

MINUTES OF MEETING  
WINDSOR AT WESTSIDE  
COMMUNITY DEVELOPMENT DISTRICT

The regular meeting of the Board of Supervisors of the Windsor at Westside Community Development District was held Friday, February 25, 2022 at 9:00 a.m. in the Club at Windsor at Westside, 2100 Tripoli Court, Kissimmee, Florida.

Present and constituting a quorum were:

Eric Baker	Vice Chairman
William Tew	Assistant Secretary
Mary Burns	Assistant Secretary
Duane (Rocky) Owen	Assistant Secretary

Also present were:

Jason Showe	District Manager
Sarah Sandy	District Counsel by telephone
Broc Althafer	District Engineer by telephone
Andy Hatton	GMS
Scott Stewart	
Tom Franklin	

**FIRST ORDER OF BUSINESS**

**Roll Call**

Mr. Showe called the meeting to order and called the roll.

**SECOND ORDER OF BUSINESS**

**Public Comment Period**

There being none, the next item followed.

**THIRD ORDER OF BUSINESS**

**Organizational Matters**

**A. Review Letters of Interest/Resumes**

Mr. Showe stated we have a letter of interest from Mr. Owen who is in attendance today.

Mr. Owen stated have been on boards for over 25 years and have been on one of the first CDDs formed in the State of Florida, which is Bonnet Creek. I was on the Board when Westside

was originally formed and developed the area then the developer went bankrupt and I was the designated Board Member for the bondholders and was on others that went bankrupt and were taken over by the bank.

**B. Appointment of Individual to Fill the Board Vacancy in Seat 1 with a Term Ending November 2022**

On MOTION by Mr. Tew seconded by Mr. Baker with all in favor Duane Owen was appointed to fil the vacancy in seat 1.

**C. Administration of Oath of Office to Newly Elected Board Member**

Mr. Showe being a notary public of the State of Florida administered the oath of office to Mr. Owen.

**D. Consideration of Resolution 2022-01 Electing Officers**

This item tabled until the end of the meeting.

**FOURTH ORDER OF BUSINESS**

**Approval of the Minutes of the September 21, 2021 Meeting**

On MOTION by Mr. Baker seconded by Mr. Tew with all in favor the minutes of September 21, 2021 meeting were approved as presented.

**FIFTH ORDER OF BUSINESS**

**Consideration of Resolution 2022-02 Designating a Registered Agent**

Mr. Showe stated there was a change in legal services. Hopping Green & Sams is dissolved and a lot of the attorneys went with Kutak Rock and later in the agenda is ratification of that transition letter but the first thing we would like to have approved is Resolution 2022-02 designating Sarah Sandy of Kutak Rock as the registered agent and her office address of 113 S. Monroe Street, suite 116, Tallahassee, Florida as the District’s registered office.

On MOTION by Mr. Baker seconded by Mr. Tew with all in favor Resolution 2022-02 Designating a Registered Agent was approved.

**SIXTH ORDER OF BUSINESS**

**Consideration of Resolution 2022-03  
Adopting Prompt Payment Policies**

Ms. Sandy stated the District is required to follow the Florida Statutes on prompt payment policies. There was an update by the legislature at the session before this one. This brings our policy that we have adopted into compliance with current state statute. Specifically, it adds more procedures with regard to disputing construction invoices as well as increases the interest due on past invoices.

On MOTION by Mr. Tew seconded by Mr. Baker with all in favor Resolution 2022-03 Adopting Prompt Payment Policies was approved.

**SEVENTH ORDER OF BUSINESS**

**Ratification of Transition Letter from  
Hopping Green & Sams and Kutak Rock,  
LLP**

Ms. Sandy stated our practice group from Hopping Green & Sams transitioned over to a new law firm, Kutak Rock in November. At that time we presented a transition letter that basically said that Hopping Green & Sams would no longer be providing legal services for CDDs.

On MOTION by Mr. Baker seconded by Mr. Tew with all in favor the transition letter from Hopping Green & Sams to Kutak Rock LLP was ratified.

**EIGHTH ORDER OF BUSINESS**

**Ratification of Agreement with Grau &  
Associates to Provide Auditing Services for  
Fiscal Year 2021**

On MOTION by Mr. Tew seconded by Mr. Baker with all in favor the agreement with Grau & Associates to perform the audit for Fiscal Year 2021 was ratified.

**NINTH ORDER OF BUSINESS**

**Staff Reports**

**A. Attorney**

**i. Memo on Public Records Exemptions Advisory Notice**

Ms. Sandy stated these are memos that came from our group when we were with Hopping Green & Sams. There were some legislative changes to laws that would affect us. One was the

prompt payment act that you just adopted. Another is in regard to some changes to public records laws, specifically it requires that those persons who are exempt from certain public records laws and from their information being produced such as addressing that they have to file a statement with the District not only that they fall under those public records exemptions, but they have to do it as a sworn statement to certify that it does apply to them. That is something the District managers will keep a watch on to make sure we receive that if anyone files a statement with the District saying their information is exempt from public records.

