

MINUTES OF MEETING  
CANDLER HILLS EAST  
COMMUNITY DEVELOPMENT DISTRICT

The regular meeting of the Board of Supervisors of the Candler Hills East Community Development District was held on Tuesday, November 17, 2020 at 9:21 a.m. at the Circle Square Commons, 8395 SW 80<sup>th</sup> Street, Ocala, Florida.

Present and constituting a quorum were:

Philip J. Moherek	Chairman
Elmer Greene <i>by phone</i>	Vice Chairman
Robert Scherff	Assistant Secretary
John Bain	Assistant Secretary
Larry Garvin	Assistant Secretary

Also present were:

George Flint	District Manager
Gerald Colen	District Counsel
Philip Hisey	On Top Of The World Communities
Bryan Schmalz	On Top Of The World Communities
Patty Soriano	On Top Of The World Communities
Tricia Adams	GMS

**FIRST ORDER OF BUSINESS**

**Roll Call**

Mr. Flint called the meeting to order and called the roll. Four Board members were present at the meeting and Mr. Greene was attending by phone, a quorum was present.

**SECOND ORDER OF BUSINESS**

**Public Comment Period**

Mr. Flint: This is an opportunity for any members of the public to provide comment to the Candler Hills East CDD Board on anything on the agenda or not on the agenda they would like to provide comment on. It appears we have no public comment.

**THIRD ORDER OF BUSINESS**

**Notice for Meeting**

Mr. Flint: The notice of the meeting was included in your agenda package and it was advertised in the Ocala Star-Banner in accordance with the statutory noticing requirements.

**FOURTH ORDER OF BUSINESS****Organizational Matters****A. Administration of Oaths of Office to Newly Elected Board Members**

Mr. Flint: We will move the administration of the oath down as the third item on that section. Let me administer the Oath of Office to Mr. Moherek. Mr. Moherek, as a citizen of the State of Florida and of the United States of America, and as an officer of the Candler Hill East Community Development District, and a recipient of public funds as such officer, do you hereby solemnly swear or affirm your support to the Constitution of the United States and the state of Florida?

Mr. Moherek: I do.

**B. Consideration of Resolution 2021-01 Declaring a Vacancy in Seats #2 and #3 with terms ending November 2024**

Mr. Flint: The first item is going to be Resolution 2021-01 which declares Seats #2 and #3 vacant as of the second Tuesday after the election, which is today. Once that's handled then you can consider appointment to those seats, and if you choose to you can reappoint incumbents to those seats. Is there a motion to approve Resolution 2021-01?

On MOTION by Mr. Bain, seconded by Mr. Scherff, with all in favor, Resolution 2021-01 Declaring a Vacancy in Seat #2 and #3 with Terms Ending November 2021, was approved.

**C. Appointment of Individuals to Fulfill the Board Vacancies in Seats #2 and #3 with terms ending November 2024**

Mr. Flint: Next is appointment of individuals to fill the vacancy in Seat #2 and #3. What I would recommend, because Mr. Greene is not physically here and I can't administer the oath to him, is that he stays in the seat as a carryover. That way he can participate in this meeting. If you were to appoint him and then I can't swear him in, he wouldn't be able to vote and also wouldn't be able to be compensated as a Board member for the meeting today. What I'd suggest is you deal with Seat #3, which is Mr. Moherek's seat. For Seat #2, Mr. Greene you'll be on the Board still as a carryover, but then we will put the item on the February agenda for them to reappoint you officially.

On MOTION by Mr. Scherff, seconded by Mr. Bain, with all in favor, the Nomination to Fill Seat #3 with Mr. Moherek, was approved.

Mr. Scherff: Philip, you want to be on the Board?

Mr. Moherek: Sure. It's a tough job, but I will handle it.

Mr. Flint: That motion passed 4 to 0 with Mr. Moherek not able to vote.

#### **D. Election of Officers**

Mr. Flint: After each election the Board is required to consider officers. Currently, Mr. Moherek is Chairman, Mr. Greene is Vice Chairman, and Mr. Bain, Mr. Garvin, and Mr. Scherff are Assistant Secretaries. I'm the Secretary. The District Accountant, Aerial Lovera, is Treasurer. We can handle each office individually or if a Board member wants to make a motion to elect a slate of officers, we can handle it one motion.

Mr. Scherff: I move that we keep the slate of Officers as they are for another year.

On MOTION by Mr. Scherff, seconded by Mr. Garvin, with all in favor, the Recommendation to Keep all Officers in Current Positions, Mr. Moherek as Chair, Mr. Greene as Vice-Chair, Mr. Bain, Mr. Garvin, and Mr. Scherff as Assistant Secretaries, Mr. Flint as Secretary and Ms. Lovera as Treasurer and District Accountant, was approved.

#### **E. Consideration of Resolution 2021-02 Electing Officers**

On MOTION by Mr. Scherff, seconded by Mr. Garvin, with all in favor, the Recommendation to Keep all Officers in Current Positions, Mr. Moherek as Chair, Mr. Greene as Vice-Chair, Mr. Bain, Mr. Garvin, and Mr. Scherff as Assistant Secretaries, Mr. Flint as Secretary and Ms. Lovera as Treasurer and District Accountant, was approved.

#### **FIFTH ORDER OF BUSINESS**

#### **Approval of Minutes of the August 18, 2020 Meeting**

Mr. Flint: Did the board have any comments or corrections to the minutes? Hearing no changes to minutes I would ask for a motion to approve them.

