

MINUTES OF MEETING
BELLA COLLINA
COMMUNITY DEVELOPMENT DISTRICT

The Regular Meeting of the Bella Collina Community Development District was held Thursday, October 11, 2018 at 9:30 a.m. at the Bella Collina Clubhouse, 16350 Vetta Drive, Montverde, Florida.

Present and constituting a quorum were:

Randall Greene	Chairman
David Burman	Vice Chairman
Duane Owen	Assistant Secretary
Dutch Holt	Assistant Secretary
Andrew Gorrill	Assistant Secretary

Also present were:

George Flint	District Manager
Steve Boyd	District Engineer by phone
Alan Scheerer	Field Manager

FIRST ORDER OF BUSINESS

Roll Call

Mr. Flint called the meeting to order.

SECOND ORDER OF BUSINESS

Public Comment Period

There being no members of the public present, the next item is followed.

THIRD ORDER OF BUSINESS

Approval of Minutes of August 9, 2018 Meeting

Mr. Flint: Did the Board have any comments on those minutes?

On MOTION by Mr. Burman, seconded by Mr. Gorrill, with all in favor, the Minutes of August 9, 2018 Meeting were approved as presented.
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FOURTH ORDER OF BUSINESS

Consideration of Utility Easement Agreement with DCS Real Estate Investments, LLC

Mr. d’Adesky: This is our standard form that has been allowing access to that for the purpose of potable water, wastewater, sanitary, sewer, and reuse across the lands and has all of our standard provisions allowing for relocation and limitation of rights identification. It also has notices and provides for insurance requirements. Steve, do you want to talk about the easement at all in terms of the utility or function?

Mr. Boyd: Yes, so it’s the utility that provides the CDD with the right to access and maintain water, sewer, and a large irrigation main that crosses the DCS property where the CN Tower is located. Some of these are existing and being relocated, so this is a blanket easement essentially over the parking lot because there are lines on various locations. The legal description, which is not attached, is still being completed by ASM. I have attached a graphic depiction of the area, so what we would like to request is that the Board go ahead and authorize the Chairman to execute this easement when the legal description has been attached to it. Again, it’s essentially over the DCS property, not including the structure itself.

Mr. Flint: Okay. Any questions on the easement? Randall?

Mr. Greene: Should I refrain from voting?

Mr. d’Adesky: You can abstain.

Mr. Greene: Okay, I would like to abstain.

Mr. Flint: Okay. You can participate in the vote, you just need to file a conflict from.

Mr. Greene: Okay.

Mr. Flint: Are there any questions from the Board? It is basically a utility easement related to the towers. If not, is there a motion to approve it and authorize the Chairman to execute it? Let the record reflect that Mr. Greene is filing a conflict form.

On MOTION by Mr. Holt, seconded by Mr. Burman, with all in favor, with Mr. Greene abstaining, the Utility Easement Agreement with DCS Real Estate Investments, LLC was approved.

FIFTH ORDER OF BUSINESS

Consideration of Boat Ramp and Dock Permit Modification Application

Mr. Flint: We were contacted by the developer letting us know that they are submitting an environmental permit to install a boat dock and boat ramp. It involves property owned by the CDD, and as a result the CDD was required to be a co-permittee or to execute the application. We are asking the Board to ratify that action.

Mr. Owen: Where is it being put?

Mr. Boyd: It is at the north end of Lake Sienna between the road and the lake. That parcel is owned by the CDD, so the proposal is to put a ramp in with a whole set of parallel parking along the road, which is not there today, and there would also be a dock that extends out into the lake.

Mr. d'Adesky: Who would be responsible for maintenance of that?

Mr. Flint: That is what the next item is on the agenda, which the Board would need to direct Counsel to prepare. Typically, in those agreements, there would be insurance requirements, indemnification, and things like that.

Mr. d'Adesky: Right, I just wanted to make that clear for the record.

Mr. Flint: Assuming the Board approves that and delegates authority, we would suggest an agreement authorizing the boat ramp and dock to be installed. However, then including other provisions, they would protect the District from a liability perspective.

