

MINUTES OF MEETING  
SCENIC HIGHWAY  
COMMUNITY DEVELOPMENT DISTRICT

The regular meeting of the Board of Supervisors of the Scenic Highway Community Development District was held on Wednesday, April 18, 2019 at 10:40 a.m. at 346 E. Central Ave. Winter Haven, Florida 33880.

Present and constituting a quorum were:

Rennie Heath	Chairman
Lauren Schwenk	Vice Chairman
Andrew Rhinehart	Assistant Secretary
Patrick Marone	Assistant Secretary
Jack Berry	Assistant Secretary

Also, present were:

Jill Burns	District Manager
Michelle Rigoni	District Counsel
Dennis Wood	District Engineer

**FIRST ORDER OF BUSINESS**

**Roll Call**

Ms. Burns called the meeting to order.

**SECOND ORDER OF BUSINESS**

**Public Comment Period** (*Speakers will fill out a card and submit it to the District Manager prior to the beginning of the meeting*)

Ms. Burns noted there were no members of the public present at the meeting.

**THIRD ORDER OF BUSINESS**

**Organizational Matters**

**A. Administration of Oaths of Office to Newly Elected Board Members**

Ms. Burns swore in everyone who was previously elected at the Landowners' Election. Lauren Schwenk, Jack Berry, Patrick Marone, and Andrew Rhinehart were sworn in as Board Members. Ms. Burns noted Rennie Heath would be sworn in at a later date because he was not at the meeting.

**B. Consideration of Resolution 2019-28 Canvassing and Certifying the Results of the Landowners' Election**

Ms. Burns reviewed the outcome of the Landowners' Election. She noted Rennie Heath and Lauren Schwenk will serve 4-year terms. Jack, Andrew, and Patrick will serve 2-year terms.

On MOTION by Mr. Rhinehart, seconded by Ms. Schwenk, with all in favor, Resolution 2019-28 Canvassing and Certifying the Results of the Landowners' Election, was approved.

**C. Election of Officers**

Ms. Burns noted the previous meeting designated Rennie Heath as Chairman, Lauren Schwenk as Vice Chairman, Jill Burns as Secretary. Jack, Andrew, and Patrick will be Assistant Secretaries as well as George Flint with GMS. Ariel Lovera will be Treasurer and Jill Burns will be Assistant Treasurer.

**D. Consideration of Resolution 2019-29 Electing Officers**

Ms. Burns asked for any changes or questions on Resolution 2019-29. The Board had no changes.

On MOTION by Ms. Schwenk, seconded by Mr. Rhinehart, with all in favor, Resolution 2019-29 Electing Officers, was approved.

**FOURTH ORDER OF BUSINESS**

**Approval of Minutes of the March 13, 2019 Meeting**

Ms. Burns noted that Andrew's name would be changed to reflect the correct spelling and asked for any other changes to the minutes. The Board had no changes or comments on the March 13, 2019 minutes.

On MOTION by Mr. Rhinehart, seconded by Ms. Schwenk, with all in favor, the Minutes of the March 13, 2019 Meeting, were approved, as amended.

**FIFTH ORDER OF BUSINESS**

**Public Hearings**

**A. Public Hearing on the Imposition of Special Assessments**

On MOTION by Ms. Schwenk, seconded by Mr. Rhinehart, with all in favor, the Board opened the Public Hearing for Imposition of Special Assessments.

**i. Presentation of Engineer's Report**

Mr. Wood presented the Engineer's Report dated March 13<sup>th</sup>, 2019 to the Board. It was prepared to show the costs associated with the project. There is a total lot count of 368 lots. The cost for Phase 1 is \$5,465,000, Phase 2 is \$1,150,000 and Phase 3 is \$3,950,000. That totals \$10,565,000.

Ms. Rigoni asked Mr. Wood based on his professional opinion, whether the cost estimates in the Engineer's Report are reasonable for the project of this scope and size. Mr. Wood answered yes. Ms. Rigoni asked Mr. Wood if he is aware of any reason that the project cannot be carried out by the District. Mr. Wood answered no.

**ii. Presentation of Assessment Methodology**

Ms. Burns noted this Master Assessment Methodology, dated March 13, 2019, would allocate the costs in the Engineer's Report to the benefited parcels within the community. Ms. Burns reviewed the tables in the Assessment Methodology for the Board. Ms. Burns stated the bond sizing par amount was \$14,000,000 to generate the \$10,565,000 in construction funds. She noted the improvement cost per unit of \$28,709 which brings the par debt per unit to \$38,043 per unit. Table 6 shows the net and gross annual debt assessment per unit of \$2,764 for the net and \$2,972 for the gross. Ms. Burns asked the Board for any questions on the assessment methodology.

