water as needed. He noted this is the recommendation and seeking a motion for approval on an as needed basis per house. He noted the timeline is until July to get this done and would need to do a final review and anyone not compliant at that point, field staff would take action, with the Board's approval, to get those trees replaced and then seek reimbursement at a later time from those residents. Ms. Adams reiterated the homeowners are responsible when they purchase the property per the HOA Covenants and per the recorded plat notes assigning maintenance responsibility to the abutting residential property owner. District Counsel has researched this matter thoroughly and provided those facts to the magistrate. The city's position has been that, as the property owner, the District is the one being cited and fined rather than the party responsible to maintain the area. Ms. Hammock stated from the city's perspective, the owner of the land is the District so the City officials are going to be contacting the District with respect to any violation. The Board asked if there was any success with the payment plans from some of the residents. Ms. Adams stated not yet and that is being worked on. Mr. Tindall stated they are trying to be proactive in monitoring this community and working with the HOA to bring it to their attention quicker if and try to get matters resolved more expediently before it becomes an issue.

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On MOTION by Ms. Kowalski, seconded by Ms. Roden, with all in favor, the Stewart Tree, Gator Bag and Watering proposal, was approved.

ii. Consideration of Added Annual Mowing with Prince & Sons

Mr. Tindall stated there are residents providing feedback consistently through during the rainy season about grass growing high around the ponds. The contract requirement is for 19 pond mows per year. He discussed with the landscaper doing additional pond mows but to do so would push the District a little over budget going through the end of this fiscal year to the tune of about \$1,630. He noted if the Board would like to go ahead and approve the landscaper to do 32 mows from 19 because of the resident feedback during the summer when it gets rainy in between mows. The Board asked if the additional mows can be done as needed. Mr. Tindall stated yes that can be done and then next year the District could make a move increase the number of mows per year because it is included in the proposed fiscal year 2024 budget. Ms. Adams asked if there is consensus on the Board to direct the Field Manager to schedule an additional mow on an as needed basis for the remainder this fiscal year. The Board asked if it would be cheaper to contract the 32 or is it more cost effective to do as needed. Mr. Tindall stated it is usually more cost effective to do the contract because it is built into their routine. He noted if they do one-time mows as needed sometimes it forces them to do it on a Friday where they run overtime. He noted long term it is better to do the contract service, short term for this year it likely will not impact the budget significantly. He stated if there were an increase in resident feedback, he would authorize the landscaper to perform extra mows as needed, at least through September of this year. Ms. Adams stated there is about \$1,500 in landscape maintenance that is under the prorated budget so there is a little bit of funding available. Overall, with the District's field expenditures, the prorated budget is \$273,000 and actuals are \$243,000.

D. District Manager's Report

i. Approval of Check Register

Ms. Adams stated the check register was included in the agenda on page 26. It is the check register from April 11 through June 7, 2023. The total amount is \$39,163.19 and the detailed run summary is following the check register.

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On MOTION by Ms. Roden, seconded by Ms. Kowalski, with all in favor, the Check Register for \$39,163.19, was approved.

ii. Balance Sheet and Income Statement

Ms. Adams presented the unaudited financials through the end of April. This is for informational purposes only. She noted as always, they keep an eye on the unassigned balance and keep an eye on your actual spending relative to prorated budget.

iii. Reminder of Form 1 Filing Deadline – July 1, 2023

Ms. Adams stated this is a courtesy reminder to file form 1. If anyone needs the form, we can provide that along with the instructions for filing at the Elections Office in the county where you reside.

SEVENTH ORDER OF BUSINESS

Other Business

There being no comments, the next item followed.

EIGHTH ORDER OF BUSINESS

Supervisors Requests and Audience Comments

There being no comments, the next item followed.

NINTH ORDER OF BUSINESS

Adjournment

On MOTION by Ms. Roden, seconded by Ms. Kowalski, with all in favor, the meeting was adjourned.

Tricia L. Adams
Secretary/Assistant Secretary

Bodhi Healy
Chairman/Vice Chairman