Mr. d'Adesky: And also, from an access perspective if it is going to be privately maintained versus CDD maintenance. I would prefer for it to go that way to quash any potential access questions.

Mr. Flint: The copy of the permit in your agenda is not executed by the District. Randall, did you sign this permit or were you waiting for the Board meeting to do that?

Mr. Greene: I believe I signed it.

Mr. Flint: Okay. So, we would ask the Board to ratify the Chairman's actions in executing the permit, and then we would direct District Counsel to prepare an easement license agreement giving the developer the authority to place it there, and also with the appropriate protections for the District.

Mr. Owen: George, we have a question on page 2. The application says "we are either creating or impacting an existing mine".

Mr. Flint: Steve, on page 2, there is a table that is titled "What Sections of the Application Must I Fill Out," and the last row is "Creating a Mine." Mr. Owen is asking for clarification on that.

Mr. Boyd: Essentially, there is a signature page that is part of Section A that any property that is part of the permit has to sign. So, we've got Section A attached there, and if you scroll to the end of it you can see that it's been signed by all signers for DCS. There is an additional page with Part 4, and that is something for each landowner that they have to sign. You can see that DCS has already signed, and there's a blank Part 4 with Randall Greene's name next to it. That is what the landowner has to sign, and that is the only thing that has to be signed.

Mr. d'Adesky: Hold on, I've got the answer to the question, this is a generic template form that can be used for a lot of things and not just what we are doing. It's used for anything that involves submerged lands, dredging, or filling and that could be something involving a lake, or something involving a mine. If there was a mine involved, you fill out Sections A and B, but since we are doing a dock, it's Sections A, C, D, and F. That is just helping the person that is filling it out, we do not have a mine.

Mr. Owen: Okay. Thank you.

Mr. Boyd: The other part of this is that Lake County may also require a landowner signature, so it should be part of the motion if we can get the signature.

Mr. d'Adesky: Right, so part of the approval of the permit is authorizing the Chairman or Vice Chairman to execute any necessary documents to effectuate the installation of the boat dock. Can someone make that motion?

On MOTION by Mr. Holt, seconded by Mr. Owen, with all in favor, the Boat Ramp and Dock Permit Modification Application, with the requirement of the landowner signature, was ratified.

Mr. d'Adesky: I will take that as a direction to prepare a License for Easement for execution by the Chairman.

Mr. Flint: So that handles Item 6 as well.

Mr. d'Adesky: Right, we don't have the agreement, so we can't really approve it.

Mr. Boyd: I was going to give you guys the parcel number because I was looking that up earlier; it's alternate key 383-6399.

Mr. d'Adesky: Would you email me that, Steve.

Mr. Boyd: Yes, and there's also one more that is alternate key 390-2313. I will email those to you.

Mr. d'Adesky: Thanks Steve.

SIXTH ORDER OF BUSINESS

Consideration of Easement/License Agreement for Boat Ramp and Parking

On MOTION by Mr. Holt, seconded by Mr. Owen, with all in favor, the Easement/License Agreement for Boat Ramp and Parking, was approved and the Chairman authorized to execute the final document.

SEVENTH ORDER OF BUSINESS

Consideration of Proposal from Utility Technicians to Provide Water Billing and Repair Services

Mr. Flint: This is a proposal from Utility Technicians, Inc. This is the company that does the meter reading and billing for the District as well as meter installation and field repairs on an as-needed basis. They have also installed most of the grinder stations, although contractors have the ability to use their own. But, they do the inspections before start-up. All the charges on the first page remain the same; they have included increases on the second page related to the water meter installations, and a lot of that is the price of the meters increasing. So, all the fees related to the water meter installation, the field testing, and the repairs have all had proposed increase. There have been some decreases as well, so this is something that they bring forward annually, and the Board approves it. We are comfortable with their proposed changes and would ask the Board to approve it.

On MOTION by Mr. Holt, seconded by Mr. Greene, with all in favor, the Proposal from Utility Technicians to Provide Water Billing and Repair Services was approved.

