

**MINUTES OF MEETING  
HARMONY WEST  
COMMUNITY DEVELOPMENT DISTRICT**

The Board of Supervisors of the Harmony West Community Development District held a Regular Meeting on January 20, 2022 at 1:30 p.m., at Johnston’s Surveying, Inc., 900 Cross Prairie Parkway, Kissimmee, Florida 34744.

**Present were:**

Chris Tyree	Chair
Alex Madison	Vice Chair
Robin Bronson	Assistant Secretary
Roger Van Auker	Assistant Secretary

**Also present were:**

Cindy Cerbone	District Manager
Daniel Rom	Wrathell, Hunt and Associates, LLC
Jere Earlywine	District Counsel
Mark Hills	Field Operations Manager
William (Bill) Fife	Forestar
John Wiggins	Forestar

**FIRST ORDER OF BUSINESS**

**Call to Order/Roll Call**

Mr. Rom called the meeting to order at 1:32 p.m. Supervisors Tyree, Bronson, Van Auker and Madison were present. Supervisor Potter was not present.

**SECOND ORDER OF BUSINESS**

**Public Comments**

There were no public comments.

**THIRD ORDER OF BUSINESS**

**Acceptance of Resignations**

- A. Alex Madison, Seat 3, Term Expires November 2024**
- B. Courtney Potter, Seat 4, Term Expires November 2022**

Mr. Rom presented resignation letters from Mr. Madison and Ms. Potter.

**On MOTION by Ms. Bronson and seconded by Mr. Tyree, with all in favor, the resignations of Mr. Madison and Ms. Potter, were accepted.**

**FOURTH ORDER OF BUSINESS**

**Consider Appointments to Fill Unexpired Terms of Seat 3 and Seat 4**

Mr. Tyree nominated Mr. William (Bill) Fife to fill Seat 3.

No other nominations were made.

**On MOTION by Ms. Bronson and seconded by Mr. Tyree, with all in favor, the appointment of Mr. Bill Fife to Seat 3, term expires November 2024, was approved.**

Mr. Tyree nominated Mr. John Wiggins to fill Seat 4.

No other nominations were made.

**On MOTION by Mr. Tyree and seconded by Ms. Bronson, with all in favor, the appointment of Mr. John Wiggins to Seat 4, term expires November 2022, was approved.**

- **Administration of Oath of Office to Newly Appointed Supervisors, *(the following to be provided in a separate package)***

Mr. Rom, a Notary of the State of Florida and duly authorized, administered the Oath of Office to Mr. Fife and Mr. Wiggins. The following items were provided and explained by Ms. Cerbone prior to the meeting:

- 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

**FIFTH ORDER OF BUSINESS**

**Consideration of Resolution 2022-01, Designating Certain Officers of the District, and Providing for an Effective Date and Providing for an Effective Date**

Mr. Rom presented Resolution 2022-01.

Mr. Tyree nominated the following slate of officers:

Chris Tyree	Chair
William (Bill) Fife	Vice Chair
Craig Wrathell	Secretary
Robin Bronson	Assistant Secretary
Roger Van Auker	Assistant Secretary
John Wiggins	Assistant Secretary
Cindy Cerbone	Assistant Secretary
Daniel Rom	Assistant Secretary

No other nominations were made.

**On MOTION by Mr. Tyree and seconded by Ms. Bronson, with all in favor, Resolution 2022-01, Designating Certain Officers of the District, as nominated, and Providing for an Effective Date and Providing for an Effective Date, was adopted.**

Prior appointments by the Board for Treasurer and Assistant Treasurer remain unaffected by this Resolution.

**SIXTH ORDER OF BUSINESS**

**Buck Lake Related Items**

**A. Approval of October 21, 2021 Buck Lake Committee Meeting Minutes**

Mr. Rom stated this item would be deferred to the next meeting so that the Buck Lake Committee can review the redline version of the minutes.

