

**MINUTES OF MEETING
INDIANTOWN COMMUNITY DEVELOPMENT DISTRICT**

A Public Hearing and Regular Meeting of the Indiantown Community Development District's Board of Supervisors was held on **Monday, July 13, 2015 at 1:00 p.m.**, at the offices of **Indiantown Realty, 15828 S.W. Warfield Boulevard, Indiantown, Florida 34956.**

Present at the meeting were:

Tom Kenny	Chair
David Powers	Vice Chair
Scott Watson	Assistant Secretary
James Padgett <i>(via telephone)</i>	Assistant Secretary
Guy Parker <i>(via telephone)</i>	Assistant Secretary

Also present were:

Rick Woodville	Wrathell, Hunt and Associates, LLC
Tucker Mackie <i>(via telephone)</i>	District Counsel

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Mr. Woodville called the meeting to order at 1:00 p.m., and noted, for the record, that Supervisors Kenny, Powers and Watson were present, in person. Supervisors Padgett and Parker were attending via telephone.

SECOND ORDER OF BUSINESS

Public Comments

There being no public comments, the next item followed.

THIRD ORDER OF BUSINESS

Administration of Oath of Office to Newly Elected Supervisor, Guy Parker [Seat 5] *(the following to be provided in a separate package)*

Mr. Woodville reported that Mr. Parker will have a Notary of the State of Florida administer the Oath of Office and provide the notarized oath to Management.

Mr. Woodville provided and briefly explained the following items:

- A. **Guide to Sunshine Amendment and Code of Ethics for Public Officers and Employees**
- B. **Membership, Obligations and Responsibilities**
- C. **Financial Disclosure Forms**
 - i. **Form 1: Statement of Financial Interests**
 - ii. **Form 1X: Amendment to Form 1, Statement of Financial Interests**
 - iii. **Form 1F: Final Statement of Financial Interests**
- D. **Form 8B – Memorandum of Voting Conflict**

Mr. Woodville indicated that, as an incumbent, Mr. Parker was familiar with all documents.

FOURTH ORDER OF BUSINESS

**Ratification of Resolution 2015-2,
Electing Officers of the District**

Mr. Woodville presented Resolution 2015-2 for ratification. He advised that, following an election or appointment, the Board is required to reconsider its slate of officers. Resolution 2015-2 was previously adopted. Mr. Kenny was elected Chair, Mr. Powers as Vice Chair, Mr. Watson, Mr. Padgett and Mr. Parker as Assistant Secretaries, Mr. Wrathell as Secretary and Treasurer and Mr. Woodville as Assistant Secretary.

Ms. Mackie recommended tabling this item to the next meeting, as the reason for ratification was to have a date following administration of the Oath of Office to Mr. Parker. In response to Mr. Woodville’s question, Ms. Mackie confirmed that Resolution 2015-2, as adopted, was valid; however, it should be ratified following administration of the Oath of Office to Mr. Parker.

FIFTH ORDER OF BUSINESS

**Public Hearing to Hear Comments and
Objections on Adoption of Fiscal Year
2015/2016 Budget**

- A. **Proof of Publication**

Mr. Woodville presented the proof of publication for today’s Public Hearing.

Mr. Woodville reviewed the proposed budget and noted that it was exactly the same as the Fiscal Year 2015 budget, which was developer funded, with total expenditures of \$13,875.

B. Consideration of Resolution 2015-5, Relating to the Annual Appropriations and Adopting the Budget for the Fiscal Year Beginning October 1, 2015, and Ending September 30, 2016

Mr. Woodville presented Resolution 2015-5 for the Board’s consideration and read the title into the record:

“THE ANNUAL APPROPRIATION RESOLUTION OF THE INDIANTOWN COMMUNITY DEVELOPMENT DISTRICT (“DISTRICT”) RELATING TO THE ANNUAL APPROPRIATIONS AND ADOPTING THE BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2015, AND ENDING SEPTEMBER 30, 2016; AUTHORIZING BUDGET AMENDMENTS; AND PROVIDING AN EFFECTIVE DATE”

*****Mr. Woodville opened the Public Hearing.*****

No members of the public were present.