EIGHTH ORDER OF BUSINESS

Consideration of Agreement with Berger, Toombs, Elam, Gaines, & Frank to Provide Auditing Services for the Fiscal Year 2018

Mr. Flint: Next is the consideration with Berger, Toombs, Elam, Gaines & Frank, and they are the District's independent auditor. Each year, you enter into an engagement with them to

perform the annual independent audit. You selected them through a bidding process that was prescribed by the Statutes that includes appointment of an Audit Committee, etc. The fee is not to exceed of \$3,375, and that is consistent with what they included in their bid and what you all budgeted. When you bid this out, they were significantly lower than the other audit firms. They are qualified, and they do a number of other CDD audits. So, this would be for Fiscal Year 2018, which just ended on September 30th. Any questions on the agreement? If, not is there a motion to approve it?

On MOTION by Mr. Gorrill, seconded by Mr. Burman, with all in favor, the Agreement with Berger, Toombs, Elam, Gaines & Frank to Provide Auditing Services for the Fiscal Year 2018 was approved.

NINTH ORDER OF BUSINESS

Staff Reports

A. Attorney

Mr. Flint: Andrew, anything else?

Mr. d'Adesky: Obviously, we have a little bit of homework to do involving the License/Easement Agreement. Involving the expansion, we've got all of the items we needed; at this point, we have to—as part of the procedure—first submit to Montverde and Lake County, and they have the option to hold a hearing and give their recommendation to the State. I got the information and got in contact with the City Attorney, Anita Carver. We have to get a \$1500 check to her. George, I will have to have you cut that, and we are going to put a little form on there that says, "Please check and return if you are going to opt to hold the hearing." Ninety percent of the time, they don't hold the hearing because it costs money for them to hold an extra public hearing—and what does it really matter to them anyways. I sent my contact in Lake County all the information, and she said that she would get back to be. I called today to follow up, and it says she is on vacation until Monday so I will check again Monday just to make sure I'm making the check out to the right person and get it submitted to her to get that rolling pretty quickly.

B. Engineer

Mr. Flint: Steve, do you have anything else with the Engineer's Report?

Mr. Boyd: I don't have anything in addition to what we already discussed.

C. District Manager’s Report

i. Approval of Check Registers

Mr. Flint: You have the Check Register for the month of August, totaling \$75,604.91. Did the Board have any questions on that?

On MOTION by Mr. Burman, seconded by Mr. Greene, with all in favor, the Check Register for the month of August, totaling \$75,604.91, was approved.

Mr. Flint: Then you have the Check Register for the month of September, totaling \$89,210.91. Any questions on that one?

On MOTION by Mr. Greene, seconded by Mr. Burman, with all in favor, the Check Register for the month of September, totaling \$89,210.91, was approved.

ii. Balance Sheet and Income Statement

Mr. Flint: You have the unaudited financial statements through August 31st. There is no action required. If the Board has questions we can discuss those.

iii. SBA Florida PRIME Monthly Summary Report

Mr. Flint: Finally, there is a report from the State Board of Administration, which is the investment pool that the District puts their surplus funds in. That is just for information purposes.

TENTH ORDER OF BUSINESS

Other Business

Mr. Flint: Is there any other business that needs to be discussed?

ELEVENTH ORDER OF BUSINESS

Supervisor’s Request

Mr. Owen: One thing that needs to be looked at is the sewer caps that the contractor came out and repaired. I think we have had some more damage done to it.

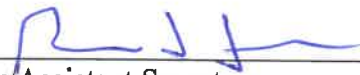
Mr. Scheerer: Andy called and Chad came out here and it was re-damaged. That is being handled.

Mr. Flint: If it is something like that, you can call us too.

TWELFTH ORDER OF BUSINESS

Adjournment

On MOTION by Mr. Greene, seconded by Mr. Gorrill, with all in favor, the meeting was adjourned at 9:42 a.m.


Secretary/Assistant Secretary


Chairman/Vice Chairman