Mr. Rom stated that, at the October 21, 2021 meeting, the Buck Lake Committee Members agreed to the following items:

**B. Approval of Buck Lake Management Plan**

**C. Approval of Policies for Use of Buck Lake**

**On MOTION by Mr. Tyree and seconded by Ms. Bronson, with all in favor, the Buck Lake Management Plan and the Policies for Use of Buck Lake, as presented, were approved.**

**SEVENTH ORDER OF BUSINESS**

**Update: Bio-Tech Consulting Inc., 4th Annual Mitigation Monitoring Report (2021)**

Mr. Rom presented the 2021 Bio-Tech Consulting Inc., 4th Annual Mitigation Monitoring Report Methodology and Report, which found that the wetland preservation areas are well established forested systems. The systems are comprised of the appropriate vegetative species and are showing signs of normal health and growth. Recruitment of desirable species is occurring. The effects from the most recent maintenance event are evident in some areas. He stated the next monitoring events are scheduled to occur in January and July, 2022.

Ms. Cerbone stated some Board Members received a duplicate \$1,600 invoice issued to the previous Developer and asked that it be disregarded.

**EIGHTH ORDER OF BUSINESS**

**Ratification of Poulos & Bennett, LLC, Agreement for Engineering Services**

Mr. Rom presented the Poulos & Bennett, LLC, Agreement for Engineering Services for ratification.

**On MOTION by Ms. Bronson and seconded by Mr. Tyree, with all in favor, the Poulos & Bennett, LLC, Agreement for Engineering Services, was ratified.**

**NINTH ORDER OF BUSINESS**

**Update: Stormwater Management Needs Analysis Reporting Requirements**

- **Stormwater Cost Proposal [Poulos & Bennett, LLC]**

Mr. Rom presented the KE Law Group Memorandum explaining the stormwater reporting requirements and a cost proposal from Poulos & Bennett, LLC. Ms. Cerbone stated the Report is due by June 30, 2022 and then every five years thereafter. She stated all CDDs are in the same situation regarding how to fund this expense, as the legislation was signed on June 30, 2021, after the proposed Fiscal Year 2022 budget was approved.

**On MOTION by Mr. Tyree and seconded by Ms. Bronson, with all in favor, the Poulos & Bennett, LLC, proposal for preparation of the 20 Year Stormwater Needs Analysis Report, in the amount of \$15,000, was approved.**

**TENTH ORDER OF BUSINESS**

**Consideration of Resolution 2022-02, Making Certain Findings; Waiving a Portion of Rule 1.3(1), Rules of Procedure; Providing For Reasonable Notice of Board Meetings; Providing a Severability Clause; and Providing an Effective Date**

Mr. Rom presented Resolution 2022-02, which waives the CDD's existing Rule that requires advertisement of every public meeting seven days in advance of the meeting date.

Mr. Earlywine stated this Resolution would allow for cost savings, since it provides flexibility as to advertising of meetings.

**On MOTION by Ms. Bronson and seconded by Mr. Van Auker, with all in favor, Resolution 2022-02, Making Certain Findings; Waiving a Portion of Rule 1.3(1), Rules of Procedure; Providing For Reasonable Notice of Board Meetings; Providing a Severability Clause; and Providing an Effective Date, was adopted.**

**ELEVENTH ORDER OF BUSINESS**

**Consideration of Resolution 2022-03, Adopting Prompt Payment Policies and Procedures Pursuant to Chapter 218, Florida Statutes; Providing a Severability Clause; and Providing an Effective Date**

Mr. Earlywine presented Resolution 2022-03. This Resolution is related to prompt payment to contractors. The CDD's existing policies were updated to comply with the new Statutory requirements.

**On MOTION by Mr. Tyree and seconded by Mr. Wiggins, with all in favor, Resolution 2022-03, Adopting Prompt Payment Policies and Procedures Pursuant to Chapter 218, Florida Statutes; Providing a Severability Clause; and Providing an Effective Date, was adopted.**

**TWELFTH ORDER OF BUSINESS**

**Consideration of Resolution 2022-04, Amending the General Fund Portion of the Budget for Fiscal Year 2021; and Providing for an Effective Date**

Mr. Rom presented Resolution 2022-04. He discussed the need to amend the Fiscal Year 2021 budget because total expenditures exceeded the General Fund portion of the budget.

