

**HAINES CITY WATER CONTROL DISTRICT
ADVERTISED MEETING and PUBLIC HEARING
ON BUDGET FOR FISCAL YEAR 2021/2022
August 24, 2021**

AGENDA

- I. Call to Order
- II. Establish Quorum
- III. Approve Minutes of Meeting of August 3, 2021.
- IV. Approve Finance Report dated August 24, 2021
- V. General Public Comment (*limited to 5 minutes per person*)
- VI. Old Business
- VII. New Business
 - a) First Amendment to Attorney-Client Contract with Reilly International Law Firm
 - b) Review of Proposed Fiscal Year 2021-2022 District Budget.
 - c) Open Public Hearing on Resolution No. 2021-15
 - d) Call for Motion to Introduce Resolution No 2021-15
 - e) Attorney Reilly to Read Resolution No. 2021-15 (Title Only):

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE
HAINES CITY WATER CONTROL DISTRICT (THE
“DISTRICT”) ADOPTING THE BUDGET FOR THE FISCAL
YEAR BEGINNING OCTOBER 1, 2021, AND ENDING
SEPTEMBER 30, 2022; PROVIDING FOR CONFLICTS;
PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN
EFFECTIVE DATE**

- f) Call for Motion to Adopt Resolution No. 2021-15
 - g) Call for Public Comments/Questions
 - h) Close Public Hearing on Resolution No. 2021-15
- VIII. Supervisors' Comments
- IX. Attorney's Comments
- X. Secretary's Comments

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XI. Set Date for Next Meeting

XII. Adjourn Meeting

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HAINES CITY WATER CONTROL DISTRICT MINUTES OF MEETING August 3, 2021

PRESENT: Chairman Lonnie Large, Vice Chairman Russell Yates, Supervisor Omar Arroyo, Supervisor Nicholas Gollattscheck, Supervisor Janie Large, Attorney Fred Reilly, Special Counsel Mark Lawson; Secretary/Treasurer Linda Robinson; Engineer Steve Shealey (via conference call)

Call to Order and Establish Quorum

Chairman Large called the meeting to order at 5:05 p.m. and pronounced that a quorum was present.

Approve Minutes of Meeting of July 1, 2021

Vice Chairman Russell Yates motioned to approve the Minutes of the meeting of July 1, 2021. Supervisor Gollattscheck seconded. Motion carried with all yeas.

Approve Finance Report dated August 3, 2021

It was reported that as of August 1, 2021, the balance in the District's checking account is \$268,234.76. Supervisor Gollattscheck motioned to approve the Finance Report. Supervisor Janie Large seconded the motion. Motion carried with all yeas.

General Public Comment (*limited to 5 minutes per person*)

There was no one from the General Public nor any owners of property within the District in attendance or made any comments to the Board of Supervisors.

Old Business

Engineer Steve Shealey discussed with the Supervisors his recent Zoom meeting with members of the Southwest Florida Water Management District regarding a grant for relocation of a weir. (A copy of Mr. Shealey's written report to the Board of Supervisors is attached to these Minutes as Exhibit 1.) Mr. Shealey stated that SWFWMD is in the process of doing a flood study for the Haines City region. Even though there was not a whole lot of interest on the part of SWFWMD, but if we are so inclined, SWFWMD suggested that we apply and make our best argument for funding. Mr. Shealey advised that the application process starts this week. SWFWMD is very clear that they want to see some data and modeling. Chairman Large remarked that it would appear that SWFWMD is not interested in our project at this time. He asked if we should wait until the flood study is completed. If we should get approved for a grant, Vice Chairman Yates asked what would our responsibility be. Mr. Shealey stated that this would be a 50/50-type of grant. Vice Chairman Yates agreed with Chairman Large that at this time SWFWMD has no interest in participating. The Supervisors asked Mr. Shealey what was entailed to get a model done. Mr. Shealey stated that it would probably be 10 hours. After discussion

amongst the Supervisors, Supervisor Gollattscheck motioned to direct Steve Shealey and Pennoni to proceed with preparing a model. Supervisor Large seconded. Motion carried with all yeas.

New Business

Chairman Large introduced Special Counsel Mark Lawson to give a brief overview of Resolution No. 2021-14. Mr. Lawson explained to the Supervisors the process for the imposition and levying of non-ad valorem assessments. Based upon review of the non-ad valorem tax roll, Mr. Lawson advised that approximately \$139,750 in annual revenue will be collected for Fiscal Year 2021-2022. The NAV rate currently being assessed is \$50 per acre or any portion. Mr. Lawson then briefly discussed with the Supervisors the statutory process for amending the boundary lines of the District, and that it would have to be approved by the Florida Legislature by a Local Bill. He further discussed the process of Indexing Rates which is permitted by Chapter 191 Florida Statutes. This is established by a 5-year rolling average of personal income growth per capita in the State. If the average income goes up, then the amount of assessments will increase. If this is a process that the Supervisors would like to explore, he will go into more detail; but that a Revised Water Control Plan will need to be prepared.

Secretary/Treasurer Robinson then reviewed the Preliminary Budget for Fiscal Year 2021-2022. She advised that a public hearing on final adoption of the budget will be held by the Board at the meeting of August 24, 2021. This is an advertised public hearing.

Chairman Large opened the Public Hearing on Resolution No. 2021-14. Vice Chairman Yates motioned to introduce Resolution No. 2021-14. Supervisor Gollattscheck seconded. Motion carried with all yeas.