*****Mr. Woodville closed the Public Hearing.*****

On MOTION by Mr. Kenny and seconded by Mr. Powers, with all in favor, Resolution 2015-5, Relating to the Annual Appropriations and Adopting the Budget for the Fiscal Year Beginning October 1, 2015 and Ending September 30, 2016, was adopted.

SIXTH ORDER OF BUSINESS

Consideration of Fiscal Year 2015/2016 Funding Agreement

Mr. Woodville presented the Fiscal Year 2015/2016 Funding Agreement for the Board’s consideration.

Mr. Kenny asked Mr. Woodville to provide a copy of the agreement to him and Mr. Don Mears.

On MOTION by Mr. Kenny and seconded by Mr. Powers, with all in favor, the Fiscal Year 2015/2016 Funding Agreement, was approved.

SEVENTH ORDER OF BUSINESS

Ratification of Acceptance of the Audited Financial Report for the Fiscal Year Ended September 30, 2014

Mr. Kenny asked why the District must pay for an audit. Mr. Woodville explained that District Counsel interprets that Chapter 190, of the Florida Statutes requires an audit. The Auditor General's office and the Department of Financial Services apply, Chapter 218; therefore, many Districts do not conduct an audit, provided they do not meet a \$50,000 threshold on expenditures.

Mr. Woodville presented the Audited Financial Statements for the fiscal year ended September 30, 2014. He referred to the "Independent Auditor's Report", on Pages 1 and 2, noting that the District received clean opinions and the financial statements were fairly stated.

Mr. Woodville reiterated that the budget is developer funded. The "Balance Sheet", on Page 9, reflected "Total assets" of \$4,935, "Total liabilities" of \$4,067 and "Deferred revenue" of \$2,859, resulting in a negative "fund balance" of \$1,991, which was due to the receipt of developer contributions within 60 days of the end of the fiscal year. The "Statement of Revenues, Expenditures and Changes in Fund Balances", on Page 10, contained further detail.

In response to Mr. Kenny's question, Mr. Woodville indicated that the developer is obligated to provide funding under the funding agreement, and, if they failed to do so, the District could sue the developer.

Mr. Kenny asked if the Board is liable and if the District would collapse if the developer decided not to fund the District. Ms. Mackie advised that the funding agreement delineates methods of collection, if funds are not received from the developer, including placing those funds on an assessment roll. The Board has an obligation to levy assessments to fund the operation and maintenance of the District, if a funding agreement is not entered into. Under the funding agreement, the landowner pays the actual expenditures of the District, as opposed to the budgeted expenses. There is no ability to levy a partial assessment and, if additional funds are necessary, an assessment must be levied equaling the expenditures.

Mr. Kenny asked if the Board's position is to assess the property, have the Tax Collector collect the money and pay the bill. Ms. Mackie replied that the District could directly bill those assessments or place them on the tax roll.

In response to Mr. Kenny's question, Ms. Mackie indicated that the individual Board Members would never be asked to pay one-fifth of the budget, as the assessment would be attached to the property and the landowner was responsible for the payment of the assessments. Mr. Woodville pointed out that the Board is responsible, when adopting the annual budget, to ensure that there is a funding source; in this case, there is a developer funding agreement.

Mr. Kenny was sure that the developer would continue to fund the District.

Mr. Woodville reviewed the “Internal Control Over Financial Reporting and on Compliance and Other Matters”, on Page 17, and read the following statement: “During our audit we did not identify any deficiencies in internal control that we consider to be material weaknesses.” This statement confirms a clean audit, from an internal control standpoint. Furthermore, Page 18, stated “The results of our tests disclosed no instances of noncompliance...” The “Management Letter,” on Pages 19 and 20, indicated that the District had no prior year findings or recommendations; therefore, there were no recommendations made in the preceding annual audit report. The District did not meet any of the conditions, under Section 218.503(1), Florida Statutes, meaning that the District was not in a state of financial emergency, even though there was a negative fund balance.

