

**MINUTES OF MEETING
OSPREY OAKS
COMMUNITY DEVELOPMENT DISTRICT**

A Regular Meeting of the Osprey Oaks Community Development District's Board of Supervisors was held on **Tuesday, November 8, 2016 at 10:00 a.m.**, at **2300 Glades Road, Suite 202E, Boca Raton, Florida 33431.**

Present and constituting a quorum were:

Jim Gielda	Chair
Adam Freedman	Vice Chair
Michael Smith (<i>via telephone</i>)	Assistant Secretary
Gary Einfalt	Assistant Secretary
Kristi Freedman (<i>via telephone</i>)	Assistant Secretary

Also present were:

Cindy Cerbone	Wrathell, Hunt and Associates, LLC
Dennis Lyles	District Counsel
Jeff Schnars	District Engineer
John Markey	BR Osprey Acquisition, LLC
Jonathan Berman	Resident
Ken Naim	Resident
Meredith Naim	Resident
John Flaherty	Resident

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Ms. Cerbone called the meeting to order at 10:01 a.m., and noted, for the record, that Supervisors Jim Gielda, Adam Freedman and Gary Einfalt were present, in person. Supervisors Michael Smith and Kristi Freedman were attending via telephone.

SECOND ORDER OF BUSINESS

Public Comments

There being no public comments, the next item followed.

THIRD ORDER OF BUSINESS

Discussion: Pavers

Mr. Schnars stated that a site inspection was conducted of all paved brick areas throughout the community. There were numerous areas of broken, cracked and settled pavers, at various locations; pictures were taken. Mr. Schnars asked if this was a Homeowner’s Association (HOA) maintenance responsibility. Mr. Giolda replied affirmatively. The District Manager would draft a reminder letter to the HOA. Ms. Cerbone drafted a letter to the HOA and would attach the Engineer’s report.

FOURTH ORDER OF BUSINESS

Consideration of Resolution 2017-1, Relating to the Amendment of the Annual Budget for the Fiscal Year Beginning October 1, 2015 and Ending September 30, 2016; and Providing for an Effective Date

Ms. Cerbone presented Resolution 2017-1 for the Board’s consideration. An amendment was necessary to avoid a finding in the audit because “Actual Expenditures” exceeded “Budgeted Expenditures”. Ms. Cerbone must research whether the \$10,561 amount on the “Contingency/bank charges” line item, under “Proposed Amendment Increase/Decrease) column should be \$1,061.

On MOTION by Mr. Freedman and seconded by Mr. Giolda, with all in favor, Resolution 2017-1, Relating to the Amendment of the Annual Budget for the Fiscal Year Beginning October 1, 2015 and Ending September 30, 2016; and Providing for an Effective Date, contingent upon verification of the “Contingencies/bank charges” line item amount, was adopted.

FIFTH ORDER OF BUSINESS

Approval of Unaudited Financial Statements as of September 30, 2016

Ms. Cerbone presented the Unaudited Financial Statements as of September 30, 2016. Mr. Freedman requested confirmation that the “Capital Projects Fund” would be closed out since it was certified complete.

On MOTION by Mr. Freedman and seconded by Mr. Giolda, with all in favor, the Unaudited Financial Statements as of September 30, 2016, were approved.

SIXTH ORDER OF BUSINESS

Approval of Minutes

- A. September 13, 2016 Public Hearing and Regular Meeting**
- B. September 27, 2016 Regular Meeting**
- C. October 11, 2016 Regular Meeting**

Ms. Cerbone presented the September 13, 2016 Public Hearing and Regular Meeting and the September 27 and October 11, 2016 Regular Meeting Minutes and asked for any additions, deletions or corrections.

On MOTION by Mr. Giolda and seconded by Mr. Einfalt, with all in favor, the September 13, 2016, Public Hearing and Regular Meeting and the September 27 and October 11, 2016 Regular Meeting Minutes, as presented, were approved.

SEVENTH ORDER OF BUSINESS

Other Business

There being no other business, the next item followed.

EIGHTH ORDER OF BUSINESS

Staff Reports

- A. District Counsel**

There being no report, the next item followed.