**ii. Memo on Wastewater and Stormwater Needs Analysis**

Ms. Sandy stated the legislature is requiring that all special districts that have stormwater to have a stormwater needs analysis and that is typically provided by the District engineer and is due in June of this year and updates will be required every five years.

**iii. Memo on Publication of Legal Notices**

Ms. Sandy stated in regard to public notice. There were some changes that would allow a District to publish notice of meetings and workshops online as opposed to the newspaper, however, as written it doesn't appear that there is an economic advantage to the District because in order to do so we would have to run a notice in the paper saying that there would be notice provided online.

**iv. Memo on Prompt Payment Policies**

This item was taken earlier in the meeting.

**B. Engineer**

Mr. Althafer stated I have put together a proposal for the wastewater and stormwater needs analysis that was just described. Because in this District the wastewater system was turned over to the Toho Water Authority, we are not required to do anything in terms of wastewater and my focus will be strictly on the stormwater system. I'm required to provide a detailed description of the stormwater system, an analysis of the current and projected residents in five-year increments and estimate the remaining life and cost cycles of the system. It will take some coordination between myself and the District manager to put all this together, but I have given a fee not to exceed \$2,500 to get this done and I should have it completed before the next meeting.

On MOTION by Mr. Baker seconded by Mr. Tew with all in favor the agreement with Osceola Engineering was approved in an amount not to exceed \$2,500.

**C. Manager**

**i. Approval of Check Register**

On MOTION by Mr. Tew seconded by Mr. Baker with all in favor the check register was approved.

**ii. Balance Sheet and Income Statement**

A copy of the balance sheet and income statement were included in the agenda package.

**iii. Presentation of Arbitrage Rebate Calculation Report**

Mr. Showe stated the summary is on page 4 and no rebate liability exists. That is a test to make sure we are not collecting more in interest than we are legally allowed under the bond documents.

**iv. Field Manager's Report**

Mr. Showe stated William is no longer with GMS and I would like to introduce Andy Hatton, who will be the new field manager.

Mr. Hatton stated I'm meeting with the landscape vendor and the fountain vendor. The frost hit pretty hard and we are going to give it some time and may be able to save most of them by chopping the tops off. If something doesn't work out, we can replace them. There are some at the fountain and we are just going to tear those out. The ponds look pretty good right now.

**TENTH ORDER OF BUSINESS**

**Supervisors Requests**

Mr. Showe stated we can go back to organizational matters. I understand Pulte is interested in resigning their seats and we have a couple people in the room who are interested in serving on the Board.

Mr. Stewart stated I have been in Osceola County since 1978, I have been in the real estate construction development business my whole career and I have been on other similar boards.

Mr. Franklin stated I came to Osceola County in 1974 and have served on several of these boards over the years and have also served as the engineer for a few CDDs as well and have a lot of experience in large developments similar to the development here. I sold my business a few years ago.

Mr. Baker stated I will resign from the Board.

On MOTION by Mr. Tew seconded by Ms. Burns with all in favor Mr. Baker's resignation was accepted.

On MOTION by Mr. Tew seconded by Ms. Burns with all in favor Scott Stewart was appointed to fill the vacancy in seat 3.

Mr. Showe being a notary public of the State of Florida administered the oath of office to Mr. Stewart. Ms. Burns stated I will resign from the Board.

On MOTION by Mr. Owen seconded by Mr. Tew with all in favor Mary Burns' resignation was accepted.

On MOTION by Mr. Tew seconded by Mr. Owen with all in favor Mr. Franklin was appointed to fill the vacancy in seat 2.

Mr. Showe being a notary public of the State of Florida administered the oath of office to Mr. Franklin.

On MOTION by Tew seconded by Mr. Owen with all in favor Resolution 2022-01 was approved reflecting the following officers: Rocky Owen Chairman, Tom Franklin Vice Chairman, George Flint Secretary, Bill Tew, Scott Stewart, Cliff Torres and Jason Showe Assistant Secretaries, and Katie Costa Treasurer.

Mr. Showe stated the Board Members are entitled to receive up to \$200 per meeting for compensation. Until this point, they have not received it. Does anyone want to receive the \$200?

*All but BT*  
~~No~~ Board Members accepted the compensation.

Mr. Owen asked can we consider moving the meetings to the Kissimmee Library?

Mr. Showe responded yes. We will likely have two more meetings for the rest of the year and we will contact the library.

**ELEVENTH ORDER OF BUSINESS**

**Public Comment Period**

There being none,

On MOTION by Mr. Tew seconded by Mr. Franklin with all in favor the meeting adjourned at 9:24 a.m.



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Secretary/Assistant Secretary



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Chairman/Vice Chairman