Mr. Woodville indicated that the District is required to file an annual report with the state, regardless of whether an audit was performed; the annual financial report and the audit must agree. Under “Other Matters”, the auditor had no recommendations to improve the financial management of the District. On Page 21, the auditor determined that the District complied with its investment policy.

Mr. Woodville recalled that at the last meeting, the Board authorized the Chair to review and accept the Fiscal Year 2014 Audited Financial Statements and file by June 30, 2015. The audit was filed on April 27, 2015.

On MOTION by Mr. Kenny and seconded by Mr. Powers, with all in favor, acceptance of the Audited Financial Report for the Fiscal Year Ended September 30, 2014, was ratified.

EIGHTH ORDER OF BUSINESS

**Consideration of Fiscal Year 2015/2016
Proposed Meeting Schedule**

Mr. Woodville presented the proposed Fiscal Year 2015/2016 Meeting Schedule. Although monthly meetings are scheduled, it is only necessary for the Board to meet on April 11, 2016, to approve the proposed budget, and on July 11, 2016, to adopt the final budget; however, to save money, the full meeting schedule will be advertised once, as a formal schedule, and the Board will meet as needed.

On MOTION by Mr. Powers and seconded by Mr. Watson, with all in favor, the Fiscal Year 2015/2016 Proposed Meeting Schedule, as presented, and authorizing Staff to advertise, accordingly, was approved.

NINTH ORDER OF BUSINESS

Approval of April 13, 2015 Public Hearing and Regular Meeting Minutes

Mr. Woodville presented the April 13, 2015 Public Hearing and Regular Meeting Minutes and asked for any additions, deletions or corrections.

On MOTION by Mr. Kenny and seconded by Mr. Powers, with all in favor, the April 13, 2015 Public Hearing and Regular Meeting Minutes, as presented, were approved.

TENTH ORDER OF BUSINESS

Other Business

There being no other business, the next item followed.

ELEVENTH ORDER OF BUSINESS

Staff Reports

A. Attorney

There being nothing additional to report, the next item followed.

B. Engineer

There being no report, the next item followed.

C. Manager

i. Approval of Unaudited Financial Statements as of May 31, 2015

Mr. Woodville presented the Unaudited Financial Statements as of May 31, 2015. Page 1 reflected a "Total fund balance" of \$308, based on \$991 in "Cash" and \$683 in "Total liabilities". Page 2, under "Revenues", reflected 76% in "Total revenues", based on receiving \$10,610 in developer contributions. \$1,675 was expended for "Legal advertising", which was over budget from the \$1,000 budgeted; however, there was a savings in "Audit", as \$2,000 was expended from the \$2,500 budgeted.

On MOTION by Mr. Kenny and seconded by Mr. Powers, with all in favor, the Unaudited Financial Statements as of May 31, 2015, were approved.

ii. 0 Registered Voters in District as of April 15, 2015

Mr. Woodville indicated that there were zero registered voters residing within the boundaries of the District, as of April 15, 2015.

iii. NEXT MEETING DATE: August 10, 2015 at 1:00 P.M.

Mr. Woodville stated that the next meeting will be held on August 10, 2015 at 1:00 p.m.

Mr. Kenny requested that this meeting be cancelled.

TWELFTH ORDER OF BUSINESS

Audience Requests

Comments/Supervisors'

There being no audience comments or Supervisors' requests, the next item followed.

THIRTEENTH ORDER OF BUSINESS

Adjournment

There being no further business to discuss, the meeting adjourned.

On MOTION by Mr. Kenny and seconded by Mr. Powers, with all in favor, the meeting adjourned at 1:20 p.m.

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]


Secretary/Assistant Secretary

 ch.
Chair/Vice Chair