

**MINUTES OF MEETING  
BOYNTON VILLAGE  
COMMUNITY DEVELOPMENT DISTRICT**

The Board of Supervisors of the Boynton Village Community Development District held a Regular Meeting on Wednesday, December 10, 2018 at 2:00 p.m., at 2300 Glades Road, Suite 410W, Boca Raton, Florida 33431.

**Present at the meeting were:**

Adam Freedman	Chair
Jim Giolda	Vice Chair
Richard Buck	Assistant Secretary
Evan Schlecker	Assistant Secretary

**Also present were:**

Cindy Cerbone	District Manager
Ginger Wald	District Counsel
Jeff Schnars	District Engineer

**FIRST ORDER OF BUSINESS**

**Call to Order/Roll Call**

Ms. Cerbone called the meeting to order at 2:02 p.m.

- **Administration of Oath of Office to Newly Elected Supervisors, Richard Buck [SEAT 1] and Evan Schlecker [SEAT 2] (the following to be provided in a separate package)**

**This item, previously the Third Order of business, was presented out of order.**

Ms. Cerbone, a Notary of the State of Florida and duly authorized, administered the Oath of Office to Mr. Buck and Mr. Schlecker.

**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 Supervisors, Richard Buck [SEAT 1] and Evan Schlecker [SEAT 2] (the following to be provided in a separate package)**

Ms. Cerbone stated that the Oath of Office was administered during the First Order of Business.

▪ **Roll Call**

**This item, previously part of the First Order of Business, was presented out of order.**

Supervisors Giolda, Freedman, Buck and Schlecker were present, in person.

Ms. Cerbone described the documents in the new Supervisor's packet and noted the Sunshine Law, Supervisor fees, filing disclosure and other forms and records maintenance.

- 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**

**FOURTH ORDER OF BUSINESS**

**Consideration of Resolution 2019-01, Canvassing and Certifying the Results of the Landowners' Election of Supervisors Held Pursuant to Section 190.006(2), Florida Statutes**

Cerbone presented Resolution 2019-01 and read the title. At the Landowners' Election, votes were cast by representatives from Cortina III, RRPIV Cortina LLC and Morguard Boynton Town Center, Inc. (Morguard). There was a disagreement with the representative from Morguard regarding the actual number of authorized votes; the Morguard representative eventually cast a ballot that Management could accept based on the number of authorized votes, as calculated by Management.

The results of the Landowners' Elections were:

Seat 1	Richard Buck	42 votes	Four-year Term
Seat 2	Evan Schlecker	42 votes	Four-year Term
Seat 5	Hugo Pacanins	41 votes	Two-year Term

At the end of the meeting, it was disclosed that, although Mr. Pacanins is a Florida resident, he is not a US Citizen; therefore, he cannot serve on the Board, meaning that Seat 5 is vacant.

**On MOTION by Mr. Freedman and seconded by Mr. Giolda, with all in favor, Resolution 2019-01, Canvassing and Certifying the Results of the Landowners' Election of Supervisors Held Pursuant to Section 190.006(2), Florida Statutes, was adopted.**

**FIFTH ORDER OF BUSINESS**

**Consider Appointment of Supervisor to Seat 5; Term Expires November 2020**

- **Administration of Oath of Office to Newly Appointed Supervisor**

Ms. Cerbone asked for nominations to fill Seat 5. Mr. Schlecker nominated Mr. Michael Bowden. No other nominations were made. The Oath of Office would be administered to Mr. Bowden at another time.

**On MOTION by Mr. Freedman and seconded by Mr. Buck, with all in favor, the appointment of Mr. Bowden to Seat 5, was approved.**

**SIXTH ORDER OF BUSINESS**

**Consideration of Resolution 2019-02, Electing the Officers of the Boynton Village Community Development District, Palm Beach County, Florida**

Ms. Cerbone presented Resolution 2019-02 and recapped the slate of officers prior to the election. Mr. Schlecker nominated Mr. Buck to serve as Chair, himself as Vice Chair, Mr. Freedman, Mr. Giolda as Assistant Secretaries and the remainder of the slate to be upheld. No other nominations were made.

The slate of officers was as follows:

Chair	Richard Buck
Vice Chair	Evan Schlecker
Secretary	Craig Wrathell
Treasurer	Craig Wrathell
Assistant Secretary	Cindy Cerbone
Assistant Secretary	Adam Freedman
Assistant Secretary	Jim Gielda
Assistant Secretary	_____
Assistant Treasurer	Jeff Pinder

**On MOTION by Mr. Buck and seconded by Mr. Gielda, with all in favor, Resolution 2019-02, Electing the Officers of the Boynton Village Community Development District, Palm Beach County, Florida, as nominated, was adopted.**

Ms. Cerbone stated, once Mr. Bowden is administered the Oath of Office, the slate of officers will be elected again.