Ms. Rigoni asked Ms. Burns, in her professional opinion, did the lands subject to the special assessments receive special benefit from the District's Capital Improvement Plan. Ms. Burns answered yes. Ms. Rigoni asked Ms. Burns if it was her opinion that the special benefits that the lands will receive as set forth in the final assessment methodology will be equal to or in excess of the special assessments allocated. Ms. Burns answered yes. Ms. Rigoni asked Ms. Burns if it was her opinion that the special assessments are reasonably apportioned among lands

within the District and subject to the special assessments. Ms. Burns answered yes. Ms. Rigoni asked Ms. Burns if, in her professional opinion, is it reasonable, just, and proper to assess the cost of the infrastructure improvements against the lands in accordance with the methodology as presented today. Ms. Burns answered yes, it is. Ms. Rigoni asked Ms. Burns if it was her opinion that it is in the best interest of the District that special assessments be paid and collected in accordance with the methodology and District's assessment resolution. Ms. Burns answered yes.

**iii. Consideration of Resolution 2019-30 Levying Special Assessments**

Ms. Rigoni noted that there are no members of the public present and she has received no public comments at their office. Ms. Burns confirmed the same. The Board had no questions or changes to the assessment.

On MOTION by Ms. Schwenk, seconded by Mr. Rhinehart, with all in favor, the Public Hearing was closed.

Ms. Rigoni presented Resolution 2019-30 levying special assessments. Section 1 of the resolution sets forth the Board's authority to adopt a resolution. Section 2 makes certain findings based on the steps taken to date as well as the evidence presented at today's hearing including Dennis and Jill's testimonies. Section 3 authorizes the District's project for the construction and acquisition of the infrastructure improvements as set forth in the Engineer's Report. Section 4 sets forth the estimated costs of the total project. Section 5 equalizes, approves, confirms, and levies special assessments. Section 6 addresses the finalization of the special assessments once the project has been declared completed. Section 7 provides for the payment and collection of the special assessments. Section 8 provides for the application of true up payments in certain circumstances. Section 9 provides that a certain property owned by HOAs, POAs, and governments are exempt from the special assessments. Section 10 provides for the recording of an assessment notice in the records of Polk County. Ms. Rigoni asked for questions on the resolution.

On MOTION by Mr. Rhinehart, seconded by Ms. Schwenk, with all in favor, Resolution 2019-30 Levying Special Assessments, was approved.

**B. Public Hearing on Adoption of District Rules of Procedure**

On MOTION by Mr. Rhinehart, seconded by Ms. Schwenk, with all in favor, Opening the Public Hearing, was approved.

Ms. Burns noted that no members of the public were present at the meeting.

On MOTION by Ms. Schwenk, seconded by Mr. Rhinehart, with all in favor, Closing the Public Hearing, was approved.

**i. Consideration of Resolution 2019-31 Adopting Rules of Procedure**

Ms. Burns noted that the rules have not changed since the Board saw them at the previous meeting. Ms. Burns asked for questions or changes to the resolution.

On MOTION by Ms. Schwenk, seconded by Mr. Rhinehart, with all in favor, Resolution 2019-31 Adopting Rules of Procedure, was approved.

**C. Public Hearing on the District's Use of the Uniform Method of Levying, Collection, & Enforcement of Non Ad-Valorem Assessments**

On MOTION by Ms. Schwenk, seconded by Mr. Rhinehart, with all in favor, Opening the Public Hearing, was approved.

Ms. Burns noted that no members of the public were present at the meeting.

On MOTION by Mr. Rhinehart, seconded by Ms. Schwenk, with all in favor, Closing the Public Hearing, was approved.

**i. Consideration of Resolution 2019-32 Expressing the District's Intent to Utilize the Uniform Method of Collection**

Ms. Burns noted that this resolution authorizes them to use the Polk County tax bill in order to collect the assessments, but it does not obligate them to do so until they are ready.

On MOTION by Mr. Rhinehart, seconded by Mr. Marone, with all in favor, Resolution 2019-32 Expressing the District's Intent to Utilize the Uniform Method of Collection, was approved.

**SIXTH ORDER OF BUSINESS**

**Ranking of Proposals for District Engineering Services and Selection of District Engineer**

Ms. Burns presented the one proposal they received from Wood & Associates. She suggested the Board rank Wood & Associates #1 and authorize the Chairman to execute the contract subject to District Counsel preparing the agreement.

On MOTION by Mr. Rhinehart, seconded by Mr. Berry, with all in favor, Ranking the Proposal from Wood & Associations for District Engineering Services as #1 and Selection of District Engineer subject to Counsel Preparing the Agreement, was approved.

Mr. Heath joined the meeting at this time and was sworn into office by Ms. Burns.

**SEVENTH ORDER OF BUSINESS**

**Staff Reports**

**A. Attorney**

Ms. Rigoni noted the bond validation hearing for Scenic Highway was set for June 5<sup>th</sup> at 1:30 p.m.

**B. Engineer**

Mr. Wood had nothing further for the Board.

**C. District Manager's Report**

There being none, the next item followed.

**EIGHTH ORDER OF BUSINESS**

**Other Business**

There being none, the next item followed.

**NINTH ORDER OF BUSINESS**

**Supervisors Requests and Audience Comments**

Ms. Burns asked for any supervisor's requests or comments. The Board had no additional comments.

**TENTH ORDER OF BUSINESS**

**Adjournment**

On MOTION by Mr. Heath, seconded by Mr. Rhinehart, with all in favor, the meeting was adjourned.

  
Secretary/Assistant Secretary

  
Chairman/Vice Chairman