- B. District Engineer**

Mr. Schnars stated that the HOA was served a Notice of Violation (NOV) from Palm Beach County regarding the littoral areas. The NOV stated that there was insufficient littoral plant coverage and recent maintenance caused a modification to the original littoral shelf. The County required a survey of the littoral area, earthwork and replanting, to meet minimum coverage and compliance requirements. A proposal was submitted to the HOA for the survey work last week. Mr. Schnars spoke with Ms. Carrie Smith, of GRS Management Associates, Inc. (GRS), the HOA’s management company, and explained what must be completed for

compliance. Mr. Freedman asked about District's liability. Mr. Schnars stated that the property is owned by the HOA; therefore, the HOA was liable. If the HOA complied, proactively, fines would be avoided. Mr. Lyles stated certain areas of the District are owned by the HOA but the CDD, through a maintenance agreement, has an easement over those areas to maintain the water management system for drainage. If there is an easement, the District should not be subjected to fines. These are matters related to the ownership and are not part of the responsibilities for stormwater management activities of the CDD, under the easement rights. At some point, the CDD may be involved; however, not on the financial liability end. Mr. Schnars was uncertain why the HOA hired a company to perform maintenance. The company hired by the HOA caused the noncompliance. Mr. Berman asked about the HOA's liability. Mr. Schnars stated, aside from fines, the HOA must fix it. The cost included the initial survey, of approximately \$2,000, which would determine if there was a grading problem. During maintenance, some of the plants were dug out with a bulldozer, which should not have been done and resulted in the grade changes. There are parameters for the shelf to be graded at and if the parameters are not met, it must be fixed, which is a fairly big liability. This issue was on Lake #2, on the east corner. Mr. Giolda stated that the County requires 80% littoral plant coverage and the area was at 67%, which was a 13% deficiency. After the work was completed, Mr. Schnars asked the maintenance contractor if they were in compliance with the plans, which were provided prior to the work being completed. The contractor confirmed that they were in compliance. Ms. Meredith Naim, a resident, asked, if there was something wrong with the actual grading, would it affect the surrounding homes. Mr. Schnars stated no because the shelves are on the west side of the lake.

C. District Manager

i. LANDOWNERS' MEETING: November 22, 2016 at 10:00 A.M.

The Landowners' meeting would be held on November 22, 2016 at 10:00 a.m., at this location. Ms. Cerbone stated that one Landowner's Seat was open. Two Seats would be elected in the General Election, today.

ii. NEXT MEETING DATE: December 13, 2016 at 10:00 A.M.

Ms. Cerbone stated that the next meeting will be held on December 13, 2016 at 10:00 a.m., at this location.

Mr. Lyles stated that the two General Election Board Members should be sworn in on November 22. A meeting of the Board was not required for the Oath of Office to be

administered. Ms. Naim stated she received a phone call from the Election’s office advising her that she should be sworn in on November 22 and was not certain if that was accurate.

Mr. Giolda asked since the homeowners would be taking over the Board on November 22, a new meeting location could be chosen. Future meetings would be held at the Osprey Oaks Clubhouse. The Board set the next meeting for Wednesday, December 14, 2016 at 4:00 p.m. at the Osprey Oaks Clubhouse, 7054 Miscovy Court, Lake Worth, Florida 33463. At the next meeting, the revised meeting schedule for Fiscal Year 2017 would be determined and subsequently advertised.

On MOTION by Mr. Freedman and seconded by Mr. Einfalt, with all in favor, scheduling the December meeting for Wednesday, December 14, 2016 at 4:00 p.m., at the Osprey Oaks Clubhouse, 7054 Musovy Court, Lake Worth, Florida 33463, was approved.

NINTH ORDER OF BUSINESS

**Audience
Requests**

Comments/Supervisors’

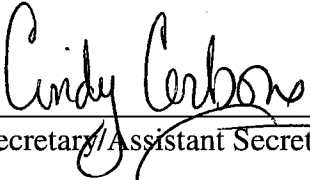
Mr. Schnars requested that his name be placed at the main gate to avoid access problems. Mr. Lyles stated, in order to have the CDD meetings at the Clubhouse, a Post Order directive must be issued to the main gate stating that, for CDD meetings, any member of the public may attend. Mr. Berman recommended that the guards document the names of the public who attend meetings and take license identification, on camera, for the record. Mr. Berman questioned why he had to sign in and announce his name at this meeting. Mr. Lyles stated that a member of the public is asked to identify themselves so the minutes are accurate so comments and questions would be correctly attributed to them, as a participating member of the public.

TENTH ORDER OF BUSINESS

Adjournment

There being nothing further to discuss, the meeting adjourned.

On MOTION by Mr. Einfalt and seconded by Mr. Freedman, with all in favor, the meeting adjourned at 10:36 a.m.


Secretary/Assistant Secretary


Chair/Vice Chair