Attorney Reilly to read Resolution No. 2021-14 (Title Only):

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE HAINES CITY WATER CONTROL DISTRICT, POLK COUNTY, FLORIDA, PERTAINING TO THE IMPOSITION AND LEVY OF NON-AD VALOREM ASSESSMENTS ON LANDS WITHIN THE DISTRICT; ADDRESSING THE NECESSARY MEANS TO GOVERN AND CARRY OUT THE OBJECTIVES AND RESPONSIBILITIES OF THE DISTRICT; RECOGNIZING THE STATUTORY USE OF ACREAGE AS A UNIT OF MEASUREMENT IDENTIFIED BY THE LEGISLATURE IN THE FLORIDA STATUTES; ESTABLISHING THE RATE OF ASSESSMENT; ADOPTING A METHOD OF APPORTIONING COSTS TO BE ASSESSED AND PROVIDING FOR DIRECTION IN THE PROCESS OF CALCULATING AND IMPOSING ASSESSMENTS; ADOPTING AN ASSESSMENT ROLL; PROVIDING FOR THE METHOD OF COLLECTION; PROVIDING FOR ASSOCIATED POLICY AND ADMINISTATIVE DIRECTION; AND PROVIDING AN EFFECTIVE DATE

Supervisor Gollattscheck made a motion to adopt Resolution No. 2021-14. Vice Chairman Yates seconded. Chairman Large called for public comments and/or questions. There were none. Motion passed with all yeas.

Chairman Large closed the public hearing on Resolution No. 2021-14.

Draft Audit Report from Bunting Tripp & Ingley

Secretary Robinson stated that she received the draft audit report from the CPAs, and there were no negative comments by the auditor regarding the District's financial reporting.

Additional Comments

There were no additional comments by the Supervisors, Attorney Reilly, or Secretary Robinson.

Next Meeting Date – August 24, 2021

Adjourn Meeting

There being no further business to discuss, the meeting was adjourned at 6:15 p.m.

Attest:

APPROVED:

Linda Robinson, Secretary

Lonnie Large, Chairman

HAINES CITY WATER CONTROL DISTRICT

Finance Report

August 24, 2021

Bank Balance as of August 1, 2021 \$268,234.76

Deposits and Other Credits:

08/03/2021 Joe Tedder Tax Collector (Interest April, May, June) \$3.58
08/17/2021 Joe Tedder Tax Collector \$127.98

Withdrawals / Debits:

08/06/2021 - Ck. 2014 Reilly International Law Firm 1,209.60
08/06/2021 - Ck. 2015 Pennoni 892.50
08/06/2021 - Ck. 2016 Linda Robinson (July and August) 500.00

Ending Bank Balance as of August 20, 2021 \$265,764.22

Checks Pending / Not Cleared Bank:

07/16/2021 - Ck. 2011 DigiSquid (Domain Name Registration) \$ 24.95
08/12/2021 - Ck. 2017 Polk County Property Appraiser 1,571.34
08/19/2021 - Ck. 2018 Bunting Tripp & Ingley CPAs 11,000.00

RESOLUTION 2020-15

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE HAINES CITY WATER CONTROL DISTRICT (THE “DISTRICT”) ADOPTING THE BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2021, AND ENDING SEPTEMBER 30, 2022; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Chairman has, prior to the 24th day of August, 2021, submitted to the Board of Supervisors (the “Board”) a proposed budget for the next ensuing budget year for the Haines City Water Control District; and

WHEREAS, the Board set August 24, 2021, as the date for a public hearing thereon; and

WHEREAS, the Board of Supervisors of the District is authorized by Section 298.22 (8), Florida Statutes, to adopt resolutions and policies to implement the purposes of Chapter 298, Florida Statutes; and

WHEREAS, the Board of Supervisors of the District is authorized to adopt a Resolution which adopts a budget for the ensuing fiscal year and appropriate such sums of money as the Board deems necessary to defray all expenditures of the District during the ensuing fiscal year; and

WHEREAS, the Chairman of the Board has prepared a proposed Budget, whereby the budget shall project the cash receipts and disbursements anticipated during a given time period, including reserves for contingencies for emergency or other unanticipated expenditures during the fiscal year.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE HAINES CITY WATER CONTROL DISTRICT:

SECTION 1. BUDGET.

a) That the Board of Supervisors has reviewed the Chairman’s proposed Budget, a copy of which is on file with the office of the Board of Supervisors and at the District’s Records Office.

b) That the District Chairman’s proposed Budget, attached hereto as Exhibit “A,” is hereby adopted in accordance with the provisions of Section 298.22 (8), Florida Statutes, and incorporated herein by reference; provided, however, that the comparative figures contained in the adopted budget may be subsequently revised as deemed necessary by the Board of Supervisors to reflect actual revenues and expenditures for Fiscal Year 2022 and/or revised projections for Fiscal Year 2021.

c) That the adopted budget shall be maintained in the office of the District's Records Office and identified as "The Budget for the Haines City Water Control District for the Fiscal Year Ending September 30, 2022," as adopted by the Board of Supervisors on August 24, 2021.

d) The final adopted budget shall be posted by the District Manager on the District's official website within thirty (30) days after adoption.

SECTION 2. CONFLICTS. All resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 3. SEVERABILITY. If any provision of this Resolution or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this Resolution that can be given effect without the invalid provision or application, and to this end the provisions of this Resolution are declared to be severable.

SECTION 4. EFFECTIVE DATE. This Resolution shall take effect immediately upon its passage and adoption.

PASSED and ADOPTED in regular session of the Board of Supervisors of the Haines City Water Control District, this 24th day of August, 2021.

**HAINES CITY WATER CONTROL
DISTRICT BOARD OF SUPERVISORS**

By: _____
Lonnie Large, Chairman

ATTEST:

Linda Robinson, Secretary

APPROVED AS TO FORM AND CONTENT:

Fred Reilly, District Counsel