**SEVENTH ORDER OF BUSINESS**

**Discussion/Consideration of Fiscal Year 2019 Meeting Schedule (Day, Time & Location)**

- **Ratification of December 12, 2018 Meeting Cancellation**

Ms. Cerbone stated, currently, meetings are held on the second and fourth Wednesdays of each month at 10:30 a.m., in Management’s Office; however, with the addition of the new Board Members, it is necessary to reconsider the meeting schedule to accommodate everyone’s schedules. The consensus was to set one meeting in January until the fifth Board Member is sworn in and then revisit the meeting schedule again. Ms. Cerbone recapped that the previous meeting schedule would be cancelled and the next meeting will be held on January 23, 2019 at 2:00 p.m. Ms. Wald suggested cancelling the January 9 meeting and scheduling an emergency meeting if necessary. Ms. Cerbone requested Mr. Bowden’s contact information to include him on Management’s communication list.

**On MOTION by Mr. Schlecker and seconded by Mr. Buck, with all in favor, authorizing Staff to cancel all meetings until January 23, 2019, was approved.**

**EIGHTH ORDER OF BUSINESS****Discussion: Status of Observation Deck**

In response to Ms. Cerbone's inquiry, Mr. Schnars stated that most of the permits are still pending and JKM Developers is waiting for the building permit. Mr. Giolda stated that the permit should be received any day now. Ms. Cerbone inquired about the construction time frame, once the permits are received. Mr. Schnars replied a few months. Discussion ensued regarding the legal description, the agreement and the construction. Ms. Cerbone stated that the legal description will be completed, once the observation deck is completed.

**NINTH ORDER OF BUSINESS****Approval of Unaudited Financial Statements as of October 31, 2018**

Ms. Cerbone presented the Unaudited Financial Statements as of October 31, 2018. In response to a question regarding the lack of activity in the actuals, under the current month year-to-date, Ms. Cerbone stated most of the dollar amounts are submitted by the Tax Collector and the revenues are not yet due. For the off-roll billing, Management typically sends invoices in October and expects payment within 30 days. A Board Member asked if "Property maintenance" is "Porter services". Ms. Cerbone stated that "Porter services" is a combination of "Property maintenance" and "Field management".

Discussion ensued regarding the substandard maintenance of the community and whether to terminate, modify or re-negotiate the Maintenance Agreement with the Master Association and taking over maintenance responsibility. Ms. Wald stated the Master Association is obligated to follow the duties and responsibilities with regard to maintenance and, if they are failing, they could be placed on notice and the Board would be within its rights to terminate the Agreement. Ms. Cerbone would include the Maintenance Agreement in the next agenda for further consideration. Mr. Schlecker asked if District Counsel could investigate a potential exit plan and review the Master Association Documents. Ms. Wald stated that she

cannot provide legal advice as to the Master Association and can solely advise as to the Agreement that the District has with the Master Association.

**On MOTION by Mr. Giolda and seconded by Mr. Freedman, with all in favor, the Unaudited Financial Statements as of October 31, 2018, were approved.**

**TENTH ORDER OF BUSINESS**

**Approval of Minutes**

- A. November 1, 2016 Landowners’ Meeting**
- B. October 10, 2018 Regular Meeting**
- C. October 24, 2018 Regular Meeting**
- D. November 14, 2018 Landowners’ Meeting**

Ms. Cerbone presented the November 1, 2016 Landowners’ Meeting, the October 10, 2018 Regular Meeting, the October 24, 2018 Regular Meeting and the November 14, 2018 Landowners’ Meeting Minutes and asked for any additions, deletions or corrections.

**On MOTION by Mr. Giolda and seconded by Mr. Schlecker, with all in favor, the November 1, 2016 Landowners’ Meeting, the October 10, 2018 Regular Meeting, the October 24, 2018 Regular Meeting and the November 14, 2018 Landowners’ Meeting Minutes, as presented, were approved.**

Mr. Schlecker asked if the minutes are provided in advance of the meetings. Ms. Cerbone stated that Florida Statutes require agenda packages to be provided seven days in advance of the meeting and the draft minutes are included in the agenda package. The minutes are occasionally ready before then but are usually ready on the day that the agenda packet is shipped. Ms. Wald noted that the draft minutes are included in the agenda package posted on the CDD website.

**ELEVENTH ORDER OF BUSINESS**

**Staff Reports**

- A. District Counsel: *Billing, Cochran, Lyles, Mauro & Ramsey, P.A.***

There being no report, the next item followed.

**B. District Engineer: Schnars Engineering Corporation**

Mr. Schnars provided the following report:

- The water and sewer improvements were transferred to the City through the CDD.
- The Ulta project is currently under construction and it is unclear if it will be completed by the next meeting but, if it is, it should be included in the agenda.

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

Ms. Cerbone distributed a handout from Osprey Landscaping regarding mulching. She would request a proposal and present it at the next meeting. Discussion ensued regarding the Greenway, irrigation, the vendors and Mr. Zolar.

- **NEXT MEETING DATE: January 23, 2019 at 2:00 p.m.**

The next meeting will be held on January 23, 2019 at 2:00 p.m.

**TWELFTH ORDER OF BUSINESS**

**Supervisors' Requests**

In response to Mr. Schlecker's question, Mr. Giolda stated that he is one of the partners of JKM Developers.

**THIRTEENTH ORDER OF BUSINESS**


**Adjournment**

There being nothing further to discuss, the meeting adjourned.

**On MOTION by Mr. Freedman and seconded by Mr. Giolda, with all in favor, the meeting adjourned at 3:10 p.m.**

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]

  
Secretary/Assistant Secretary

  
Chair/Vice Chair