On MOTION by Mr. Scherff, seconded by Mr. Bain, with all in favor, the Minutes of the August 18, 2020 Board of Supervisors Meeting, were approved.

## **SIXTH ORDER OF BUSINESS**

### **Consideration of Agreement with Berger, Toombs, Elam, Gaines & Frank to Provide Auditing Services for Fiscal Year 2020**

Mr. Flint: Next is the Engagement Letter with your independent auditor Berger Toombs. You selected them through a bidding process prescribed by the statutes, and you enter into engagements each year for the specific audits. This is for a not to exceed of \$3,325. Are there any questions on the Engagement Letter?

Mr. Scherff: I went back to last year, November's meeting, and I noticed that we did have a draft of the financial report, the annual report, which we didn't have this year. The other thing I noticed is that they added one little paragraph that says either party may unilaterally terminate this agreement with or without cause or content, etc. I just wondered, was that for any particular reason?

Mr. Flint: They do audits all around the state of Florida for CDDs, and that was a provision of that one of the law firms, Hopping, Green & Sams, requested they add. They now included that as a standard provision, but it's actually to our benefit. If we have a problem, we can terminate it. There was no specific reason driving that. As far as the draft audit, you will probably have them in your February agenda. They have nine months to complete the audit. We have until June 30<sup>th</sup>. So, it sounds like we were on top of our game last year and actually had you a draft in November, which is a little unusual for them to be completed that quickly. You should have that at your February meeting. Any other questions on the Engagement Letter, if not is there a motion to approve it?

On MOTION by Mr. Moherek, seconded by Mr. Scherff, with all in favor, the Agreement with Berger, Toombs, Elam, Gaines, and Frank to Provide Auditing Services for Fiscal Year 2020, was approved.

## **SEVENTH ORDER OF BUSINESS**

### **Staff Reports**

#### **A. Attorney**

Mr. Flint: Attorney's report, Jerry anything for the Board?

Mr. Colen: I don't have anything.

**B. District Manager's Report**

**1. Approval of Check Register**

Mr. Flint: You have the Check Register from August 12<sup>th</sup> through September 30<sup>th</sup>. It totals \$19,219. And the detailed register is behind the summary. This does include your liability and public official's liability insurance for Fiscal Year 2021. That's \$6,503 of the amount reflected.

Mr. Scherff: That's up \$300 from last year, is that normal?

Mr. Flint: Yes, every year we've seen an insurance slightly creeping up. There's no loss history that's driving that, that's just the cost. The insurer you are with, they insure probably over 300 Community Development Districts. It's a local government insurance pool and the form of their policy and their premiums tend to be the best that you can get. I think that the pricing is competitive even though it has increased slightly.

Mr. Bain: What is the Assessment Roll Certificate?

Mr. Flint: As part of our contract we are the Assessment Administrator for the District, so we maintain the Assessment Roll. We certified it for collection each year to the county. That includes if anyone wants to pay off their debt early, if they have questions that covers any services related to the Assessments.

Mr. Bain: And one other thing, I noticed there was only one Management fee for the three-month period here, and normally there are three.

Mr. Flint: Obviously I want to check on that.

Mr. Flint: I can check to see if we're behind on billing, but it's a fixed monthly fee that's paid.

Mr. Moherek: I have a question related to the assessments. I have one or two neighbors that mentioned about paying off their bill, and this was online. Do they need to come to you?

Mr. Flint: If someone wants to actually pay it off, they need to contact our office. Resident services refers them to us. You could provide them my information directly. My office provides the payoff amount and processes the check and issues the release of the lien. Hearing no other questions, is there a motion to approve the check register?

On MOTION by Mr. Bain, seconded by Mr. Moherek, with all in favor, the Check Register totaling \$19,219, was approved.

## **2. Balance Sheet and Income Statement**

Mr. Flint: You have the unaudited balance sheet and income statement. Does the Board have any questions or comments on those? Hearing none,

## **EIGHTH ORDER OF BUSINESS**

### **Other Business**

Mr. Flint: Is there any other business or Supervisors request?

Mr. Scherff: I only have one. I noticed that all the reports went to one place instead of individually, is it going to be that way all the time?

Mr. Flint: We had talked about that, I thought we had talked about that with both Boards. The issue was brought up about the cost of the overnight mailing of the agendas. The discussion was to send them to one place and then you guys could pick them up from there. That's what we did this time. We can go back to sending them to each one of your homes if you would like. It sounds like they have to do a better job once they arrive here of notifying you that they are available to be picked up. That was an attempt to have one shipping charge versus five.

Mr. Moherek: Well, the only thing I will ask, is if they could get it earlier. It'd be nice if they got here at least by Thursday and have one day when the office is open to pick them up.

Mr. Flint: Right. Normally you should get them earlier in the week prior to the Board meeting. We'll make sure that they get out sooner.

## **NINTH ORDER OF BUSINESS**

### **Supervisor's Requests**

Mr. Flint: If there is nothing else is there a motion adjourn?

## **TENTH ORDER OF BUSINESS**

### **Adjournment**

The meeting was adjourned.

On MOTION by Mr. Scherff, seconded by Mr. Bain, with all in favor, the meeting adjourned.

A handwritten signature in blue ink, consisting of stylized, connected letters, positioned above a horizontal line.

Secretary/Assistant Secretary

A handwritten signature in black ink, featuring a large, looped initial and a trailing flourish, positioned above a horizontal line.

Chairman/Vice Chairman