**On MOTION by Mr. Tyree and seconded by Mr. Fife, with all in favor, Resolution 2022-04, Amending the General Fund Portion of the Budget for Fiscal Year 2021; and Providing for an Effective Date, was adopted.**

**THIRTEENTH ORDER OF BUSINESS**

**Presentation of Audited Annual Financial Report for the Fiscal Year Ended September 30, 2021, Prepared by Berger, Toombs, Elam, Gaines & Frank**

Mr. Rom presented the Audited Annual Financial Report for the Fiscal Year Ended September 30, 2021. There were no findings, irregularities or instances of noncompliance; it

was an unmodified opinion, otherwise known as a clean audit. He stated the version in the agenda was labeled as a draft, pending receipt of notice of approval of the amended budget.

**FOURTEENTH ORDER OF BUSINESS**

**Consideration of Resolution 2022-05, Hereby Accepting the Audited Annual Financial Report for the Fiscal Year Ended September 30, 2021**

Mr. Rom presented Resolution 2022-05.

**On MOTION by Mr. Van Auker and seconded by Mr. Tyree, with all in favor, Resolution 2022-05, Hereby Accepting the Audited Annual Financial Report for the Fiscal Year Ended September 30, 2021, was adopted.**

**FIFTEENTH ORDER OF BUSINESS**

**Acceptance of Unaudited Financial Statements as of November 30, 2021**

Mr. Rom presented the Unaudited Financial Statements as of November 30, 2021. He noted that the “Electric: Irrigation” line item was at 66%.

Mr. Hills advised that the overage was due to the irrigation installed along the main boulevard and stated, when the budget was prepared, it was not known that this work would be required. Mr. Tyree stated the expense percentage would increase as the second part of the project proceeds. Mr. Rom stated this would be addressed during the Fiscal Year 2023 budget deliberations.

**On MOTION by Ms. Bronson and seconded by Mr. Wiggins, with all in favor, the Unaudited Financial Statements as of November 30, 2021, were accepted.**

**SIXTEENTH ORDER OF BUSINESS**

**Approval of October 21, 2021 Regular Meeting Minutes**

Mr. Rom presented the October 21, 2021 Regular Meeting Minutes.

**On MOTION by Mr. Van Auker and seconded by Mr. Tyree, with all in favor, the October 21, 2021 Regular Meeting Minutes, as presented, were approved.**

**SEVENTEENTH ORDER OF BUSINESS**

**Staff Reports**

**A. District Counsel: *KE Law Group, PLLC***

There was no report.

**B. District Engineer: *Poulos & Bennett, LLC***

There was no report.

**C. Field Operations Manager: *Association Solutions of Central Florida Inc.***

Mr. Hills provided the following updates:

- A meeting was held to address issues with landscape maintenance and most concerns were addressed. Mulch should have been installed this week but the shipment was delayed so it would be installed next week.
- “No Golf Cart” signs were installed at the entrance to the trail in response to issues with people driving golf carts on CDD land.

Mr. Tyree stated he would call Florida Gas because people are not permitted in the area. Mr. Hills stated that would be helpful; he advised three people driving golf carts that golf carts are not permitted. Harmony residents have also been utilizing the trail and Ms. Carol Castle, of the Trail Committee, promised to inform Harmony residents accordingly.

**D. District Manager: *Wrathell, Hunt and Associates, LLC***

- **NEXT MEETING DATE: February 17, 2022 at 1:30 P.M.**
  - **QUORUM CHECK**

The next meeting will be held on February 17, 2022, unless cancelled.

Ms. Carbone stated it would be helpful for one Board Member to work with Staff on Buck Lake issues in advance of the upcoming budgetary discussions. Mr. Tyree volunteered.

**EIGHTEENTH ORDER OF BUSINESS**

**Board Members’ Comments/Requests**

There were no Board Members’ comments or requests.



**NINETEENTH ORDER OF BUSINESS**

**Public Comments**

There were no public comments.

**TWENTIETH ORDER OF BUSINESS**

**Adjournment**

There being nothing further to discuss, the meeting adjourned.

**On MOTION by Mr. Tyree and seconded by Mr. Wiggins with all in favor, the meeting adjourned at 1:55 p.m.**

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]



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Secretary/Assistant Secretary



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Chair/Vice Chair